



West Lothian
Council

Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

23 June 2011

A meeting of the **Council Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston** on **Tuesday 28 June 2011** at **11:00am** or at the conclusion of Education Executive.

For Chief Executive

BUSINESS

PUBLIC SESSION

1. Apologies for Absence
2. Order of Business, including notice of urgent business
3. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
4. Deputation Request by Mr Robin Chambers and Mr Bill Percy in respect of Almond Valley Heritage Trust - Land for Additional Parking.
5. Confirm Minute of Meeting held on 14 June 2011 (herewith).

PUBLIC ITEMS FOR DECISION

6. Revised Letting Regulations - Educational Premises: Halls and Schools Incorporating the Protection of Vulnerable Groups (Scotland) Act 2007 - Report by Head of Service - Schools with Education Support (herewith).
7. Strategy for Tackling Under-Age Drinking/Diversions Activities for Young People - Fauldhouse and the Breich Valley Ward - Report by Lead Officer, Local Area Committee (herewith).

8. Access Fund Applications - Report by Head of Corporate Services (herewith).
9. Designation of Additional Taxi Stance in Bathgate - Report by Corporate Services (herewith).
10. Licensing Enforcement - Delegation of Authority to Chief Solicitor - Report by Head of Corporate Services (herewith).
11. 2010/11 Housing Capital Budget - Out-Turn Report - Report by Depute Chief Executive (herewith).
12. 2010/11 Housing Revenue Account - Out-Turn Report - Report by Depute Chief Executive (herewith)
13. Fixed Penalty Provisions - Tobacco and Primary Medical Services (Scotland) Act 2010 - Report by Environmental Health & Trading Standards Manager (herewith).
14. Garden City, Bents - Dealing With Low Mains Water Pressure - Report by Environmental Health & Trading Standards (herewith).
15. Approval of Partnership Agreements with Community Education Centres - Report by Head of Area Services (herewith).
16. Local Conference On Welfare Reform - Report by Head of Area Services (herewith).
17. Provision of Youth, Community, Advice and Information Support Facilities in Craigshill - Report by Head of Area Services (herewith).
18. Training and Employment Opportunities for 16-19 Year Olds - Report by Head of Area Services (herewith).
19. Bathgate Fairtrade Town and West Lothian Fairtrade Zone Applications - Report by Head of Area Services (herewith).
20. Location of Automatic Public Convenience - Report by Head of Operational Services (herewith).
21. Equality Act - Roads Network Improvements Tranche 2 Programme of Works (2011/2012) - Report by Head of Operational Services (herewith).
22. Deans South Livingston - Proposed 20MPH School Zone - Report by Head of Operational Services (herewith).
23. Draft Planning Briefs - West Main Street (East), Blackburn (HBb10), West Main Street (West) Blackburn (HBb11) - Report by Head of Planning Services Manager (herewith).
24. Draft Planning Brief - Almondvale Roundabout South West, Livingston - Report by Planning Services Manager (herewith).

25. West Lothian Local Development Plan - Development Plan Scheme No.3 & Call for Sites - Report by Planning Services Manager (herewith).
26. Clarendon House 30 Manse Road, Linlithgow Lease of Land and Outbuildings - Report by Head of Finance and Estates (herewith)
27. Almond Valley Heritage Trust - Land for Additional Parking - Report by Head of Finance and Estates (herewith).
28. Former Whitdale Annexe & Grounds, East Main Street, Whitburn, Proposed Sale to Almond Housing Association (herewith).
29. 2010/2011 Outturn and Statement of Accounts - Report by Head of Finance and Estates Services (herewith).
30. General Services Capital Programme - Report by Head of Finance and Estates (herewith)
31. 2011/12 Budget Reductions - Update on Progress Towards Implementation - Report by Head of Finances and Estates Services (herewith).
32. Modernising Procurement Review - Report by Head of Finance and Estates (herewith).
33. Risk Management - Report by Head of Finance and Estates (herewith).
34. Civic Centre Car Parking - Report by Head of Finance and Estates (herewith).
35. Methods of Payment - Report by Head of Finance and Estates (herewith).
36. Strathbrock Bungalow - Report by Head of Finance and Estates (herewith).
37. Council's Code of Corporate Governance - Annual Review - Report by Chief Legal Officer (herewith). Background paper available from Committee Services.
38. Freedom of Information - Annual Report - Report by Chief Legal Officer (herewith).
39. APSE Seminar on 14 July 2011 - The Virtuous Green Circle: How to reap the benefits of Solar PV

PUBLIC ITEMS FOR INFORMATION

40. Councillors Code of Conduct - Report by Chief Legal Officer (herewith).
41. Early Retiral / voluntary Severance - 9 Month Summary - Report by Head

of Corporate Services (herewith).

42. Feedback on West Lothian Council's Strategic Housing Investment Plan 2011-2016 - Report by Head of Housing, Construction and Building Services (herewith).
43. Developer Contributions Update - Report by Head of Planning and Economic Development (herewith).
44. Pentland Hills Regional Park Service Work Plan 2011/12 and Consultation by the Regional Park Joint Committee on Car Parking Charges within the Regional Park - Report by Planning Services Manager (herewith).
45. Linlithgow Loch Catchment Management Action Plan - Report by Head of Planning & Economic Development & Head of Operational Services (herewith).
46. Central Scotland Green Network (CSGN) - Report by Planning Services Manager (herewith).

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

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, LIVINGSTON, on 14 JUNE 2011.

Present – Councillors Peter Johnston (Chair), Frank Anderson, John Cochrane, Robert De Bold, Ellen Glass, Isabel Hutton, John McGinty, Andrew Miller, Cathy Muldoon, Councillors Carl John, Greg McCarra and John Muir substituting for Councillors Willie Boyle, Martyn Day and Jim Walker

Apologies – Councillor William Boyle, Martyn Day, Jim Walker

1 DECLARATIONS OF INTEREST

Councillor John McGinty declared a non-financial interest in item 13 as his wife was treasurer of West Lothian Highland Games.

Councillor Carl John declared a non-financial interest in item 10 as he resided in the area and advised he would leave the meeting room and not take part in the consideration of this item.

2 MINUTE

The Council Executive approved the minute of its meeting held on 17 May 2011. The minute was then signed by the Chair.

3 BATHGATE PARTNERSHIP CENTRE, SOUTH BRIDGE STREET,
BATHGATE – PROPOSED LEASE OF CAFÉ PREMISES TO FOOD
CREATIONS LTD

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates seeking approval for the proposed lease to Food Creations Limited of the café facilities at Bathgate Partnership Centre.

The report advised that a competitive tender process had taken place for the operation of the café and five responses were received. The tenders were evaluated on the basis of price and quality with each element worth fifty per cent of the score.

The quality element included adding value to the partnership centre, Menu and pricing, support to employment of special need, support for fair trade, business plan and references.

The report detailed the proposed lease terms to Food Creations Limited. The report further advised that it was not envisaged that the operator would hold an alcohol licence and on occasions that it would be required, West Lothian Council and/or the Management Committee would make the necessary arrangements.

Finally, the report advised that Community groups would be allowed to undertake their own catering for events, although they would be encouraged where possible to utilise the café services available on site.

The Council Executive was recommended to approve the lease of the café at Bathgate Partnership Centre to Food Creations Limited for a period of three years at an initial rental of £10,000 per annum and subject to the other terms and conditions contained in the report.

Decision

To approve the terms of the report.

4 COMMUNITY COUNCIL SPECIAL PROJECT GRANT APPLICATIONS

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising that three applications for special projects grants had been received from Ecclesmachan & Threemiletown, Uphall and Broxburn Community Councils. Details of each project and amounts requested were contained in Appendix 1 to the report.

The report advised that the special project grant scheme currently operated for community councils in West Lothian to allow them to carry out projects in their areas. Community councils could apply for a maximum of £750 special project funding in each financial year.

The report further advised that the total budget for the current financial year 2011/12 was £3000 and that applications were dealt with on a first come first served basis. Community councils that retain more than £75 of their administration grant were expected to contribute 10% towards the project.

Finally, the report advised that these were the first applications to be considered in this financial year and if granted as recommended the balance remaining would be £1,716.90.

The Council Executive was recommended to approve and grant £750 to Ecclesmachan & Threemiletown Community Council, £237 to Uphall Community Council and £296.10 to Broxburn Community Council.

Decision

To approve the terms of the report.

5 2010 REVIEW OF REMUNERATION FOR LOCAL AUTHORITY COUNCILLORS

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services providing information on the recommendations of the Scottish Local Authority Remuneration

Committee's (SLARC) 2010 review on the remuneration levels paid to all councillors.

The report advised that at Council Executive on 22 March 2011, it was agreed that the SLARC recommendations, at point 17, 20 and 22 as detailed in the report be the subject to further discussion and scrutiny at a future meeting of the Partnership & Resources Policy Development and Scrutiny Panel.

The report further advised that at the Partnership & Resources Policy Development and Scrutiny Panel meeting on 13 May 2011 the Panel noted the content of the report detailing the impact of recommendations 17, 20 and 22 of the SLARC review.

The Panel members agreed that the report should be submitted to the Council Executive with the recommendation that the SLARC recommendations be supported, however the Panel members did not reach a consensus on recommendations 20 and 22 and agreed that it would be for the Council Executive to agree a position on these two recommendations.

The report went on to advise that specific concerns were raised with regard to the arbitrary basis upon which the additional £1,000 for band C, £2,000 for Band B and £3,000 for Band A, had been determined, to reflect budgetary responsibilities and size of joint boards.

Finally, the report advised that Council Executive should note that in their 2009 report, pending an amendment to primary legislation to allow Joint Boards to determine salaries for their senior positions, SLARC had recommended that the salary for conveners and vice conveners of Joint Boards should be maintained at the April 2009 levels for the next 2 financial years.

Council Executive was recommended to note the content of the report, the recommendation of the Partnership & Resources Policy Development and Scrutiny Panel and to advise on any further action required with regard to the matters concerned.

Motion

1. To note the recommendations of the report;
2. To respond recording acceptance of recommendation 17 but did not support recommendations 20 and 22; and
3. To suggest that there be a review in light of the new framework and reshaping of the Public Sector in Scotland.

Moved by the Chair and seconded by Councillor Anderson

Amendment

That Council Executive supports recommendations 17, 20 and 22.

Moved by Councillor McGinty and seconded by Councillor Muldoon

Decision

Following a vote the motion was successful by 10 votes to 2 and it was agreed accordingly.

6 NON-DOMESTIC ELEMENTS OF THE GENERAL PERMITTED DEVELOPMENT ORDER - SCOTTISH GOVERNMENT CONSULTATION PAPER

The Council Executive considered a report (copies of which had been circulated) by the Development Management Manager providing information of the Scottish Government's proposed change to non-domestic elements of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 and to seek the views as to how the council should respond to the Scottish Government's consultation on the new order.

The report provided details of the questions posed in the consultation along with the proposed responses and members were invited to consider these responses and comment where appropriate.

The report advised that whilst it was considered that the extension of permitted development rights for small development for industrial, office, commercial and institutional uses was to be welcomed, there required to be sufficient safeguards to ensure that any such extensions did not give rise to a loss of amenity for the occupants of any neighbouring properties, whether residential or not. Additionally the report advised that the changes proposed were not in the main significant and were unlikely to lead to a significant drop in the number of planning application dealt with by the council.

The report concluded that with the exception of extensions to licensed premises, the possible expansion of waste management facilities, which experience had shown to be contentious forms of development, and the size of extensions allowed to shops, it was considered that the relaxation of planning control proposed was generally reasonable and would not give rise to any loss of amenity for residents or people who work in West Lothian.

The Council Executive was recommended to:-

- Note the proposed changes; and
- Approve the proposed response to the consultation in the terms detailed in this report.

Decision

To approve the terms of the report.

7 IMPROVING CHOICE IN VERIFICATION OF BUILDING STANDARDS

The Council Executive considered a report (copies of which had been circulated) by the Planning Services Manager and which advised members that Scottish Government Ministers had issued a consultation on the introduction of the National House Building Council (NHBC) into the verification process for new housing and to agree council support for the view that verification of new housing should remain with local authorities who were truly impartial and accountable to the public.

The report explained that the Scottish Government's Building Standards Division commissioned an options appraisal report on the existing arrangement and the way forward from Optimal Economics. In January 2011 Scottish Ministers made their decision and agreed to appoint all 32 local authorities for a further six years to undertake the verification function on a reformed basis. However Ministers were seeking views on the introduction of limited private verification and which would work alongside local authority verification. This would introduce the National House Building Council to the verification process in Scotland. However it was further noted that their role would be limited to competing with local authorities as a verifier of new housing only.

Attached to the report at Appendix 1 was the consultation document, with the proposed response which made clear the compelling case to re-appoint Scotland's 32 local authorities as the only appointed verifier for all work within a geographical are.

The Council Executive was recommended to note the content of the report and approve the submission of the report and appendices as the council's response to the consultation.

Decision

To approve the terms of the report.

8 DRAFT DEVELOPMENT FRAMEWORK - RAW HOLDINGS WEST AND EAST CALDER

Councillor Carl John having declared an interest in this item of business left the meeting room and took no part in the consideration or the decision.

The Council Executive considered a report (copies of which had been circulated) by the Planning Services Manager seeking approval for a draft development framework for Raw Holdings West at East Calder.

The Planning Services Manager advised that Raw Holdings West was located to the east of East Calder within the boundaries of the Calderwood Core Development Area (CDA) as identified in the adopted West Lothian Local Plan. Within the area the local plan provided for a mixed-use development comprising 2800 houses, employment land, new

schools, retail, road and footpaths, landscaping and community facilities.

A development framework for the area had been the subject of discussion with East Calder and Wilkieston Community Council, landowners and other interested parties over a number of months and it had been considered more latterly at a meeting of the East Livingston and East Calder LAC. Therefore given the significant requirements for community infrastructure to support development of the wider Calderwood CDA progress was required to be made with a development framework for the Raw Holdings West area.

The report continued to provide information relating to the development framework which had been prepared by a consortium of landowners with interests in the area. And it was noted that the Framework had been subject to discussions including the Community Council, the East Calder and Wilkieston Children's Gala Committee and statutory consultees in order to make progress on detailed matters including developer contributions which would be required to ensure delivery.

Further information was contained within the report regarding the outcome of recent meetings of the East Livingston and East Calder Local Area Committee, and the Development and Transport Policy Development and Scrutiny Panel. The report also included submissions by East Calder and Wilkieston Community Councils and Raw Holdings Landowners.

The report concluded that a development framework was required to guide development of the Raw Holdings West area and that much consultation had already taken place on the development of such a framework. Further consultation on the framework would continue as more detail emerged and would include dialogue with the new liaison group.

The Council Executive was recommended to:

- Approve the contents of the report; and
- Approve the framework as supplementary planning guidance to inform development decisions as the Raw Holdings West.

Motion

To reject the recommendations of the report and to invite the landowners to submit proposals for a maximum of 12 dwellings per hectare.

Moved by the Chair and seconded by Councillor Greg McCarra.

Decision

To unanimously agree the terms of the motion.

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy which outlined the Violence against Women Strategic Group's draft response to the Scottish Government Forced Marriage Statutory Guidance Consultation Paper.

The guidance was aimed at Chief Executives, Directors and senior managers of public bodies and provided information on understanding the issues behind forced marriage. The document set out the duties and responsibilities of agencies aimed at protecting children, young people and adults facing forced marriage.

The document defined forced marriage as a form of child and adult abuse and defined that cases should be responded to using existing frameworks for protecting children, adults at risk and victims of domestic abuse. Awareness raising and training would be incorporated and embedded into existing training within agencies to ensure frontline staff were aware of the issues and responded appropriately to cases of forced marriage.

The Council Executive was recommended to approve the response and agree that it be submitted to the Scottish Government on behalf of West Lothian Council by 1st July 2011.

Decision

To approve the terms of the report.

10 CONSULTATION ON COMMON CORE OF SKILLS, KNOWLEDGE & UNDERSTANDING AND VALUES FOR THE CHILDREN'S WORKFORCE IN SCOTLAND

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy which provided information on the proposed response to the Scottish Government consultation on Common Core of Skills, Knowledge & Understanding and Values for the Children's Workforce in Scotland.

The report explained that the "children's workforce" was defined as including anyone working (paid or unpaid) with any child, young person or family across health, education, social services, justice and community services in the public, private or voluntary sectors.

It was noted that although fundamentally agreement was given to the theory of the common core, further clarification would be sought in the following areas:

- Clearer definition would be required on how the common core would be utilised, especially as there are other frameworks which had been developed and widely disseminated across the social services sector, which addressed areas of knowledge, skills and values.
- Clarification would be sought as to whether or not the common core would be a duplication of other frameworks that guide the

workforce, i.e. GIRFEC, SSSC National Standards, Continuous Learning Framework, etc.

- Clearer guidance would be sought with regards to the co-ordination, promotion, monitoring, evaluation and in particular in determining the resources for the delivery of the common core and how these would be implemented across such a large and varied sector, particularly the unpaid workforce.

Once implemented the common core would support the development of more effective and integrated services, which in turn would promote more flexible development and career progression for the workforce and would make communicating across organisational boundaries and cultures easier.

The Council Executive was recommended to approve the response contained in the appendix to the report and agrees that it be submitted to the Scottish Government on behalf of West Lothian Council.

Decision

To approve the terms of the report.

11 EUROPEAN PIPE BAND CHAMPIONSHIPS

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services providing information of a potential bid by West Lothian Highland Games Association to hold the 2013-2015 European Pipe Band Championships in Bathgate.

The Head of Area Services advised that the Royal Scottish Pipe Band Association (RSPBA) were responsible for organising the five major pipe band championships, these being World, Scottish, British, Cowal and European. Previously Bathgate had hosted the British Pipe Band Championship for 11 years and in 1990 held the European Championships. Therefore the West Lothian Highland Games Association intended to bid to host the European Championships in 2013, 2014 and 2015 and they would be held in the week before the West Lothian Bathgate Highland Games.

The report went on to explore the scale of and the benefits from the proposed event and included details of the how the events were being received in previous and existing host towns and cities. Information was also contained in the report of the Bathgate bid and which would emphasise the public/private partnership between Enterprising Bathgate and West Lothian Council.

The report continued to advise that advisors from the Business Gateway had met the Bathgate bid team and had agreed to support the team with the development of a business plan which would demonstrate the viability of the staging the event. It was noted that the largest item of expenditure was the payment to the Royal Scottish Pipe Band Association and that

the main source of income was ticket sales, sponsorship and fees for pitches on the day.

The report concluded that the Council Executive note the potential economic benefits of hosting an event such as the European Pipe Band Championships and agrees the recommendations to support in principle a potential bid by West Lothian Highland Games Association to hold the 2013-2015 championships in Bathgate with the proviso that no financial support would be offered until a robust and a viable business plan for the championship was produced and considered.

Decision

1. Approved the terms of the report; and
2. Agreed that the recommendations of the report to include the UK and Scottish Championships.

12. LIVINGSTON STATION COMMUNITY CENTRE

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services providing information on the newly built Livingston Station Community Centre and the disposal of the old community centre.

The report explained that the newly built facility had been handed over to the council in April 2011 and that whilst there was some minor snagging and external drainage works to be completed these would be attended to in due course by Construction Services.

The Management Committee had been briefed on progress and relocation of the groups' equipment, furniture, etc from the existing facilities was underway. Additionally a programme of safety training and emergency procedures was in place to ensure that the Management Committee and user groups were appropriately trained to ensure the smooth operation of the facility.

The report further explained that a budget had been set aside for the purchase of specific items of furniture to further enhance the facility and that tenders for the MUGA (Multi Use Games Area), to be sited adjacent to the community centre were now complete and work was due to commence in June 2011.

The old community centre would now be declared surplus to requirement and given its poor state of condition, demolition would be considered.

The report concluded that the new facility was a tremendous asset to Livingston Station and would meet the social, educational and recreational needs of the local community.

The Council Executive was recommended to note the contents of the report and authorise the Head of Finance and Estates to action the disposal of the old Community Centre.

Decision

To approve the recommendations of the report.

13 WEST LOTHIAN RECYCLING LTD – APPOINTMENT OF DIRECTORS

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive informing members of the need to nominate a replacement council officer to become a member of the Board of Directors of West Lothian Recycling Limited and to seek approval for Jim Jack, Head of Operational Services to be nominated.

The report advised that following the retirement of Dave Pringle (Roads Services Manager) a vacancy on the Board of Directors had arisen and it was proposed that Jim Jack (Head of Operational Services) be nominated to this post.

This was discussed, in principle with the Board of West Lothian Recycling Ltd and they welcomed this approach and would be happy to ratify it, and formally register Jim Jack.

The Council Executive was requested to approve the nomination of Jim Jack as a Director on the Board of West Lothian Recycling Ltd.

Decision

To approve the terms of the report.

14 ST JOHN'S HOSPITAL STAKEHOLDER GROUP

The Council Executive considered a report (copies of which had been circulated) by the CHCP Director inviting the Council Executive to note the terms of the minutes of meetings of St John's Hospital Stakeholder Group held on 13th April 2011, a copy of which was appended to the report.

Decision

To note the terms of the report.

15 SICKNESS ABSENCE REPORT

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services on sickness absence rates for the period 1st April 2010 to 31st March 2011 and advised the measures being taken to implement the council's revised Policy & Procedure on Managing Sickness Absence.

The report advised that the council introduced a revised Policy & Procedure on Sickness Absence Management on 1st May 2010. The policy was designed to improve the management of sickness absence

across the council and encourage managers to take a proactive and supportive approach to the management of sickness absence.

Appendix 1 to the report set out the sickness absence SPI for the council for 2010/11. With the exception of April and May the SPI remained consistently lower than in any of the previous 4 years. In addition to this, the increasing trend evident from around August in each of the previous 4 years has not occurred in 2010/11 with the SPI remaining relatively constant from August and ending the year at 4.30% compared to 5.15% at the end of the previous year.

The report further advised that the absence management team had been working closely with managers, providing advice and guidance on the management of sickness absence cases and monitoring the application of the policy and procedure.

In conclusion the report advised that the reduction in the number of days lost due to sickness absence during 2010/11 represented a significant achievement for the council.

The Council Executive was recommended to note the content of the report.

Decision

To note the contents of the report.

16 DISABLED PERSONS' PARKING PLACES (SCOTLAND) ACT 2009
ANNUAL REPORT FOR PERIOD 1ST OCTOBER 2001 TO 31ST MARCH
2011

The Council Executive considered a report (copies of which had been circulated), by the Head of Operational Services advising on the contents of the Annual Report on the implementation of the Disabled Person's Parking Places (Scotland) 2009 Act.

The report advised that on 1 October 2009 the Disabled persons' Parking Places (Scotland) 2009 Act, came into force and that Section 11 of the Act required that an annual report be prepared detailing functions undertaken by the council.

Appendix 1 to the report contained the full report which detailed West Lothian Council's performance over the first reporting period. The report summarised actions in terms of works undertaken on-street and off-street, in order to provide disabled parking facilities for Blue Badge holder.

The Council Executive was recommended to note the contents of the Annual Report on functions undertaken as directed by the Act.

Decision

To note the contents of the report.

17 ACTION TAKEN IN TERMS OF STANDING ORDER 31 (URGENT BUSINESS) -

- a) The Council Executive noted that approval had been provided, in terms of Standing Order 31, for an additional meeting of the Licensing Committee to be arranged on 8 June 2011.
- b) The Council Executive noted that approval had been provided, in terms of Standing Order 31, for a response to be submitted on the Scottish Government Consultation paper on maintenance of land on private housing estates.



COUNCIL EXECUTIVE

REVISED LETTING REGULATIONS – EDUCATIONAL PREMISES: HALLS AND SCHOOLS INCORPORATING THE PROTECTION OF VULNERABLE GROUPS (SCOTLAND) ACT 2007

REPORT BY HEAD OF SERVICE – SCHOOLS WITH EDUCATION SUPPORT

A. PURPOSE OF REPORT

To advise the Council Executive of the implications of the Protection of Vulnerable Groups (Scotland) Act 2007 on Youth Lets, and to propose subsequent necessary changes to the Letting Regulations – Education Premises: Halls and Schools.

B. RECOMMENDATION

That the Council Executive approves the revised Letting Regulations – Education Premises: Halls and Schools, to incorporate the Protection of Vulnerable Groups (Scotland) Act.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Letting Regulations - Education Premises: Halls & Schools.
III Resources - (Financial, Staffing and Property)	None.
IV Consultations	None.

D. TERMS OF REPORT

As from 28 February 2011 the Protection of Vulnerable Groups (PVG) Scheme will be phased in over a four year period to replace Enhanced Disclosures.

In the first year, vetting arrangements for all adults working / helping / supervising activities with young people under the age of 18 must now be done through either:

1. Enhanced Disclosure if work began prior to 28 February 2011.
2. PVG Scheme membership if work began after 28 February 2011.

Valid Enhanced Disclosures will still be acceptable, but registration with the PVG Scheme must take place upon their expiry.

During years two to four, all adults working / helping / supervising activities with young people under the age of 18 will be asked to become PVG Scheme members, and to ensure they are all PVG Scheme members by the end of year 4.

The Revised Letting Regulations - Education Premises: Halls & Schools and the FYouthLet1 Form – Registration for Use of Education Planning and Area Services Premises by a Non-Council Youth Group have been revised to take the year one interim measures into account and are attached as Appendix 1. The report has also been updated to include other minor amendments indicated in red.

A report regarding the implications of the PVG Scheme on a corporate level will be submitted to a future meeting of the Council Executive.

E. CONCLUSION

In order to comply with the Protection of Vulnerable Groups (Scotland) Act 2007, it is necessary to revise the Letting Regulations - Education Premises: Halls & Schools and the FYouthLet1 Form as attached at Appendix 1.

F. BACKGROUND REFERENCES

The Protection of Vulnerable Groups (Scotland) Act 2007.

Further information about the PVG Scheme can be found at www.infoscotland.com/pvgscheme.

Appendices/Attachments: 1. Revised Letting Regulations - Education Premises: Halls & Schools

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Moir Niven, Head of Service – Schools with Education Support

Date: 28 June 2011



Policy: Letting Regulations - Education Premises:
Halls & Schools

Author: Colin Bingham
Service: Support Services

Last Updated: April 2011

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Glossary of Terms

- (a) **“The Premises”** means any hall, pavilion, primary school or other premises administered by Education & Cultural Services and offered by them for Letting.
- (b) **“The Lessee”** means the person in whose name the premises have been booked.
- (c) **“The Lessor”** means West Lothian Council, represented by Education & Cultural Services or appointed representative.

Conditions of Let

1. Permission

No let will be allowed within any premises unless prior authority has been granted and only in accordance with the permit issued by the Director of Education and Cultural Services or appointed representative.

Where several applications are received for a particular Educational Establishment they will be given priority in order of the categories listed on the scale of charges.

2. Responsible Person

A responsible person must be present throughout the duration of each let. In the case of sports lets the activity must be carried out and supervised in accordance with the appropriate rules and safety recommendations of the governing body of the sport concerned.

3. Health and Safety

While the Council is responsible for the fabric of the building the permit holder must ensure that all Health and Safety requirements are complied with in all activities of their groups. In addition to the Health and Safety requirements the lessee will be responsible for complying with the Fire Action Plan and the Swimming Pool Safety Plan. Fire exits should be kept clear at all times.

4. Ball Games

Where a let is granted for a ball game within the premises, the activity must only be that represented in the recognised rules for the playing of that game. No forms of football are permitted or any exercising with equipment which might lead to damage of the premises.

5. Martial Arts

Lets for Martial Arts will be granted only to *bona fide* organisations recognised by the Scottish Board of Control for Karate or the Martial Arts Commission.

6. Damage to Property

Any damage to property which occurs during occupancy of the premises will be made good by the Council. The lessee will be charged by the Council for the cost of making good any damage or losses incurred as a consequence of the let, to any furniture, fixtures or equipment belonging to the premises. **The premises must be left in the same state as it is found. No person is permitted in any other area in the premises apart from the designated accommodation for the let (excluding toilets)**

7. Insurance / Loss of Property

All organisations using Educational premises must hold Public liability insurance and details must be shown on the letting application before a permit can be issued. The Council does not accept responsibility for the loss of property belonging to or for accidents sustained by, members or organisations using educational premises.

8. Smoking

Smoking within the boundaries of the school is strictly prohibited.

9. Consumption of Alcohol

- the consumption of alcohol is strictly forbidden in school premises except for approved cheese and wine meetings or those of a similar type organised by Parent Councils, Parent/ Teacher or Teaching Staff Associations where no tickets are sold or other consideration given. The lessee will be responsible for the removal of bottles and related articles at the end of the let.
- if a lessee wishes to hold a function at which licensed facilities are to be offered, the event would require to be licensed under the Licensing (Scotland) Act 1976. In addition, application must be made to the Director of Education and Cultural Services. Where such lets are subsequently agreed the following additional conditions will apply:
 - i. No licensed event will be approved if other users are in the building at the same time, unless they can be kept completely separate.
 - ii. The permit holder must be responsible for the supervision of the main entrance door(s) and any doors which give access to the event. This supervision must be actively maintained throughout the duration of the let.
 - iii. The siting of the bar facility must be arranged with the approval of Education & Cultural Services.
 - iv. No bar stock will be permitted to remain on the premises overnight.
 - v. The applicant will be responsible for obtaining appropriate licenses from the Licensing Board. (application for a licence can be made by telephoning 01506 281627)
 - vi. The permit holder will be responsible for the removal of bottles and related articles at the end of the let.
 - vii. If music is to be played and tickets are to be sold for entry to the event, a public entertainment licence must also be obtained from the Licensing Board.

10. Instructions

The instructions of the Caretaker, FMA or Community Education staff present must be complied with at all times. In the case of playing fields, the groundsman's decision on the fitness of the ground for play will be final.

11. Footwear

Members of organisations using educational premises must wear suitable footwear. The use of studded boots on all-weather pitches is strictly forbidden.

12. Rights of Cancellation

The lessors reserve the right to cancel the let of any premises, to do so without obligation upon or recourse against them, and also to refuse admission to any person whomsoever. The lessees shall have the right of appeal to the council.

Written notice of a cancellation by a user must be received by the Letting Section at least **2 working days in advance**, and in the event of any let being cancelled without sufficient notice or reason as the lessors shall deem expedient the lessees shall be bound to pay such a sum to the lessors, as shall be deemed as recompense for any financial loss suffered by the lessors.

Primary School Bookings are subject to alteration or cancellation should the premises be required for educational purposes.

13. Premises Availability

Primary School Premises

a) During School Sessions

	Non-social Meetings	Social Meetings
Monday-Thursday	6.00 pm - 10.00 pm	6.00pm - 11.00 pm
Friday	6.00 pm - 10.00 pm	6.00 pm - Midnight
Saturday / Sunday	Lets for education premises will be subject to availability of facilities management services	

b) During School Holiday Periods

Application will require to be made and will be granted subject to the availability of facilities management staff and the maintenance programme of work on the building.

Halls / Pavilions

Monday-Thursday	09.00 am - 10.00 pm
Friday	09.00 am - 01.00 am
Saturday	09.00 am - 12.00 midnight

14. Access to Premises

Access to the premises will be permitted only at the commencement time shown on the booking confirmation and users must be completely clear of the premises by the finishing time shown on the booking confirmation. Any additional use of the premises either before or after a let will result in an additional charge being made in accordance with the scale of charges. Any special requirements should be requested at the time of the booking and although every effort will be made to meet requirements, no guarantee can be made.

15. Floors

Polishing of floors for dancing is prohibited as is the use of slipperene or other such substances. Dry Ice must not be used in Council Premises.

16. Pianos

The use of pianos in Primary School Premises is subject to the following conditions:

- only competent and authorised persons are allowed to use the instruments.
- that the pianos to be used shall be those indicated by the school facilities manager.
- any damage resulting from the use or misuse of the premises will be made good by the Council and the costs will be charged to the user.

17. Discotheques and Dances

In the case of discotheques and dances being permitted

- a) in Primary School Premises it will normally be expected that there shall be a ratio of at least one supervising adult (over 21 years of age) present throughout the session for every 15 persons attending the function. Under certain circumstances, this ratio may require to be adjusted after consultation between the user and the appropriate Community Education Officer. An appropriate proportion of supervisors shall be female.
- b) In Halls or Pavilions, Special stewarding requirements will be advised for individual lets and must be strictly adhered to.

18. Music and Drama

For music and drama groups the let does not provide for the admission of an audience unless specified in the application.

19. Noise

Noise must be kept within reasonable limits and amplifiers must not be used in the premises to increase the volume of music, or sound, to a point where the music is audible outside the premises (sound volume must not exceed the maximum level of 85dBA). To this end, doors and windows should be kept closed and users must comply with the instructions of the FMA, Caretaker or Community Education staff in this respect.

20. Equipment

Along with the provision of accommodation the necessary toilets, heating and lighting of the building will be provided.

In Primary Schools, the use of kitchen/serving facilities will be supplementary to the use of the accommodation if required (where use of kitchen equipment is permitted, a member of the Education Catering Service staff must be in attendance **for guidance in use of heavy equipment and security**). The cost of such attendance will be charged to the user.

In Halls, although some have kitchens equipped for basic level cooking, they are not equipped for full catering and in the interests of good food hygiene they should not be used beyond their limits. Caterers should only use kitchens in accordance with the results of their own risk assessment, required under Regulation 4(3) of the Food Safety (General Food Hygiene) Regs 1995. For example where chilled cabinets are required these should be provided by the caterer.

The users shall not have the use of any other equipment or fittings apart from that mentioned in this clause.

Any electrical equipment to be used in the premises must have a current Electrical Certificate of safety. This should be available for the lessors to view on request.

21. Performance Regulations

The user shall be wholly responsible for satisfying any conditions imposed by the Theatre Act 1968 or under the Performance Regulations and obtaining the necessary licences, performing rights and copyright for any performances being given. Premises are offered for let as seen at the time of application and no building or other work outwith normal maintenance will be undertaken by the Council to accommodate a special activity.

22. Charges

A Charge for the let, where appropriate, will be levied in accordance with the scale of charges determined periodically by the Council - attached. Charges will be rendered in the form of an account sent to the lessee. Any queries regarding accounts should be addressed to the Service Accounts Section at the Revenues Unit, St David House, South Bridge Street, Bathgate, EH48 1TT. **All one-off bookings are payable in advance.**

Payment should be made to any CIS Office – see attached list. No payment should be made by users to any Primary School or Hall Staff.

23 Protection of Children (Scotland) Act 2003 and Protection of Vulnerable Groups (Scotland) Act 2007

In compliance with the legal requirements of the **above acts** the council is required to obtain written confirmation from potential applicants that suitable measures are in place for the supervision and/or protection of young people participating in activities delivered on council premises. Application Form FyouthLet1 (attached) **must** be completed and returned together with an Application for use of the accommodation - see paragraph 24 below.

24 Applications

All applications, whether for Primary School Premises, Halls or Pavilions, should be made using the standard application form (attached).

Applications for the hire of:

- Primary school premises, Hall or Pavilions on a **recurring** basis must be renewed each year and must reach the Letting Section no later than the last Friday in May preceding the new session.
- Primary school premises, halls and pavilions for **single** occasions must reach the Letting Section no later than two weeks before the date on which the accommodation is required.
- The application forms are also available from Letting Section, Education Services, West Lothian Civic Centre, Howden South Road, Livingston EH54 6FF - Telephone: 01506 281949.

25 Swimming Pools

No Swimming will take place without supervision. A competent person holding at least the Bronze Medallion of the Royal Life Saving Society or a similar qualification will be responsible for the group and will be present on the poolside throughout the duration of the let.

The person responsible will ensure that:

- (i) no outdoor shoes will be worn in the pool area.
- (ii) when appropriate, showers are used before entering the water.

26 Sub Aqua Clubs

- (i) In the event of cylinders being used, these must be restricted to the single size; twin cylinders will not be considered acceptable for pools.
- (ii) When being conveyed to and from the dressing rooms, cylinders must be carried in the hand and only worn on the back when the swimmer is about to enter the water.
- (iii) Entry to the water should be by the steps only. It is not permitted to backflip from the pool edge.
- (iv) If exercises involving the removal of the cylinders in the water are being undertaken, a suitable mat must be provided by the users and laid on the pool floor to prevent any possibility of damage.
- (v) Weight belts should be carried to the bottom, not thrown into the water or released in the water to drop to the bottom.
- (vi) There must be present on the poolside one instructor for every swimmer using cylinders.
- (vii) Somersaults, turns and similar manoeuvres will not be permitted in the pool unless over a mat as in item (iv) above.

27 Canoeing

- (i) No canoeing will be permitted unless an instructor holding the Senior Instructor's Certificate or Approved Instructor's Qualification of the British Canoeing Union is present.
- (ii) The Bat type of canoe only shall be used.
- (iii) The paddle blades must be plastic and have no metal edges.
- (iv) During the activity, in addition to the instructor in charge, there must not be more than two persons per canoe in the water - one under instruction and the other assisting.

GENERAL NOTES FOR GUIDANCE ON LETTING

- In the event of an accident the person in attendance should complete an accident form available from the Janitor/Caretaker.
- Young people will not be allowed to enter the building or commence activity prior to the arrival of the approved adult.
- At the end of the let, young people should be taken by the approved adult to the entrance of the building and met by the waiting parent/guardian.
- No unauthorised persons are permitted in the premises.
- A register with details of participants, including emergency contact numbers, should be in place and kept up to date. In the event of an evacuation of the building, the responsible adult will be asked by the fire officer if everyone in their organisation has been accounted for.
- **Entry to premises will be no earlier than stated on the permit and everyone must have vacated the premises by the finish time shown on the permit.**



Office Use only

Registration No: _____

Processed by: _____

FYouthLet1 Academic Year 2011/2012

REGISTRATION FOR USE OF EDUCATION PLANNING AND AREA SERVICES PREMISES BY A NON-COUNCIL YOUTH GROUP

In relation to the Protection of Children (Scotland) Act 2003 and Protection of Vulnerable Groups (Scotland) Act 2007, the council requires to receive from potential letting applicants, written confirmation that suitable measures are in place for the supervision and/or protection of young people participating in activities delivered on council premises.

Please, therefore, complete the following form as part of your letting application.

Name of Applicant Group	
Aim of Applicant Group	
Purpose of Let:	
Current registration number (sent to club with previous registration). If this is the first time you are registering this number will be allocated upon satisfactory completion of this process.	

Q1	Is the group currently registered on West Lothian Council's Community Sports Club Accreditation Scheme ? (If yes please proceed directly to page 2)	YES / NO
Q2	Does the group operate an approved policy and procedure for the care and protection of young people under 18 years of age?	YES / NO
Q3	Your group must have Public Liability Insurance? Please provide policy details:- Policy Provider: _____ Policy Number: _____ Policy Start Date: _____ Policy Expiry Date: _____	
Q4	Does the group operate safe worker / volunteer recruitment procedures as detailed below? • Enhanced Disclosure Scotland checks • Protection of Vulnerable Groups Scheme (PVG) • Other (please specify) _____	YES / NO YES / NO YES / NO
Q5	Are Enhanced Disclosure Scotland checks independently verified by a local or national body. If so, please provide details of that body: _____ Where independent verification by an approved local or national body has not been carried out, West Lothian Council shall verify an Enhanced Disclosure Scotland check.	YES / NO

If the group is registered with an appropriate national body please give the name under which the group is registered: i.e Scottish Governing Body of Sport, Girl Guiding UK etc

For your information

The Scottish Government Parent Checklist for Youth Activities provides 15 questions for parents to ask of youth organisations and clubs before allowing their child(ren) to join. Copies of the information leaflet can be downloaded from The Scottish Government website:

<http://www.scotland.gov.uk/Publications/2002/10/15502/11395>

PREMISES USED / PROPOSED FOR USE

Please list all Education Planning and Area Services premises proposed for use by your group: (e.g. Armadale Academy, Bathgate Community Centre etc...)

_____	_____
_____	_____
_____	_____
_____	_____

NUMBERS OF PARTICIPANTS NORMALLY INVOLVED

	Males	Females		Males	Females
Age Under 12			Age 16-18		
Age 12-15			Adults		

GROUP DETAILS

If the group does not operate under the terms and conditions of a constitution and with an elected management committee please provide details of how the group is managed:

OFFICE BEARERS

Name	Home Address Including Post Code	e-mail	Tel No.
Chair Person:			
Secretary:			
Treasurer:			

ADULT LEADERS WHO WORK WITH YOUTH GROUPS REGULARLY**Leader in Charge**

Name	Home Address including Post Code	Disclosure / PVG No.

Other Leaders:

Name	Home Address including Post Code	Disclosure / PVG No.

CHILD PROTECTION POLICY STATEMENT
--

THE ABOVE GROUP IS FULLY COMMITTED TO SAFEGUARDING THE WELFARE OF ALL CHILDREN AND YOUNG PEOPLE PARTICIPATING IN THE ACTIVITIES DELIVERED TO THEM. IT RECOGNISES ITS RESPONSIBILITY TO TAKE ALL REASONABLE STEPS TO PROMOTE SAFE PRACTICE AND TO PROTECT CHILDREN FROM HARM, ABUSE AND EXPLOITATION.

Paid staff and volunteers will endeavour to work together to encourage the development of an ethos, which embraces difference and diversity and respects the rights of children, young people and adults.

I confirm that the information given in this application form is correct and note on behalf of the group to abide by West Lothian Council's Generic Code of Practice in relation to working with Children and Young People (except where a specific code of practice specific codes of practice exists, e.g., for certain activities or in affiliation with a national or governing body, which will be adhered to instead).

I understand that details of the group will be held on a database of youth groups operating in West Lothian and that auditing of this application and monitoring of group's activities will take place on a random sample basis.

Name (Please PRINT):			
Position in Organisation:			
Signed:		Date:	

After successful processing of this form, your group will be registered with West Lothian Council as a youth group. This process will need to be completed every academic year by 30 June

The completed form must accompany your application for use of premises and will be passed by the receiving establishment to:

**Stuart Isbister
West Lothian Council – Education Services
West Lothian Civic Centre (2ND Floor North)
Howden South Road
Livingston
EH54 6FF**

**Tel: (01506) 281952
Fax: (01506) 281685**

All personal information supplied will be processed by West Lothian Council in accordance with the Data Protection Act 1998 to determine the outcome of application and will be retained and updated while you or your organisation continues to be a user of West Lothian Council premises.

REFERENCE SECTION

To be signed by a J.P./Head Teacher/Minister of Religion/Councillor /Police Officer/SGB officer or someone of a similar standing.

I confirm that the information given in the application form above is correct to the best of my knowledge and belief.

Name (Please PRINT):			
Position & Title:			
Address:			
Post Code:		Telephone No:	

Signed:		Date:	
---------	--	-------	--

FOR WEST LOTHIAN COUNCIL USE ONLY

Please detail any other observations or pertinent information:

I confirm that this applicant can be registered as an approved individual, group or organisation providing activities for children/ young people under 18 years		YES / NO	
Name (Please PRINT):			
Signed:		Date:	



West Lothian
Council

GENERIC CODE OF PRACTICE AND STANDARDS OF BEHAVIOUR FOR ADULT LEADERS WORKING WITH YOUNG PEOPLE UNDER 18 YEARS OF AGE

PLEASE RETAIN THIS CODE FOR INFORMATION AND REFERENCE

The following requirements are examples of general good practice and represent general guidance for a broad range of community youth groups. However, where specific codes of practice exist, e.g., for particular sports or other activities in affiliation with a national or governing body, these should be adhered to.

CHILD PROTECTION

ORGANISATIONS OR GROUPS WORKING WITH CHILDREN UNDER THE AGE OF 18 SHOULD ENSURE THAT THE YOUTH GROUP HAS A COMMITMENT TO CHILD PROTECTION. ALL ADULTS WORKING WITH CHILDREN AND YOUNG PEOPLE – WHETHER IN A PAID OR UNPAID CAPACITY, SHOULD ENSURE THAT THE FOLLOWING CONTROLS AND PROCEDURES ARE IN PLACE:

- Vetting arrangements for all adults working / helping / supervising activities with young people under the age of 18. This should be done through either:-
 3. Enhanced disclosure if work began prior to 28 February 2011.
 4. PVG Scheme membership if work began after 28 February 2011.
- Two adults must be in attendance at all sessions to ensure that no adults find themselves working alone with children.
- Where there are mixed sex groups, a male and female adult should be present.
- There should be a sufficient number of adults present in relation to the number of young people and the nature of the activity as below:

Ratio 1 - 10 for under 12's

Ratio 1 - 15 for over 12's

Note that the above ratios are offered as general guidance for community youth groups. Levels of adult supervision will vary according to circumstances, e.g., groups with under 5 year olds or for hazardous sports, etc, will require considerably more adult supervision.

GENERAL SAFETY

- A register with details of participants, including emergency contact numbers, should be in place and kept up to date. A sessional attendance register should also be kept.
- Location of telephone, first aid kit and fire exits is noted.
- A fire safety briefing is carried out with each group and/or practice fire drill with each group once per school term.

- Young people should not be allowed to enter building or commence activity prior to arrival of approved adult.
- Equipment and facilities must:
 - meet safety standards
 - be regularly checked
 - be appropriate to the age and ability of participants.
- Activities must be appropriate for the age, experience and ability of participants.
- Groups should make the following information available to parents:
 - the group's activities;
 - the adults involved;
 - the details of times, venues etc.
- Permission for excursions and detailed arrangements for the safe return of the young people should be obtained from the parents.

CODE OF BEHAVIOUR

Adults working with young people under the age of 18 must:

- Never use any form of physical punishment to discipline participants;
- Avoid participating in physical contact games with young people;
- Encourage an environment where each individual treats all others with respect;
- Respect a young person's right to personal privacy;
- Give positive reinforcement and encouragement whenever possible;
- Have separate sleeping accommodation for leaders and young people on all residential trips;
- Give all young people equal opportunities to participate as appropriate to their age and development;
- Project a positive role model;
- Be aware of the emotional development of young people in relation to those performing leadership roles;
- Not drink alcohol, use illegal substances, or smoke when working with young people;
- Avoid being alone in a vehicle with a child/young person;
- Be aware of procedures regarding reporting of suspected child abuse.

ADDITIONAL GUIDANCE

- Council Staff have the right to visit groups at any time.
- Any damage to property must be reported to the Janitor/Caretaker.
- In the event of an accident complete an accident form available from the Janitor/Caretaker.

PLEASE RETAIN THIS CODE FOR INFORMATION AND REFERENCE.



FYouthLet1

**SUPPORTING NOTES: REGISTRATION FOR USE OF
EDUCATION PLANNING AND AREA SERVICES PREMISES BY A NON-COUNCIL YOUTH GROUP**

In relation to the Protection of Children (Scotland) Act 2003 and Protection of Vulnerable Groups (Scotland) Act 2007, the council requires to receive from potential letting applicants, written confirmation that suitable measures are in place for the supervision and/or protection of young people participating in activities delivered on council premises.

What is Youth Registration?

Youth Registration allows West Lothian Council to engage with the customers who are using council premises. These groups/organisations are required to be aware of Child Protection measures and provide a safe environment for young people under 18 years of age. West Lothian Council will maintain a database that can be accessed by facility managers, which will contain the information you provide in your FYouthLet1 application form.

What is West Lothian Councils Community Sports Club Accreditation Scheme?

The scheme has been developed to help support sport clubs in West Lothian and allow the public to recognise safe, effective and child friendly club environments. To request further information please email sportandrecreation@westlothian.gov.uk. Clubs that have completed Access level will have demonstrated safe practices with regards to child protection.

Guidance Notes

Question 2 - Approved policy for the care and protection of young people under 18 years of age. If you answer 'no' to this question there are a number of ways you could find out more information. Community Learning and Development and Sport and Outdoor Education provide Child Protection training courses for volunteers in West Lothian. For more information for sports clubs and organisations please contact sportandrecreation@westlothian.gov.uk.

Question 3 - Insurance If you answer 'no' to this question, you should consider the possible consequences of accidents to group members' and/ or damage to property for which you may be held responsible. You should consider the need for third-party liability insurance covering the activities of the group.

Question 4 - Safe Recruitment Procedures A clear Enhanced Disclosure approved independently is required for a group or individual applying to let council premises. For further information regarding Disclosures and how to obtain them please contact the **Central Registered Body in Scotland** (CRBS) which was established by the Scottish Government to provide free Disclosures (police checks) for volunteers in the voluntary sector working with children, young people and adults at risk. The CRBS is a service operated by Volunteer Development Scotland and is the largest provider of free disclosures in the voluntary sector in Scotland. For more information visit www.crbs.org.uk

As from 28 February 2011 the Protection of Vulnerable Groups (PVG) replaces Enhanced Disclosure. Current valid Enhanced Disclosures are still acceptable, but on expiry you must register with PVG. Information about PVG can be found at www.infoscotland.com/pvgscheme

Question 5 - Verification A "local body" can also include the individual who runs a club/organisation if they have been approved as a signatory or umbrella body by the CRBS.



COUNCIL EXECUTIVE

**STRATEGY FOR TACKLING UNDER-AGE DRINKING/DIVERSIONARY ACTIVITIES
FOR YOUNG PEOPLE – FAULDHOUSE AND THE BREICH VALLEY WARD**

REPORT BY LEAD OFFICER, LOCAL AREA COMMITTEE

A. PURPOSE OF REPORT

The purpose of this report is to invite the Council Executive to ratify the resource allocations for tackling under-age drinking and providing diversionary activities for young people recommended by the inquorate meeting of the Fauldhouse and the Breich Valley Local Area Committee which took place on 24 May 2011.

B. RECOMMENDATION

It is recommended that members approve the allocations of resources set out within the report and endorsed by the Fauldhouse and the Breich Valley Local Area Committee at its meeting on 24 May 2011.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs.
	Being honest, open and accountable.
	Making best use of our resources.
	Working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None.
III Resources - (Financial, Staffing and Property)	£238,000 is allocated across West Lothian to the strategy for tackling underage drinking/diversionary activities for young people.

Additional funding is available this financial year

only, because two previous initiatives will not require support.

£21,389 has been allocated to the Fauldhouse and the Breich Valley ward.

IV Consultations

Services for the Community Policy Development and Scrutiny Panel and the bodies outlined within the report.

D. TERMS OF REPORT

- 1** A report on the Strategy for tackling under-age drinking and providing diversionary activities for young people was submitted to the Services for the Community Policy Development and Scrutiny Panel. The report provided background information on the strategy to date and on proposals for the future allocation of funding to Local Area Committees.
- 2** The Council Executive approved the Strategy for Tackling Under-age Drinking in 2008 and agreed that recommendations for future funding allocation would be made by each Local Area Committee. Local Area Committees will make recommendations to allocate funding to initiatives that tackle under-age drinking and provide diversionary activities for young people.

- 3 The Committee paper outlines the support which will be given to Local Area Committees to assist them in the decision making process. As agreed by the Council Executive the allocation of funding would reflect levels of deprivation and need. A total of £21,389.00 has been allocated to the Fauldhouse and Breich Valley area and the Local Area Committee will make recommendations on which initiatives will be funded from this resource.
- 4 Last year the Committee agreed funding for the following local projects:
- Polbeth youth drop in - £8,389
 - Group Work & Activity Programme – Fauldhouse and Longridge - £11,000
 - The Pitstop - £2,000

Information on the three projects that are requesting funding for 2011 / 12 is set out below. It is recommended that all three projects receive the funding requested.

Polbeth Youth Provision

The aim of the project is to provide a drop in on a Thursday evening at Polbeth Village Hall and an intensive programme on Friday afternoon.

The Thursday drop in session will continue to operate from 7pm – 9pm in Polbeth village hall. The sessions will be used as a mechanism for engaging with young people, working on their issues and providing a forum for services such as WLDAS and Skills Development Scotland to engage with challenging young people.

In 2010 the project ran a pilot group work course targeting young people from 4th year onwards who attend West Calder High School. This pilot ran in partnership between Community Learning and Development, WLYAP, Access2Employment, West Calder High School and the Credit Union. The purpose of this group is to focus on referred young people over a 10 week programme which looks at issues including drug and alcohol abuse, employability, positive destinations and how to get there, CV writing, job opportunities, interview skills, budgeting and more.

Funding has been requested to continue both aspects of the Polbeth package.

Costs:

- Thursday Staff costs plus WLDAS input - £6,500
- Materials - £300
- Friday Staff costs - £1,500
- Materials – £200

FUNDING REQUESTED: £8,500

The Pitstop, Addiewell

The aim of the project is to provide a drop-in/ advice sessions for young teenagers either in the Pit Stop or Community House dependant on the result of street work with young people. The drop in will link young people into the activity programme being run by the Youth Action Project. The aim of the programme will be to develop relationships with young people in addition to developing a programme of workshops on sexual health, alcohol and substance reduction. As part of the programme monthly excursions through the autumn / winter period will be planned.

Costs:

- £1500 for staffing costs
- £500 for transport
- £ 500 for materials/ equipment
- £ 500 for a residential experience next Feb/ March for a group that work with the project through the autumn/ winter.

FUNDING REQUESTED: £3,000

Group Work & Activity Programme – Fauldhouse and Longridge

Details of the activity to be tabled at the August Local Area Committee.

FUNDING REQUESTED: £9,889

E. CONCLUSION

The Strategy for Tackling Under-age Drinking has been rolled out across West Lothian and details of the projects that receive funding are included in the report that was tabled at the Services for the Community Policy Development and Scrutiny Panel.

A review of this funding will be carried out prior to future resources being allocated to each Locality Planning area and Local Area Committees making recommendations on initiatives that should receive future funding.

F. BACKGROUND REFERENCES

Strategy for Tackling Under-age Drinking (Council Executive June 2008)

Appendices/Attachments: None

Contact Person: Fiona Edwards, Service Manager, Work with Young People's Team

Fiona.edwards@westlothian.gov.uk

Telephone number 01506 774701

Steve Field, Lead Officer, County Buildings, Linlithgow, EH49 7EZ. Telephone: 01506 282386. Email:

steve.field@westlothian.gov.uk

Date: 28 June 2011



COUNCIL EXECUTIVE

ACCESS FUND APPLICATION

HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To present a recent application to the West Lothian Access Fund.

B. RECOMMENDATION

To approve the recommendation of the West Lothian Access Committee.

C. SUMMARY OF IMPLICATIONS

I Council Values	Promoting equality of opportunity.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None.
III Resources - (Financial, Staffing and Property)	The proposal is to award a grant totalling £1,000. This is the first application of the new financial year. The Access Fund budget for 2011/12 is £10,945.
IV Consultations	Members of West Lothian Access Committee, including representatives of Disability West Lothian, people with disabilities, elected members and council officers.

D. TERMS OF REPORT

The following application has been submitted for grant assistance from the West Lothian Access Fund:

1. Food Train West Lothian. A grant of £1000.00 is requested to provide a mobile ramp for ease of access for volunteers using wheelchairs working in the Food Train Bathgate office. The ramp will enable full access for volunteers with disabilities from the pavement to the office.

E. CONCLUSION

It is recommended that the Council Executive approve the decision of the Access Committee.

F. BACKGROUND REFERENCES

Copy of the application, together with supporting documentation are held on file by the Council Equality Officer.

Appendices/Attachments: None.

Contact Person: Kenny Selbie, Equality Officer

Email: kenny.selbie@westlothian.gov.uk

Tel: 01506 281072

Graeme Struthers
Head of Corporate Services

14 June 2011



West Lothian
Council

COUNCIL EXECUTIVE

DESIGNATION OF ADDITIONAL TAXI STANCE IN BATHGATE

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to initiate the statutory procedures to formalise the designation of an additional part time taxi stance (rank) in Bathgate town centre.

B. RECOMMENDATION

It is recommended that

1. the Chief Solicitor be authorised to consult with the Police and the local trade associations representing taxi operators regarding the proposed formal designation of an additional part time taxi stance in Livery Street, Bathgate; and
2. the Chief Solicitor be instructed to report the outcome of such consultation to the Bathgate LAC and also to the Environment PDSP.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs and working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Section 19 of the Civic Government Scotland (Act) 1982
III Resources - (Financial, Staffing and Property)	The cost of advertising the proposal to designate the additional stance is estimated at approximately £400-£500. Signs and markings are estimated to cost £200-£300. The cost of advertising the required road order is estimated at around £1200. The cost of the signs and markings and the road order will require be met from the Transportation revenue budget.
IV Consultations	Considered by Bathgate LAC at meeting on 13 June 2011 Roads Services

D. TERMS OF REPORT

The Bathgate LAC have been discussing the possibility of an additional part time taxi stance being located in Livery Street Bathgate to be used during late evenings and early mornings to service the late night economy in that area of the town centre. The LAC considers that an additional stance at this location would assist the swift dispersal of persons at weekends following the closure of late night entertainment premises and pubs near to Livery Street in Bathgate.

A potential site in Livery Street has been identified by Roads Services which is currently subject to loading restrictions. This site has not been formally measured but is likely to be able to accommodate two to three taxis.

In terms of the Civic Government (Scotland) Act 1982 the Council may appoint taxi stances for the whole or part of a day in any road within the area. So even though the rank may only be needed at weekends it would need to be designated as such for a number of hours each day.

Prior to designating a taxi stance the Council has to consult with –

1. The taxi trade - there are two local trade bodies who we would need to consult with.
2. The Police

The LAC recommended that approval be given to the Chief Solicitor to carry out the required consultation and that the outcome of such consultation be reported back to the LAC and also to the Environment PDSP.

E. CONCLUSION

It is recommended that

1. the Chief Solicitor be authorised to consult with the Police and the local trade associations representing taxi operators regarding the proposed formal designation of an additional part time taxi stance in Livery Street, Bathgate; and
2. the Chief Solicitor be instructed to report the outcome of such consultation to the Bathgate LAC and also to the Environment PDSP.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: none

Contact Person: Audrey Watson, Senior Solicitor, 01506 281624
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Graeme Struthers
Head of Corporate Services

Date: 14 June 2011



COUNCIL EXECUTIVE

LICENSING ENFORCEMENT - DELEGATION OF AUTHORITY TO CHIEF SOLICITOR

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to request approval for the licensing enforcement duties placed upon West Lothian Council to be delegated to the Chief Solicitor and subsequently to officers within Legal Services.

B. RECOMMENDATION

It is recommended that the Council Executive approves the delegation of authority to the Chief Solicitor to enable licensing enforcement to be carried out by officers within Legal Services.

C. SUMMARY OF IMPLICATIONS

I Council Values	Being honest, open and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Licensing (Scotland) Act 2005, Civic Government (Scotland) Act 1982 and other legislation relative to licences and permits dealt with by Legal Services
III Resources - (Financial, Staffing and Property)	There are no additional resource implications.
IV Consultations	None

D. TERMS OF REPORT

The Council has a number of licensing functions contained within a wide variety of legislation. The administration of licensing is a function of Legal Services with the assistance of a range of other Council services and the Police.

The Council employs Licensing Standards Officers to ensure compliance with many of these licensing requirements. The officers were previously employed and managed within the Environmental Health & Trading Standard service. The remit of the officers covers the requirements of the Licensing (Scotland) Act 2005, Civic Government (Scotland) Act 1982, and various other specific legislative requirements. The officers were authorised by the Environmental Health & Trading Standards Manager in terms of Council Standing Orders and the Scheme of Delegation in relation to licensing enforcement on behalf of West Lothian Council and West Lothian Licensing Board.

The Licensing Standard Officers are now employed and managed within Legal Services. A change to the previous authorisation is therefore required to allow the officers to continue enforcing specific licensing requirements of the Licensing (Scotland) Act 2005 on behalf of the West Lothian Licensing Board, and other licensing enforcement requirements on behalf of the Council.

It is therefore necessary for the Council to approve the delegation of the function of licensing enforcement to the Chief Solicitor. This will allow for the authorisation of Licensing Standards Officers and others as appropriate within this service area to carry out all current and future licensing enforcement duties.

E. CONCLUSION

The enforcement of licensing legislation is necessary in ensuring that licences are in place as appropriate and in ensuring compliance with licensing conditions intended for public safety and protection.

It is requested that the Council Executive approve the content of this report and the delegation of responsibility for the licensing enforcement function to the Chief Solicitor with subsequent delegation within the terms of Council Standing Orders and Scheme of Delegation.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: None.

Contact Person: Audrey Watson, Senior Solicitor, Tel 01506 281624

Graeme Struthers, Head of Corporate Services

Date: 16 June 2011



COUNCIL EXECUTIVE

2010/11 HOUSING CAPITAL BUDGET – OUT-TURN REPORT

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To advise the Council Executive of the 2010/11 Housing Capital budget out-turn.

B. RECOMMENDATION

Council Executive should note:

- The 2010/11 HRA budget out-turn as at 31 March 2011, and
- That any projects not completed in 2010/11 will be carried forward into the 2011/12 Housing Capital Programme, and
- The management improvements introduced to ensure that the programme is maximised.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|--|
| I Council Values | Focusing on our customers' needs.
Being honest, open and accountable.
Making best use of our resources. |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The council's capital programme is managed within the stringent requirements set out in the Prudential Code. The code allows councils to determine capital investment strategy on the basis that plans are affordable, prudent and sustainable. |
| III Resources - (Financial, Staffing and Property) | There was an under-spend of £2.603 million as a number of projects were delayed until 2011/12. This was largely as a result of revised start dates on phase 2 of the new build and design, contract and homeowner issues as well as the severe winter weather which resulted in the loss of working days. House sales income was £329,000 higher than budgeted, while the level of CFCR was £688,000 higher than budget due to savings in revenue loans charges. As a result of these factors borrowing was £3.620 million less than budget. |
| IV Consultations | Consultation has taken place with housing management and technical staff as well as with tenants and with the Head of Finance and Estates. |

D TERMS OF THE REPORT

1. Introduction

This report provides information on the financial out-turn in relation to the 2010/11 Housing Capital programme as at 31 March 2011.

2. Capital Expenditure

The Council Executive approved a capital programme in May 2010 for 2010/11 of £26.415 million including £5 million for new Build council houses. In October 2010, the Council Executive approved £1.055m of projects to be brought forward to 2010/11 after a number of projects were delayed. A summarised version of the programme is shown in the table below followed by a commentary on some of the variances and budget headings. The out-turn position was an under-spend of £2.603 million.

	2010/11 Budget £'000	2010/11 Outturn £'000	2010/11 Variance £'000
SHQS work	12,272	8,403	(3,869)
External Upgrading	2,765	2,943	178
Energy Efficiency	2,163	1,845	(318)
New Build	5,000	3,264	(1,736)
Miscellaneous	4,215	3,541	(674)
	26,415	19,996	(6,419)
Programme Management	(3,816)	0	3,816
Total	22,599	19,996	(2,603)

Scottish Housing Quality Standard

Due to the previously reported delays in the commencement date of projects due to design, contract and homeowner issues, and the loss of working days due to the severe weather, the SHQS had an under-spend of £3.869 million. The slippage will be incorporated into the 2011/12 programme, and the council remains on course to meet the SHQS targets by 2015.

External Upgrading

The over-spend forecast in the Period 9 report was reduced due to delays in the painting programme caused by adverse weather and the common stairs upgrades due to asbestos issues. The garage upgrade programme, with the exception of some garages that await demolition, has been completed. Any uncompleted work will be carried forward into the 2011/12 programme.

Energy Efficiency

Due to the emergence of asbestos issues which needed to be investigated and caused delays to the programme, there was an under-spend of £318,000. The issue has now been resolved.

New Build

Phase 1 is now complete. Due to a legal challenge against the tender process from one of the unsuccessful bidders and delays in the planning process, work on Phase 2 did not start as planned leading to the under-spend. Two sites have now commenced while the other sites have agreed planned start dates. Little Boghead

still requires planning approval.

Miscellaneous

There were two main reasons for the under-spend. Firstly, Aids and Adaptations expenditure was significantly lower than in previous years reflecting fewer extensions being carried out. Secondly, due to performance issues the original contractor on the Legionella programme was replaced. This delayed the surveys and when they were completed the risk of Legionella in common water storage areas was less than anticipated and less work was required.

3. Capital Resources

The table below shows the capital resources available to fund the housing capital programme in 2010/11.

	2010/11 Budget £'000	Projected Outturn £'000	Projected Variance £'000
House Sales	3,000	3,329	329
Borrowing	12,122	8,502	(3,620)
CFCR	7,477	8,165	688
AHP Contributions	0	0	0
Total Income	22,599	19,996	(2,603)

House Sales

Council house sales totalled £3.329 million from the sale of 77 properties. This includes £159,000 of land sales income.

Borrowing

Borrowing of £8.502 million was required for 2010/11. This was lower than the figure reported in Period 9 due to higher than anticipated house sales and increased CFCR. There remains a risk that borrowing restrictions may be introduced in future years, as part of a package to control and reduce public sector debt. This would require reappraisal of the capital programme especially if receipts from house sales remain low.

CFCR

CFCR was £688,000 higher than budget due to lower than budgeted borrowing costs in the HRA as a result of active treasury management. This means less borrowing is required for 2010/11.

Affordable Housing Policy

There was no income in 2010/11 from the Affordable Housing Policy.

4. Management Improvements

In order to ensure that Housing Capital expenditure is maximised and to mitigate the impact of factors that can delay the progress of a project, a number of management changes have been made. These are:

Earlier Programme Planning for 2011/12

Housing, Construction and Building Services and Finance & Estates staff began

the planning process for the 2011/12 budget in September, 3 months earlier than 2010/11. This allowed for early identification of potential problems with design and projects requiring homeowner agreement. Where homeowner agreement has been highlighted then a council officer has been appointed to that project in order to liaise with the homeowners impacted to ensure an agreement can be achieved within the timescale required for the project to proceed and be completed within the financial year. This planning resulted in a programme being approved by Council Executive in April 2011.

Reserve List of projects

In addition to approving the 2011/12 Housing Capital Programme in April, Council Executive also approved an additional reserve list of projects that could be brought forward and started in 2011/12 should any of the 2011/12 projects slip.

Scheduling of Work

The earlier planning of the programme has allowed for more effective planning of work within both Construction and Building Services. This will allow for more outdoor work to be started earlier in the financial year when the weather is better. This should mitigate the impact of poor winter weather on major projects.

Improved Monitoring Arrangements

Improved project and financial monitoring has been in place for over 12 months and this has helped to identify the improvements, outlined above, that were required. The monitoring arrangements will be crucial in ensuring that the programme remains on target and will be the forum that highlights any slippage and the agreed remedies. Ultimately, the information from this monitoring provides the information for the Council Executive report.

5. Strategic Issues

The Prudential Code requires the council to take account of a number of factors when agreeing capital spending plans and these are set out below.

Stewardship of Assets

The stock condition survey undertaken by independent consultants identified the extent of the work required to ensure the council's houses comply with or exceed the SHQS by 2015. The ten-year investment strategy, approved by Committee in April 2005, and subsequently revised and updated in December 2008, was linked to the outcome of this survey and has been an important step in integrating the capital planning process with the management of the council's housing stock. In addition to the stock survey, the council also has in place a Corporate Asset Management Plan and a capital planning and option appraisal framework.

Practicality and Risk Management

Ongoing monitoring and control arrangements are in place to ensure that officers remain focused on delivery of the capital programme within approved budgets and timescales. There are, however, a number of risks that needs to be managed including the re-phasing of the New Build programme as well as the risks around reducing house sales numbers.

Value for Money and Best Value

All aspects of the programme are geared to securing value for money and best

value and a mix of internal and external provision is being utilised depending on the nature of the work required. Procurement and tendering processes continue to be undertaken in line with the council's standing orders and Best Value framework.

Affordability, Prudence and Sustainability

Following consultation with the Head of Finance and Estates, I would assess that the revised capital investment plan remains affordable, subject to risks being managed. Such risks include the phasing of spend, particularly with new build. I can advise that the revenue implications of approved capital spending plans are fully incorporated within agreed revenue budgets. The loan charges projections are monitored on a regular basis and these continue to indicate that spending plans are prudent, affordable and sustainable over a longer period. However, it should be noted that a recovery in council house sales and affordable housing contributions over the remainder of the ten-year programme will be crucial to the long term viability of the capital programme.

E CONCLUSION

There was an under spend of £2.603 million mainly due to delays caused by issues with homeowners, surveys, health and safety and adverse weather. Increased house sales and lower borrowing costs in the HRA have resulted in lower borrowing than anticipated. A recovery in future year council house sales and affordable housing contributions will be crucial to the long term viability of the capital programme. A review of capital resources is currently being undertaken to consider the most appropriate balance of resources over the medium and longer terms.

Appendices/Attachments: One – Out-turn - Analysis of Expenditure

Contact Person: Graeme.struthers@westlothian.gov.uk - Tel No. 01506 281776

GRAEME STRUTHERS

ACTING DEPUTE CHIEF EXECUTIVE

Date: 15 June 2011

2010/11 Housing Capital Programme - Out-turn**Analysis of Expenditure**

Project	Revised Programme 2010/11 £,000	Forecast Out-turn 2010/11 £,000	Projected Variance 2010/11 £,000
SHQS Work			
Internal SHQS	2,450	1,694	(756)
External SHQS	9,822	6,709	(3,113)
SHQS Work Total	12,272	8,403	(3,869)
External Upgrading			
Garage Upgrades	200	271	71
Environmental Works	2,565	2,672	107
External Upgrading Total	2,765	2,943	178
Energy Efficiency			
Energy efficiency	433	147	(286)
Central Heating Upgrading	1,730	1,698	(32)
Energy Efficiency Total	2,163	1,845	(318)
New Build			
Land and Construction Costs	5,000	3,264	(1,736)
New Build Total	5,000	3,264	(1,736)
Miscellaneous			
Deans South	743	443	(300)
Aids and Adaptations	1,514	660	(854)
Asbestos Removal	433	488	55
Legionella Upgrades	108	7	(101)
Sheltered housing	250	377	127
Consultants Fees / Feasibility Studies	54	14	(40)
Play Areas	108	107	(1)
Home Safety	162	162	0
Home Security for Pensioners	43	47	4
Mortgage to Rent	800	886	86
Buy Back Council House Scheme	0	48	48
IT System	0	297	297
Homelessness	0	6	5
Miscellaneous Total	4,215	3,542	(674)
TOTAL EXPENDITURE	26,415	19,997	(6,419)
Programming Management	(3,816)	0	3,816
TOTAL	22,599	19,997	(2,603)



COUNCIL EXECUTIVE

2010/11 HOUSING REVENUE ACCOUNT – OUT-TURN REPORT

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To advise the Council Executive of the 2010/11 Housing Revenue Account (HRA) budget out-turn.

B. RECOMMENDATION

It is recommended that the Council Executive:

- Notes the 2010/11 HRA budget out-turn as at 31 March 2011, and
- Agrees to retain an uncommitted HRA surplus of £926,000.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs. Being honest, open and accountable. Making best use of our resources.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III Resources - (Financial, Staffing and Property)	The HRA achieved a breakeven position in 2010/11, retaining an uncommitted surplus of £926,000.
IV Consultations	Head of Finance & Estates

D. TERMS OF THE REPORT

1. Introduction

This report provides information on the financial out-turn in relation to the HRA as at 31 March 2011.

2. Financial projections

The HRA is showing a breakeven position for 2010/11. The HRA surplus of £926,000 will, with the agreement of the Council Executive, be retained as in previous years to cover any exceptional costs that may arise such as the impact of severe winter weather on repairs. The table below summarises the position for the main expenditure heads.

	2010/11 Budget £'000	2010/11 Outturn £'000	2010/11 Variance £'000
Employee Costs	4,152	4,097	(55)
Premises Costs	14,056	14,377	321
Transport Costs	151	145	(6)
Supplies & Services	3,720	3,724	4
Third Party Payments	565	565	0
Transfer Payments	688	689	1
Support Services	2,176	2,176	0
Capital Financing	6,518	5,895	(623)
CFCR	7,477	8,165	688
Total Expenditure	39,503	39,833	330
Income	(39,503)	(39,833)	(330)
Net Expenditure	0	0	0

Employee Costs

There was an under-spend of £55,000 in Employee Costs due to vacant posts.

Premises Costs

There was a £321,000 overspend in repairs primarily within local repairs and gas maintenance, which are reactive in nature. As previously noted, an allowance had been built into this forecast for the effect of the winter weather, however, a high proportion of these costs have been offset by insurance recoveries.

Capital Financing & CFCR

The level of borrowing undertaken to finance the Housing Capital programme will affect both the level of capital financing costs for HRA and the CFCR transfer. The level of CFCR, as detailed in the Housing Capital monitoring report, is reflected in the above outturn, as are the loan charges associated with the current borrowing forecast. The under-spend in the capital financing costs is as a result of the active Treasury management of the loan portfolio and has allowed for the increased CFCR charge and lower borrowing to fund the 2010/11 capital programme. Council Executive should note that there were 77 house sales completed in 2010/11.

Income

Income was over recovered by £330,000 due to new build completions and increased insurance recoveries due to the effects of the adverse winter weather which offset increased insurance repairs.

E CONCLUSION

A break-even position was achieved in 2010/11. There were ongoing pressures in reactive repairs however this has been offset by vacancies and increased insurance recoveries. The reduced loans charges allowed for an increased CFCR charge reducing the level of borrowing required to fund the capital programme. The HRA surplus of £926,000 will be retained subject to Council Executive approval.

Appendices/Attachments: none

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GRAEME STRUTHERS
ACTING DEPUTE CHIEF EXECUTIVE

Date: 15 June 2011



COUNCIL EXECUTIVE

**FIXED PENALTY PROVISIONS – TOBACCO AND PRIMARY MEDICAL SERVICES
(SCOTLAND) ACT 2010**

REPORT BY ENVIRONMENTAL HEALTH & TRADING STANDARDS MANAGER

A. PURPOSE OF REPORT

The purpose of this report is seek authorisation for the Head of Planning and Economic Development to apply procedures in respect of the issuing of Fixed Penalty Notices (FPNs) for certain offences under the Tobacco and Primary Medical Services (Scotland) Act 2010.

B. RECOMMENDATION

The Council Executive is asked to approve the necessary amendments to the Scheme of Delegation to Officers to: Authorise the Head of Planning and Economic Development to issue FPNs, withdraw FPNs, put in place procedures to consider “representations” in respect of the issuing of FPN’s and authorise officers from Environmental Health & Trading Standards to enforce the relevant provisions of the Tobacco and Primary Medical Services (Scotland) Act 2010.

C. SUMMARY OF IMPLICATIONS

I Council Values	Being open, honest and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Policy: None Legal: The Scheme of Delegation to Officers requires to be amended.
III Resources - (Financial, Staffing and Property)	The activities will be delivered within existing budget.
IV Consultations	Legal Services.

D. TERMS OF REPORT

On 1/4/11, the Tobacco and Primary Medical Services (Scotland) Act 2010 (the Act) introduced new offences in respect of the sale and supply of tobacco and tobacco products and gave local authorities the power to issue FPNs in relation to said offences. A report, approved by the Council Executive on 21/7/10, outlined the main provisions of the Act and incorporated a consultation response to Scottish Government. The primary purpose of the Act is to make tobacco less attractive and less accessible to children and young people under eighteen.

The Scottish Government has recently published '*Tobacco Sales – Guidance for Local Authorities – Enforcement Guidance and Protocols*', providing guidance to local authorities on the various aspects of enforcement of the Act, including a suggested standard template FPN. Unfortunately, the date of receipt of this guidance did not allow adequate time to report this matter to the Environment PDSP prior to presentation to the Council Executive and it is considered necessary to have the procedures approved before planned enforcement activity can be undertaken during the forthcoming summer months. The guidance has been observed by Trading Standards staff in the development of procedures relating to the issuing of FPNs and the consideration of any 'representations' made in respect of FPNs. Some of the key aspects covered are:

- That, as a general rule, FPNs will be issued in relation to all relevant offences under the Act. In limited circumstances, the investigating officer may choose not to issue an FPN but to recommend the submission of a report to the Procurator Fiscal.
- The development of procedures for obtaining authorisation for exemption from offences of purchasing or attempting to purchase tobacco products or cigarette papers under Section 5 (2) of the Act.
- Ensuring that a risk assessment to avoid any risk to the welfare and safety of the young volunteer is carried out.
- Identifying the Environmental Health & Trading Standards Manager (or nominee) as the 'deciding official' in the consideration of any 'representations' made by the recipient of a FPN.

E. CONCLUSION

The Council Executive is asked to approve the necessary amendments to the Scheme of Delegation to Officers to: Authorise the Head of Planning and Economic Development to issue FPNs, withdraw FPNs, put in place procedures to consider "representations" made in respect of FPNs and authorise officers from Environmental Health & Trading Standards to enforce the relevant provisions of the Tobacco and Primary Medical Services (Scotland) Act 2010.

F. BACKGROUND REFERENCES

Council Executive Report, '*Consultation Response on Draft Tobacco Regulations*' 21/7/10

Scottish Government document, '*Tobacco Sales – Guidance for Local Authorities – Enforcement Guidance and Protocols*' April 2011

Appendices/Attachments: (i) Procedures for Test Purchase Operations (ii) Procedures for Representations for a Review of the Issuing of a Fixed Penalty Notice

Contact Person: Ed Machin, Principal Trading Standards Officer, Tel 01506 282476

Andrew Blake, Environmental Health & Trading Standards Manager, Tel 01506 282381

Date: 28 June 2011

Appendix 1
West Lothian Council
Planning & Economic Development – Environmental Health & Trading Standards

Procedure for Test Purchase Operations
The Tobacco and Primary Medical Services (Scotland) Act 2010

Procedure:

This procedure covers the issuing of an FPN under the Tobacco and Primary Medical Services (Scotland) Act 2010 ('the Act') and the organising of a test purchase operation using an underage volunteer. The issuing of an FPN will cover all offences under Chapter 1 and 2 of the Act as prescribed by Section 27.

1. All officers undertaking test purchasing operations of tobacco products or cigarette papers should make themselves familiar with the provisions of the Act and any secondary legislation thereunder.
2. All officers undertaking test purchasing operations of tobacco products or cigarette papers should make themselves familiar with the provisions of the Practical Guide to Test Purchasing in Scotland.
3. Prior to undertaking a test purchase operation and during the selection of young volunteers, the lead officer for the test purchase operation should obtain an authorisation (Form 1) for exemption from offences of purchasing or attempting to purchase tobacco products or cigarette papers under Section 5 (2) of the Act.
4. Authorisation for exemption from offences of purchasing or attempting to purchase tobacco products or cigarette papers under Section 5 of the Act can only be issued by the Trading Standards Manager (TSM) or in his/her absence, the Senior Trading Standards Officer.
5. Prior to applying for authorisation for exemption from offences of purchasing or attempting to purchase tobacco products or cigarette papers under Section 5 of the Act, the officer leading the test purchase operation should ensure that a risk assessment to avoid any risk to the welfare and safety of the young volunteer is carried out (Form 2).
6. The risk assessment should be completed and submitted along with the application for exemption by the officer leading the test purchase operation.
7. Prior to the commencement of the test purchase operation, the officer leading the test purchase shall ensure that the volunteer(s) is advised of the authorisation for exemption from committing offences under the act and the dates to which the authorisation applies.
8. Officers carrying out test purchase operations involving young people should have regard to current practices and the principles of risk assessment. Test purchase

operations should always be carried out in accordance with West Lothian Council procedures in respect of health and safety.

9. In the event of a person selling tobacco products or cigarette papers to an underage person, the officer shall issue a Fixed Penalty Notice (FPN). The person issued with an FPN should be issued with the original copy (top copy) and the officer should retain the second and third copies.
10. In limited circumstances, the officer may choose not to issue an FPN but to recommend the submission of a report to the Procurator Fiscal. In these circumstances, the officer shall submit justifications to the TSM for such recommendations.
11. The FPN shall be issued on the spot and in very limited instances shall be issued no later than the next working day where practicable. In the event where the FPN is not issued on the spot the officer shall submit an explanation for the delay.
12. Officers shall observe the prescribed time limits prescribed by the Act and subsequent legislation for issuing an FPN.
13. The officer issuing an FPN shall gather the appropriate information and evidence to enable the successful preparation of a prosecution report in the event that the person fails to pay the FPN.
14. The second copy of any FPNs issued shall be held by the issuing officer and the third copy submitted to Support Services as soon as possible. Copies of the FPNs shall be kept by Support Services for the purpose of financial control of payments of FPNs, any possible banning orders under the Act and for any subsequent determination of representations made by a person receiving an FPN.
15. Copies of FPNs shall be kept in pursuance of the provisions of the Act and for a period determined by the Environmental Health and Trading Standards Manager in accordance with the principles of the Data Protection Act 1998.
16. Support Services shall monitor the payment of FPNs and any delay for payments along with the escalation of FPNs in cases where the prescribed delays are not met.
17. Where FPNs are not paid within the prescribed period, Support Services shall immediately notify the issuing officer.
18. If the person receiving an FPN fails to make payment within the prescribed periods, the officer after consultation with the TSM shall draft a report for submission to the Procurator Fiscal recommending that legal proceedings be instituted.
19. In the event that the person receiving an FPN makes representations as to why the FPN ought not to have been issued, the person shall be invited to make representations in writing to Environmental Health and Trading Standards Manager. The issuing officer will also be invited to make a written submission as to why the FPN should stand.

Appendix 2
West Lothian Council
Planning & Economic Development – Environmental Health & Trading Standards

**Procedures for Representations for a Review of the Issuing of a Fixed Penalty Notice
Under the Tobacco and Primary Medical Services (Scotland) Act 2010**

1. Representations for a Review

- 1.1 If a person is dissatisfied with the issuing of a Fixed Penalty Notice (FPN) for failing to comply with the requirements under the Tobacco and Primary Medical Services (Scotland) Act 2010 (the Act), he/she can make representations as to why a Fixed Penalty Notice ought not to have been given. This representation must be lodged in writing with the Environmental Health & Trading Standards Manager or his/her nominee (hereafter referred to as the deciding official) and shall be considered on the basis of the provisions of Schedule 1 of the Act.
- 1.2 Representations for a review of the issued FPN can only be considered by the deciding official.
- 1.3 Representations must be lodged as soon as possible and no later than the first working day following the period of 28 days after the date of issue of the FPN or 14 days in the case of a discounted amount.
- 1.4 Representations shall be considered, when practicable, within ten working days of the representation.

2. Procedures for a Review

- 2.1 Representations should be in writing and should specify the grounds as to why the FPN ought not to have been given, which may include a brief statement together with any supporting documents.
- 2.2 The issuing officer of the FPN shall be invited similarly to submit a brief statement of the case to be made, together with any supporting documents or evidence.
- 2.3 The deciding official shall consider any representations made by the recipient of the FPN and all other circumstances of the case.
- 2.4 The deciding official shall after consideration decide whether to confirm or withdraw the FPN.

3. Procedures after Review

- 3.4 Once a decision is reached, the deciding official, shall serve a notice of the decision to confirm or withdraw the notice within five working days of the decision and no later than ten working days from the day of receipt of the representations.

Consideration should be given to the time limits for the person receiving an FPN to make payments within the prescribed times when drafting the Notice of Decision to Confirm. (Form 4)

- 3.5 If satisfied following considerations by the deciding official that the FPN was properly issued, the deciding official will on behalf of the Council confirm the issuing of the fixed penalty notice in terms of Section 27 and Schedule 1 of the Tobacco and Primary Medical Services (Scotland) Act 2010. A notice of confirmation would be issued to that effect.
- 3.6 If satisfied following considerations by the deciding official that the FPN ought not to have been given, the deciding official will on behalf of the Council withdraw the fixed penalty notice in terms of Schedule 1 of the Tobacco and Primary Medical Services (Scotland) Act 2010. A notice of withdrawal would be issued to that effect. (Form 5)

Form 4:

West Lothian Council

Planning & Economic Development – Environmental Health & Trading Standards

Notice of Decision to Confirm – Fixed Penalty Notice

Form 5:

West Lothian Council

Planning & Economic Development – Environmental Health & Trading Standards

Notice of Decision to Withdraw - Fixed Penalty Notice



COUNCIL EXECUTIVE

GARDEN CITY, BENTS – DEALING WITH LOW MAINS WATER PRESSURE

REPORT BY ENVIRONMENTAL HEALTH & TRADING STANDARDS

A. PURPOSE OF REPORT

The purpose of this report is to seek Executive approval of recommendations made by the Partnership & Resources PDSP to deal with low water pressure concerns affecting houses in Garden City, Bents.

B. RECOMMENDATION

It is recommended that the Executive:

- Note the action taken by officers.
- Note that investigations indicate no legal responsibility for the water supply in Garden City remains with the Coal Authority or has been passed to Scottish Water.
- Note that the responsibility for the water supply pipe work within Garden City is that of the residents.
- Note the findings of the house survey by environmental health in determining a small number of properties affected by low water pressure at this time in Garden City.
- Note that the power of well-being does not enable a local authority to do anything which it is by virtue of a limiting provision unable to do and that there are limiting provisions with regard to loans in the Housing (Scotland) Act 2006 which prevent the use of the power of well-being to provide loans.
- Note that financial assistance is not available in these circumstances in terms of the Council's current Scheme of Assistance. Agree that residents ensure repair to the water supply to their properties, and if failing to do so are served with works notices and are subject to the legal obligations and requirements of such.
- Agree that the Council waive the right to charge interest on any repayments, where the costs of works in default are pursued. All other costs will apply.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Water (Scotland) Act 1980, as amended; the Housing (Scotland) Act 1987 and 2006; Local Government in Scotland Act 2003; West Lothian Council Scheme of Assistance and the Sewerage (Scotland) Act 1968. The final solution may set precedent for other

such requests as high cost private sector housing repairs continue to be problematic.

Any potential expenditure may require to undergo tender process.

III Resources - (Financial, Staffing and Property)

Staff resources will be required for ensuring recommendations are carried out in regard to enforcement work and ensuring works are complete. Further investigation, legal activities and financial management work may also be required. This will be substantial and have an impact on other activities.

IV Consultations

Legal Services; Housing, Construction and Building Services; Financial Management Unit; Scottish Water; Coal Authority. Partnership & Resources PDSP approved recommendations at meeting on 21 June 2011.

D. TERMS OF REPORT

Background

In response to an agreed motion at the meeting of West Lothian Council on 26 April 2011 relating to poor water supply in Garden City, Bents, there have been investigations carried out by council officers, and reports made to meetings of the Partnership and Resources PDSP on 30 May 2011, and 21 June 2011. The motion and report to the P & R PDSP on 21 June are attached as appendices to this report.

Following the P & R PDSP on 30 May, officers were asked to investigate secure loan options for residents including a 30 year repayment option. In terms of Section 22 of the Local Government in Scotland Act 2003, the power of well-being does not enable a local authority to do anything which it is by virtue of a limiting provision unable to do. A "limiting provision" is defined as including a power which prohibits or prevents the local authority from doing anything or limits its powers in that respect and is expressed in an enactment. It is considered that the provisions concerning loans in the Housing (Scotland) Act 2006 are such limiting provisions. Accordingly, it is considered that the power of well-being cannot be used to provide loans.

The Housing (Scotland) Act 2006 does make provision for loans to be dealt with in terms of a Scheme of Assistance. It has been established that the Council's current Scheme of Assistance could not be used to provide loans in these circumstances.

There are 57 houses in Garden City. The area was previously owned by the Coal Authority but investigations indicate that the Coal Authority did not retain any legal responsibility for the water supply pipe work when the properties were sold. There were concerns expressed by a number of residents of very poor water pressure in their homes. The water supply pipe work in Garden City has never been adopted by Scottish Water and Scottish Water do not have legal responsibility for this pipe work.

Investigations by environmental health staff have identified a small number of houses which have unsatisfactory water pressure which causes them to be considered sub-standard. This now requires legal action to be taken and notices to be served on the owners of these properties to ensure the water supply problems are resolved.

Recommendations

At this time, there is no evidence to suggest that water pressure issues within Garden City are widespread. It is therefore important to ensure a satisfactory resolution to those properties which have been identified as having inadequate water pressure.

The legal responsibility to ensure this is resolved remains firstly with the owners of these houses. Therefore the recommendations are as follows:

1. The owners of the houses take the necessary steps to engage contractors, as previously suggested by Scottish Water, to ensure a connection from the main supply, including a toby, to their own property. This would ensure a desired solution, avoid legal action being taken against them, and avoid additional costs should works in default be undertaken by West Lothian Council.
2. If recommendation 1 is not undertaken then West Lothian Council would serve works notices on those owners to ensure that the work is undertaken to provide an adequate water supply to their home. If steps are not taken to comply with the notice, then West Lothian Council would proceed to the completion of works in default, and ensure all costs involved were recovered from owners.
3. The costs of works in default would be recovered by repayment charge on the properties. Based on the protracted nature of the problems encountered by the residents, and the limited value of the possible loans, the council would, as a singular exception, not seek to recover interest on the debt.

The residents who attended the meeting of the P & R PDSP on the 21 June have indicated a desire for the council to move directly to recommendation 2 above. This was agreed as appropriate. It is, however, also appropriate to allow those not represented the opportunity as outlined in recommendation 1 before the council considers proceeding to recommendation 2.

The Executive is also requested to note that the council's legal advisors are prohibited from providing legal advice to the owners on this matter, and that individual owners are responsible for seeking advice as appropriate.

E. CONCLUSION

There is a clear legal duty on the owners of houses in Garden City to ensure the repair and maintenance of their properties, including the water supply pipe work. A number of residents within Garden City have repaired or renewed their connections to the main supply and this has improved water pressure within their properties. This work has been self financed, and in other cases supported by grant schemes which no longer exist.

West Lothian Council is not legally obliged to fund repair work to private homes. It would not wish to establish any precedent in doing so. In determining the undertaking of works in default in the future it retains the right to consider the potential size of financial burden and likelihood and terms of recovery of such.

It is requested that the Executive agree with the recommendations made within this report.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

1. Copy of motion from draft minute of West Lothian Council meeting 26 April 2011.
2. Copy of report to P & R PDSP meeting 21 June 2011.

Contact Person: Craig Smith, Principal Environmental Health Officer. Tel 01506 282385.
Craig.smith@westlothian.gov.uk

Andrew Blake, Environmental Health & Trading Standards Manager

Date: 28 June 2011

Appendix 1

EXTRACT FROM MINUTE of MEETING of the WEST LOTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, Livingston, on 26 April 2011.

Present – Provost Tom Kerr (Chair), Depute Provost Jim Dickson; Leader of the Council Peter Johnston; Councillors Frank Anderson, Gordon Beurskens, Stuart Borrowman, William Boyle, Janet Campbell, John Cochrane, Tom Conn, Alexander Davidson, Martyn Day, Robert De Bold, Jim Dixon, Willie Dunn, Bruce Ferrie, Neil Findlay, Lawrence Fitzpatrick, Ellen Glass, Isabel Hutton, Carl John, Dave King, Danny Logue, Greg McCarra, John McGinty, Andrew Miller, Graeme Morrice, John Muir, Cathy Muldoon, George Paul, Jim Swan, Jim Walker.

8. REQUEST FOR DEPUTATION LODGED BY MRS ANGELA SWEENEY (ON BEHALF OF THE RESIDENTS OF GARDEN CITY) IN RELATION TO MOTION ON WATER SUPPLY - GARDEN CITY, BENTS, STONEYBURN

The Provost had advised earlier in the meeting that a request for a deputation had been lodged by Mrs Angela Sweeney (on behalf of the residents of Garden City) in relation to the Motion submitted by Councillor Findlay concerning Water Supply – Garden City. The Council was asked to determine whether the deputation be heard.

Decision

To agree that the deputation be heard.

9. NOTICE OF MOTION - WATER SUPPLY, GARDEN CITY, BENTS, STONEYBURN

Deputation -

Mrs Angela Sweeney addressed the Council, describing the conditions faced by residents of Garden City and outlining some of the health problems that she and other family members were experiencing. Mrs Sweeney also spoke of the extortionate bills that residents were having to pay as a result of having to boil multiple pots of water to wash and cook. On behalf of the residents, Mrs Sweeney urged the Council to step in to resolve the situation.

Motion -

The Council considered a motion submitted by Councillor Findlay in the following terms:-

"The residents of Garden City, Bents have for the last 5 years been suffering from major problems with the water supply to their properties. This has resulted in:-

- Appalling water pressure to some properties
- Residents having to be supplied with bottled water

- Showers not working
- Boilers and heating systems breaking down
- Residents having to boil multiple pots of water to wash and cook
- Some people having to move in with family and others renting (as well as paying a mortgage).

All of this is having a serious effect on the health and well being of the families affected.

Scottish Water have been involved in this for some time and advise that the water main and supply are private (not adopted). This appears to be a historic position from the time that the houses were sold on by the coal authorities.

Attempts to resolve this by involving MPs, MSPs, Councillors, Scottish Water, Scottish Government and West Lothian Council have all failed to resolve the problem.

Whilst at present 4 properties are the most severely affected with almost no water supply, others will experience similar as time goes on (due to the deterioration and internal “furring” of the old pipes).

Given that Scottish Water and the Scottish Government have shown an unwillingness to drive forward a resolution to this desperate situation I am appealing to West Lothian Council to use “The Power to advance Well-Being” as granted to it under the Local Government in Scotland Act 2003.

According to the guidance ***“This power enables local authorities to do anything they consider is likely to promote or improve the well-being of their area and/or persons in it. It encourages innovative solutions to drive forward continuous improvement in public services and overcome obstacles.***

The act allows local authorities to contribute to the promotion or improvement of well being in the following areas:-

- ***Environmental factors such as the availability of clean water.***
- ***Health related factors such as the promotion of good physical, social and mental health and developing and promoting policies that have a positive impact on health outcomes, especially health inequalities.***

The power is wide-ranging and enables local authorities to do ANYTHING that they consider is likely to promote or improve the well-being of their area and/or persons in it. The breadth of the power is such that local authorities should regard it as a “power of first resort” when they are in any doubt about whether existing powers would enable them to take a particular course of action or deliver a particular service.

The act allows Councils to:-

- ***incur expenditure***
- ***give financial assistance to any person***
- ***provide staff, goods, materials, facilities, services or property to any person.***

Such financial assistance may be given by any means local authorities consider appropriate, including by way of grants, loans, guarantees or indemnities as elements of financial packages, or contributions in kind.

The power may be exercised for the benefit:-

- ***All or some of the persons within an area.” (Source: the Local government in Scotland Act 2003. Power to advance well being guidance).***

The people in Garden city are desperate for help. They have worked with elected representatives at all levels and the relevant authorities. West Lothian Council now has the opportunity, using its powers, to step in to resolve this situation once and for all by:-

Accepting that this is an unusual situation with no end in sight.

- Accepting that as a local authority we have powers to allow us to intervene to advance the well-being of our citizens.
- Instructing officers to explore the use of “the power to advance well-being” to enable the council to work with Scottish Water and the Scottish Government to develop a water mains and supply renewal scheme for the whole area and a funding package for these works.
- Explore the use of “the power to advance well-being” and other statutory powers and duties to resolve this problem by the use of council resources including provision of financial and other assistance in any form.

Report back to PDSP/Council Executive/Full Council in relation to this work within the net cycle of meetings.”

Moved by Councillor Findlay, seconded by Councillor Muldoon.

The Leader of the Council then suggested that an amendment be made to the final sentence of the motion and that, thereafter, the motion be agreed as a unanimous position.

Decision

The Council unanimously agreed the terms of the motion by Councillor Findlay, but subject to replacing the final sentence with the following:-

“To convene an urgent meeting of the Partnership and Resources PDSP,

with invitations being extended to Scottish Water, residents of Garden City, local members, officers from a range of council services, including Environment Health and Legal Services, with a view to examining all options for resolving the problems with the water supply and bringing recommendations to a decision making body, as appropriate.”

Appendix 2



West Lothian
Council

PARTNERSHIP & RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

GARDEN CITY, BENTS – DEALING WITH LOW MAINS WATER PRESSURE UPDATE

REPORT BY ENVIRONMENTAL HEALTH & TRADING STANDARDS

A. PURPOSE OF REPORT

The purpose of this report is to update the panel on action taken in regard to water pressure concerns in Garden City since 30 May 2011, and provide final recommendations for consideration by the panel for proposal to West Lothian Council.

B. RECOMMENDATION

It is recommended that the panel:

- Note the action taken by officers since the meeting on 30 May 2011.
- Note that investigations indicate no legal responsibility for the water supply in Garden City remains with the Coal Authority or has been passed to Scottish Water.
- Note that the responsibility for the water supply pipe work within Garden City is that of the residents.
- Note the findings of the house survey by environmental health in determining a small number of properties affected by low water pressure at this time in Garden City.
- Note that the power of well – being as proposed in the motion to West Lothian Council does not apply in these circumstances.
- Agree that residents ensure repair to the water supply to their properties, and if failing to do so are served with works notices and are subject to the legal obligations and requirements of such.
- Agree that this is reported back to West Lothian Council for a final decision.

C. SUMMARY OF IMPLICATIONS

I Council Values	Being honest, open and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The Water (Scotland) Act 1980, as amended; the Housing (Scotland) Act 1987 and 2006; Local Government in Scotland Act 2003; West Lothian Council Scheme of Assistance and the Sewerage (Scotland) Act 1968.</p> <p>The final solution may set precedent for other such requests as high cost private sector housing repairs continue to be problematic.</p>

	Any potential expenditure may require to undergo tender process.
III Resources - (Financial, Staffing and Property)	Staff resources will be required for ensuring recommendations are carried out in regard to enforcement work and ensuring works are complete. Further investigation, legal activities and financial management work will also be required. This will be substantial and have an impact on other activities.
IV Consultations	Legal Services; Housing, Construction and Building Services; Financial Management Unit; Scottish Water; Coal Authority.

D. TERMS OF REPORT

Background

This report has been prepared to advise the panel of the action taken by council officers since the meeting of the P&R PDSP on 30 May 2011, and to provide an appropriate recommendation for decision by West Lothian Council.

At the meeting on the 30 May a number of actions were determined for council officers. These are detailed in appendix 1. In regard to these the following has been done:

- Scottish Water have been contacted for further information by environmental health and legal services through email and telephone. Discussions continue. Details of the information obtained are contained in the report.
- A survey of households has been completed by environmental health staff. The outcome is contained in this report.
- Clarification of costs provided has been sought from Scottish Water. The outcome is contained in this report.
- The legal position regarding the power of well – being has been considered and is detailed in this report.
- The Council's Chief Executive has contacted Scottish Water's Chief Executive regarding the decisions taken by the panel. The outcome is contained in this report.
- Officers have investigated secure loan options and details are contained in this report.

Other actions were determined at the meeting for the attention of Scottish Water.

Liaison with Scottish Water

Following the meeting on 30 May, environmental health contacted Scottish Water to request further information and clarification regarding issues affecting the water supply in Garden City and the action taken to date.

The following information was provided:

Scottish Water clarified that costs for mains replacement were an estimate based on contractor rates, and not as first thought, actual contractor estimates. The proposed works included replacement of main and connection points for all properties off the new main. The estimate cost was £150,000.

Drawings were provided which indicate that the exact location of the main supply in parts of Garden City is unknown. The Coal Authority are unable to provide information on the layout of the water pipes.

Further clarification was sought regarding investigation works to establish location and integrity of the main. This was estimated at below £10,000 and had been included in the estimate for mains replacement.

Scottish Water confirmed that the proposed mains replacement would be to adoptable standard. There was no indication given to whether this would take place or within a given timeframe.

Scottish Water provided details of approved contractors for completion of any works.

The results of pressure tests undertaken were provided. They indicated satisfactory pressure within homes and within the main, including a fire hydrant. They also indicated very poor water pressure in other homes tested. At this time, the opinion is that the problem lies in connections to the main. Homes which have had repairs and replacements carried out have seen improvements. The test results would testify to the problem being in the connection. Scottish Water have advised residents of this in the past.

Scottish Water were unable to give details of the costs involved in connecting homes affected to the main. They advised this was between contractor and residents. Estimated costs would be between £1000 - £2000 per house. Final detailed costs would only be known once examination and determination of the required works were fully undertaken.

Scottish Water have clarified that the reason Scottish Water adopted the sewers but not the water pipes is that the Sewerage (Scotland) Act 1968 vests sewers which are connected to Scottish Water sewers in Scottish Water whereas The Water (Scotland) Act 1980 does not contain such vesting provisions.

Scottish Water provided a copy letter from the Coal Authority which advises that the responsibility for the maintenance of all services was transferred to the owners. Legal Services have viewed a sample of title deeds and these indicate that the Coal Authority has retained no legal responsibility in relation to the services.

As requested by the panel West Lothian Council's Chief Executive wrote to the Chief Executive of Scottish Water. There has been no response from Scottish Water's Chief Executive.

Survey of water pressure and households

On 31 May, a letter and questionnaire were hand delivered to all households in Garden City. A copy of the letter is found in appendix 2. The letter outlined the concerns regarding water pressure, and gave individuals the chance to respond by return letter, email or telephone. The letter was followed up by site visits on the mornings and afternoons of Friday 3 June and Monday 6 June.

It was agreed that the names and addresses would not be reported back to the panel, but that a collation of the survey results would be provided.

Where anyone indicated a concern regarding water pressure officers were requested to carry out an assessment to determine the adequacy of the supply. The visits were conducted by two officers for corroboration.

There are 57 houses in Garden City. Information has been gathered on 45 houses. Four of these houses appear unoccupied at present.

Five houses have been determined to have unsatisfactory water pressure. Two others have indicated a problem but no access was available to officers to confirm.

Residents were also asked about willingness to contribute an equal share to any repair costs. Only six said yes, with 14 qualified yes responses. 13 said no, and others were no response or don't know.

Information from the landlord register identified 6 properties within Garden City belonging to landlords. A copy of the letter and questionnaire has also been sent to the landlords.

Available records of lead replacement grants were also examined and 11 properties had received grant in the past. Only one of these properties was currently experiencing pressure problems, although records indicate that replacement took place in 1983.

A number of comments were received which indicated that houses had experienced pressure problems in the past but that the replacement of pipe work and connection to the main had resolved this.

Costs of repair

Scottish Water could give no detail on repair costs for individual properties as this was established between residents and recommended contractors provided by Scottish Water. Therefore costs have been estimated from the emails provided between Scottish Water and residents in regard to this matter.

As outlined above, the costs per household for connection, continue to be estimated between £1000 - £2000. This would appear to be a cost for connection to main, individual toby and connection to property. Costs, however, may vary depending on determined location of the main and extent of pipe work connection to each property from the toby.

The Power of Well – being – Legal Position

Part 2 (Scheme of Assistance for Housing Purposes) of The Housing (Scotland) Act 2006 contains provisions regarding loans. In terms of Section 22 of the Local Government in Scotland Act 2003, the power of well-being does not enable a local authority to do anything which it is by virtue of a limiting provision unable to do. A

“limiting provision” is defined in Section 22 (2) as including a power which prohibits or prevents the local authority from doing anything or limits its powers in that respect and is expressed in an enactment. It is considered that the provisions concerning loans in the Housing (Scotland) Act 2006 are such limiting provisions. For example, Section 75 (3) provides that a local authority may only approve an application for a loan if all of the conditions set out in Section 75 (4) are satisfied. Accordingly, it is considered that the power of well-being does not enable the Council to carry out a loan scheme which does not comply with the limits set out in the Housing (Scotland) Act 2006. If loans were to be considered these would require to be in terms of the Housing (Scotland) Act 2006 and not under the power of well-being. The situation at Garden City would not be covered by the current Scheme of Assistance. The 2006 Act does allow the Council to amend its Scheme of Assistance and this would require to be done should a loan option be used.

The Housing (Scotland) Act 2006 provides for two types of loans being subsidised and standard loans. Standard loans can only be granted where the applicant is unable to obtain a sufficient loan on fair terms from a commercial lender. Charges and interest can apply to standard loans and the rate/amount would require to be specified in any amended Scheme of Assistance statement. Subsidised loans are split into two elements being an interest free element and a repayment element. No interest/charge can be applied to the interest free element and the council is unable to demand payment of the interest free element until the property is sold. The repayment element is to be repaid in instalments of such amounts and at such times as the Council may determine. The rate of interest/any charges on the repayment element would require to be stated in any amended Scheme of Assistance statement. Where a subsidised loan is involved, the Council would require to determine the applicant's contribution. The interest free element is the approved expense less the applicant's contribution and the repayment element is the approved expense less the interest free element.

Subject to the provisions with regard to the interest free element of subsidised loans, a loan may be made on such terms as the local authority thinks fit including terms as to interest, charges and repayment and a requirement that the loan, interest and charges be secured by a Standard Security.

The Scheme of Assistance – Secured Loan Options

Homeowners have the main responsibility for maintaining and improving their homes. The Council will provide advice and assistance to owners to help them with this responsibility.

Depending on the availability of funding, the Council may agree to contribute to an owner's share of the costs of communal repair work or pay a share of a “missing” owner. The Council will only contribute to the cost of the works where all other sources of funding have been explored and the owner does not have the means to meet their responsibilities. A financial assessment will be carried out to determine the owner's ability to pay. The Council may then meet the costs for the necessary works to be done, subject to the repairs being done to a standard acceptable to the Council. The Council will then recover all expenses incurred in carrying out this work from the owner. This may include the use of a repayment charge secured against the Title Deeds of the property. Charges will include an administration fee and will be at the council's standard rate of interest.

To enable this to happen would require an amendment to the Council's approved and published scheme of assistance. The scheme of assistance was however established to reflect the expectation that homeowners maintain their own properties. These loans are not mandatory and are at the Council's discretion. Any changes to the scheme to provide such loans would establish a precedent for the council providing financial assistance.

Housing (Scotland Act) 2006 – Tolerable Standard and Works Notices

The survey of houses in Garden City has now established that five are deemed sub – standard in terms of the adequacy of water supply and failing to meet the tolerable standard. This is not considered a significant number and therefore a housing renewal area cannot be considered.

The legal requirement to remedy the poor water pressure remains with the owners of the properties. Although the properties are deemed to fail the tolerable standard, it is not considered appropriate to close or demolish these properties as a solution to resolve matters is clearly achievable.

The Housing (Scotland) Act 2006 allows the local authority to serve a works notice on the owners (and others with an interest in the property) to ensure works are carried out to provide an adequate water supply to the property . A works notice must be served on the owner and occupier, any creditor holding a standard security over the property, any person who directly or indirectly receives rent in respect of the property and any other person appearing to the Council to have an interest in that property. A works notice must specify the reason for the requirement, the work which requires to be carried out, any standard the property is to meet on completion of the work and the period within which the work must be completed. This period must be the period in which the Council reasonably considers that the work can be completed (and must not, in any case, be less than 21 days).

Should those responsible not comply with the requirements of the works notice, then the local authority can choose to carry out the works in default and recover the costs of doing so (including administration costs and interest on repayments). The size of the financial burden on the local authority has to be a consideration in determining whether it proceeds with works in default. The Act allows the Council to make a Repayment Charge to recover costs. The repayable amount is recoverable in 30 equal annual instalments. In terms of the Repayment Charge, the Council can also recover the fee for registering (and discharging) the Repayment Charge, any administrative expenses in connection with registration and interest (at such reasonable rate as the Council may determine). The Repayment Charge is a charge on the dwelling and has priority over all future burdens and incumbrances on the dwelling and all existing burdens and incumbrances on the dwelling (with some specified exceptions relating to statutory provisions).

Provision exists within the act for homes to be vacated if there is a danger to inhabitants during works. This is not a concern in this case and there would be no need for anyone to vacate their home.

Recommendations

At this time there is no evidence to suggest that water pressure within Garden City is widespread concern. It is therefore important to ensure a satisfactory resolution to those properties which have been identified as having inadequate water pressure.

The legal responsibility to ensure this is resolved remains firstly with the owners of these houses. Therefore the recommendations are as follows:

4. The owners of the houses take the necessary steps to engage contractors, as previously suggested by Scottish Water, to ensure a connection from the main supply, including a toby, to their own property. This would ensure a desired solution, avoid legal action being taken against them, and avoid additional costs should works in default be undertaken by West Lothian Council.
5. If recommendation 1 is not undertaken then West Lothian Council would serve works notices on those owners to ensure that the work is undertaken to provide an adequate water supply to their home. If steps are not taken to comply with the notice, then West Lothian Council would consider the completion of works in default, and ensure all costs involved were recovered from owners.

Having considered the number of properties affected and the estimated costs of resolution, it is considered that should a default situation arise, it would be appropriate to accept the initial financial burden on the council and pursue works in default in regard to these properties. All costs could be recovered by way of a Repayment Charge.

E. CONCLUSION

There is a clear legal duty on the owners of houses in Garden City to ensure the repair and maintenance of their properties, including the water supply pipe work. A number of residents within Garden City have repaired or renewed their connections to the main supply and this has improved water pressure within their properties. This work has been self financed, and in other cases supported by grant schemes which no longer exist.

West Lothian Council is not legally obliged to fund repair work to private homes. It would not wish to establish any precedent in doing so. In determining the undertaking of works in default it retains the right to consider the potential size of financial burden and likelihood and terms of recovery of such.

It is requested that the panel note and agree with the recommendations within this report and approve them for consideration and agreement by West Lothian Council.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

1. Copy of action points from P & R PRDP Meeting – 30 May 2011.
2. Copy of letter / questionnaire to residents of Garden City.

Contact Person: Craig Smith, Principal Environmental Health Officer. Tel 01506 282385.
Craig.smith@westlothian.gov.uk

Andrew Blake, Environmental Health & Trading Standards Manager

Date: 21 June 2011

Appendix 1

DATA LABEL: Internal



**West Lothian
Council**

***Partnership and Resources Policy Development and
Scrutiny Panel
30 May 2011***

ACTION NOTE

A meeting of the Partnership and Resources Policy Development and Scrutiny Panel was held on 30 May 2011. The items for action and the allocation of that action are listed below.

If you have any comments or questions, please contact Anne Higgins as soon as possible on 01506 281601.

Item	Title	Decision	Action
01	Apologies for Absence	Councillors Cochrane and De Bold	N/a
02	Order of Business, including notice of urgent business	N/a	N/a
03	Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.	N/a	N/a

DATA LABEL: Internal

04	Garden City, Bents - Dealing With Low Mains Water Pressure - Report by Environmental Health and Trading Standards (herewith)	<ol style="list-style-type: none"> 1. To note the action taken to date. 2. To agree that officers continue to liaise with Scottish Water to try and resolve the situation and for a report to be submitted to the next meeting of the Panel, scheduled for 17th June 2011, or as soon as practicable thereafter. 3. To note undertaking by Bill Elliot that Scottish Water would:- <ul style="list-style-type: none"> • Clarify the position as to why the supply pipe-work within Garden City had never been adopted by Scottish Water, but the sewage system had been adopted. • Investigate and report back in relation to Scottish Water's ability to provide residents with a refund, or partial refund, of amounts paid in water rates. • Clarify the position with regards to a claim by one of the residents that an individual house in Garden City had recently been connected to the mains water supply and that the work had been carried out by Scottish Water. • Give further consideration to the issues of goodwill and precedents. 4. To agree that a survey of all households be carried out to determine the extent of the problem. 5. To agree that if appropriate, costs for both interim and full remediation works be sought and reported back to the Panel before any recommendations go forward to the council. 6. To note the legal position relating to the use of the power of well-being. 7. To note the potential legal and financial implications for the residents and council. 8. To note the potential for setting precedent. 9. To agree that the Council's Chief Executive contact Scottish Water's Chief Executive concerning the decisions taken by the Panel. 10. To agree that the Council investigate secure loan options for the residents, including a 30 year repayment option. 11. To note undertaking by Angela Constance MSP that correspondence from the Coal Authority concerning this matter would be made available to the Council. 	<p>Graham Hope/ Donald Forrest/ Craig Smith/ John Lochhead/ Kerri Murphy/</p>
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Appendix 2

Our Ref: CHS/F18M /

Direct Dial No: 01506 282385

Email: craig.smith@westlothian.gov.uk

30 May 2011

Owner / Occupier

Dear Sir / Madam,

Water Pressure – Garden City

I have been asked to contact all owners / occupiers of homes within Garden City following concerns raised with West Lothian Council regarding low water pressure affecting a number of properties. The main supply pipework within Garden City has never been adopted by Scottish Water and therefore all maintenance and repair of defective pipes is the joint responsibility of home owners.

At recent meetings of the West Lothian Council (26 April 2011) and the Partnership and Resources Policy and Development Scrutiny Panel (P&R PDSP) (30 May 2011), council officers were asked to establish whether anything could be done by Scottish Water or the council to help residents resolve low water pressure concerns. To date there have been no concerns established regarding the safety of the water.

Scottish Water provided an estimate for replacement of the main within Garden City at between £100,000 – £150,000. Costs in addition to connect a property to the main could be £1,000 – £2,000 each. These costs were provided at the meeting on 30 May 2011 by Scottish Water and resident delegation. Further, more detailed, costs are being looked at. However, at this stage it is important to make everyone aware of the costs involved.

This service has been asked to establish whether this is a wide spread problem within Garden City. I would therefore appreciate your assistance in providing information in regard to your property and water supply. I also need to establish your willingness to contribute financially to resolving this matter (an indication is all we are looking for. It is not a legal commitment for the future). This is important for the council in determining what action it is able to take. We continue to speak with Scottish Water in the hope that they would repair and adopt the supply network.

The report to the P&R PDSP outlined the council legal powers in regard to this matter. In terms of housing legislation, any property which does not have an adequate supply of water fails to meet the tolerable standard. This means the property is not fit for human habitation, and action is required to close the property until it is brought up to the required standard. Council officers have also been asked to consider using the power of well – being to assist residents improve the supply network. Neither of these options can be considered fully until more information on the water pressure issues in as many properties as possible is established.

I have been asked to gather this information as quickly as possible in order to report back to a further meeting on 17 June.

My officers will be on site within the next few days to speak to residents and carry out any assessments of water pressure within homes. If you are not in when officers call, or would prefer to respond to me directly, I would appreciate your response to the following questions. We would, however, expect to be able to visit any property which highlights a problem in order to establish the extent of the problem.

Name	
Property Address	
Are you home owner or tenant?	
If tenant, who is your landlord?	
Have you experienced any problems with water pressure in your home? If so please give details, and also state if this is an ongoing problem.	
Would you be willing to contribute an equal financial share of any repair costs to the water supply pipework in Garden City? (This is not a commitment only an indication at this stage for reporting purposes.)	

Your name and address will not be reported, but the other details you provide will be collated and reported back to the P&R PDSP. You can provide this information by sending back your responses on the table above in the enclosed pre paid envelope. You can also email me your responses craig.smith@westlothian.gov.uk or telephone 01506 282385. All responses need to be made by Monday 6 June 2011. I apologise for the short time scale but a quick report back has been requested.

If you have any concerns regarding this then please contact me. Copies of agendas and council minutes can be found on the West Lothian Council website <http://coins.westlothian.gov.uk/coins/>

Yours sincerely,



Craig Smith.
Principal Environmental Health Officer.



West Lothian Council

COUNCIL EXECUTIVE

APPROVAL OF PARTNERSHIP AGREEMENTS WITH COMMUNITY EDUCATION CENTRES

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

To inform Council Executive of the development of Partnership Agreements with Community Education Management Committees and to seek Council Executive agreement for the approval of such Partnership Agreements.

B. RECOMMENDATION

That Council Executive:

1. Notes the positive progress made on Partnership Agreements with management committees and most recently with Seafield Community Education Centre.
2. Approves that Partnership Agreements will be reported to the appropriate Local Area Committee and Culture and Leisure PDSP
3. That Council Executive delegate's authority to the Head of Area Services to sign off such Partnership Agreements in future on behalf of council.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focusing on our customers' needs
Providing equality of opportunities
Making best use of our resources
Working in partnership

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

III Resources - (Financial, Staffing and Property)

Existing Resources

IV Consultations

Community Centre Management Committees
Legal Services

D TERMS OF REPORT

As Council Executive will be aware, Partnership Agreements are being developed between council and management committee's of Community Education Centres. This is in recognition of the role Community Education Centre's contribute to the educational, social and cultural needs of communities.

Partnership Agreements seek to define the relationship between council and Community Education Associations, setting out the roles and responsibilities of both. Partnership Agreements are agreed with the respective Local Area Committees and will be reported to Culture and Leisure PDSP.

The most recent Partnership Agreement to be developed is with Seafield Community Education Centre and is attached as Appendix 1 for information. On 6 June 2011, the members of the Whitburn and Blackburn Local Area Committee endorsed the terms of the Partnership Agreement with Seafield Community Education Centre.

Initially it was anticipated that Partnership Agreements would be formally approved and signed off at Local Area Committee level, however Legal Services have advised that Local Area Committees do not have the authority to sign off such agreements from the council's position. It is therefore appropriate for the Council Executive to delegate its authority to a senior officer to formally approve such partnership agreements on behalf of the Council.

E CONCLUSION

Area Services have made good progress in working with Management Committee's to develop Partnership Agreements and in the main these have been welcomed by Management Committees.

As the Council develops the Tough Choices it will be important for the Council and Management Committees to work even closer together to develop local solutions.

F. BACKGROUND REFERENCES

None

Appendices/ Attachments: Partnership Agreement between West Lothian Council and the Management Committee of Seafield Community Education Centre

Alistair Shaw, Head of Area Services, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF

06 June 2011

Partnership Agreement between West Lothian Council and the Management Committee of Seafeld Community Education Centre

June 2011

1. Aim

- 1.1. This Partnership Agreement sets out the main duties and responsibilities under which THE MANAGEMENT COMMITTEE OF SEAFIELD COMMUNITY EDUCATION CENTRE and WEST LOTHIAN COUNCIL shall work together to deliver appropriate services for those resident within the community of Seafeld.

2. Scope

- 2.1. The document covers areas of governance pertaining to the Community Education Centre (henceforth “the Centre”) and the duties of the signatory parties in respect of ensuring that it is managed appropriately. The agreement should be read in conjunction with the constitution of the Centre’s management committee (henceforth “the committee”) and the lease agreement for the Community Education Centre building between the committee and West Lothian Council (henceforth “the Council”). In the case of ambiguity arising between these documents, the constitution and lease agreements shall have precedence over this one.

3. Duration, Review and Termination

- 3.1. It is broadly anticipated that the agreement will remain in force for the foreseeable future. However, either party can request a review of it by giving three months written notice outlining the main areas where changes are desired. Mutual consent is needed for any such variation to come into effect. In any event, a formal review two years from the date of signature and every second year subsequent to this.
- 3.2. As cancellation could signal the end of the working agreement between the parties, six months notice would be required subject to, should they be invoked, the dispute resolution process described in section 9 below.

4. Roles and Responsibilities

4.1. Responsibilities of the Committee

Under this agreement, the Committee are, with an appropriate level of support from the Council, responsible for;

4.1.1. Managing the Centre in accordance with the Committee's constitution.

4.1.2. Ensuring the general good running and proper governance of the Centre's administration arrangements. For example in ensuring that; membership rules, hall letting and financial procedures and regulations for the Centre are all in place.

4.1.3. Ensuring good governance in its dealings with external parties such as the Council and the Office of the Scottish Charity Regulator.

4.1.4. Managing the Centre's programme of activities in its efforts to meet the needs of the community.

4.1.5. Leading the development of both the activities within the Centre, and the fabric of the Centre itself in pursuit of the Committee's aims.

4.2. Area Services, West Lothian Council are, under this agreement, responsible for;

4.2.1. Meeting the 'defined overhead' costs associated with the running of the centre as laid out in the Lease agreement. These include, in broad outline, the costs of the building, its maintenance, cleaning and upkeep as well as the cost of staff (see also section 7 below).

4.2.2. Providing support and information sufficient for the Committee to fulfil the obligations arising from legislation, regulation and government policy in the areas of;

- The requirements of the Scottish Charity Regulator
- Financial management and annual audit practice
- Child protection issues
- Health and Safety issues arising from activities in the building
- Equal Opportunities and Disability issues arising from activities in the building

4.2.3. Maintaining the building to the standard expected of an excellent Community Education Facility, ensuring that it meets the requirements under;

- Health and Safety legislation
- Accessibility and Disability legislation
- Fire Safety regulations
- Gas and Electrical appliance testing regulations
- Public Health and Hygiene regulations

- 4.2.4. Provide advice to the Committee on the development of processes and procedures including those associated with running the Committee itself and those needed to run the Centre in an effective and efficient manner
- 4.2.5. Assist the Committee in devising and delivering educational, social, recreational and cultural programmes in response to the Committee's assessment of the community's needs.
- 4.2.6. Keep management informed of policy changes and discussions within the Council impacting upon the relationship between the partners and/or the running of the Centre.
- 4.2.7. The council shall offer additional support, if requested, in regards to any operational difficulties encountered by the management committee.

5. Arrangements for use of Centre for Council services

- 5.1. In recognition of the close partnership between the Committee and the Council, the Committee will give due weight to accommodation requests made by the Council through the hall-let process.
 - 5.1.1. Every effort will be made to accommodate requests associated with 'priority groups' (e.g. Youth Work, Adult Education, Volunteer Training), where there is no clash with the needs of the Community or current usage of the hall.
 - 5.1.2. The Council undertakes to provide adequate supervision of those being brought into the centre
 - 5.1.3. The Council undertakes to immediately replace, on a new-for-old basis, any equipment damaged in the course of such lets
- 5.2. The final say on the use of the Centre for Council Services rests with the Committee

6. Opening hours

- 6.1. 'Core' opening hours. i.e. those hours during which the centre will be opened and staffed regardless of use, will be agreed annually between the partners.
- 6.2. Changes in core opening hours are to be agreed by both partners subject to six months notice. This period can be waived should both parties agree to do so.

7. Staffing of the Centre

- 7.1. Adequate staffing will be provided by the council during core opening hours to ensure obligations under Health & Safety, and First Aid regulations are met and in-line with the requirements of insurers.
- 7.2. Staff are employed by West Lothian Council and their line responsibilities are to the Community Facilities Area Manager and/or the Community Learning & Development Manager (Adults & Communities)

7.3. As their employer, the Council may change members of staff, but will discuss such changes with the Committee two months before they are implemented.

8. Communication

8.1. Both partners will designate individuals as points of contact for communication.

8.1.1. Changes of the point of contact will be intimated to, and minuted at, meetings of the Committee with one months notice.

8.2. In accordance with the Constitution of the Community Centre, there are a number of Council employees who are entitled to attend Committee meetings and receive minutes.

8.3. The minutes of the Committee will be made available to the designated point of contact for the Council.

8.4. Where issues relevant to the running of the Centre are discussed, minutes of meetings of Area Services will be made available to the designated point of contact for the Committee.

9. Dispute Resolution

9.1. In most instances any operational difficulties will, in the first instance, be handled at the regular Committee meetings.

9.2. Should the issue not be resolved, either party can request a formal meeting between the Chair of the Management Committee and the Work with Adults and Communities manager of Area Services.

9.3. In the event of such discussions being unsatisfactory, either party can request the use of a single independent arbitrator. Any costs from this process will be met by the Council.

Signed on behalf of the Management Committee of Seafield Community Education Centre

Name (please print)

Signature

Position

Date

Signed on behalf of West Lothian Council

Name (please print)

Signature

Position

Date



COUNCIL EXECUTIVE

LOCAL CONFERENCE ON WELFARE REFORM

HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

To present to Council Executive an outline proposal for the development and implementation of a local conference on the impact of the UK Coalition Government Welfare Reform Bill 2011.

B. RECOMMENDATION

For Council Executive to approve the outline proposal to enable officers to coordinate the event.

C. SUMMARY OF IMPLICATIONS

I Council Values	Promoting equality of opportunity; working in partnership; focusing on our customers needs.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>Welfare Reform Bill 2011; Local Government Scotland Act 2003.</p> <p>Equality impact assessment on conference implementation to be facilitated following approval.</p>
III Resources - (Financial, Staffing and Property)	<p>Costs for event coordination required, at present undefined. Costs will be managed within existing budgets. All efforts to ensure efficiency and minimise spend will be advanced within project management.</p> <p>Staffing resources from within Corporate Equality, Advice Shop and Revenue and Benefits.</p>
IV Consultations	Corporate Working Group on Equality; Advice Shop and Revenue and Benefits Management Teams. Proposal discussed and endorsed at P&R PDSP 13 May 2011.

D. TERMS OF REPORT

On 16 February 2011 the Welfare Reform Bill was introduced to the Westminster Parliament. The Bill legislates for the most significant change to the UK welfare system for over 60 years. It introduces a wide range of changes, the key elements of which are outlined below:

- The introduction of a system of Universal Credit to provide a single streamlined benefit;
- An amended approach to management of fraud reduction and error with stronger penalties for serious offences;
- The creation of a new “claimant commitment” outlining the expectations of claimants while within the benefit system;
- Replacement of Disability Living Allowance with a new Personal Independence Payment for people with disabilities;
- Significant amendment to entitlement and assessment for housing benefit;
- Reviewed management arrangements for the Social Fund system to provide more flexibility for local authorities;
- Change to Employment and Support Allowance with the intention of shifting resources to those identified as in greatest need; and
- Significant change of the child benefit system.

Each individual change outlined above is anticipated to impact significantly on thousands of West Lothian citizens. Under the council’s power to advance well-being, sections 20-22 of the Local Government in Scotland Act 2003 and statutory guidance under section 21, it is proposed that the council host a public conference in order to provide citizens with information about how the changes are likely to impact.

As well as being open to all members of the public, with targeted marketing to those most likely to be affected by the changes, the event will be aimed at practitioners from across the community planning partnership in order to ensure that our employees and partners are fully informed about how these changes are likely to impact upon their work and priorities going forward.

Project managed by the council Equality Officer, it is proposed that the event be coordinated via collaboration between Corporate Equality, the Advice Shop and the Revenue and Benefits Team in order to ensure a diversity of perspectives have input to the design, facilitation and content of the event. The changes are likely to have direct impact on equality of opportunity in West Lothian across many sections of the community, with particular emphasis on disability and gender equality.

The specific practical details of the event have yet to be confirmed, and will be clarified following agreement of this outline proposal. However the key aims of the conference will be to:

- Act as an additional mechanism to raise awareness amongst the West Lothian community of the potential impact of the implementation of the Welfare Reform Bill;
- Raise awareness amongst council employees and community planning partners with regard to how the Bill will impact upon their work, and the communities that they serve;
- Provide an overview analysis of the cumulative impact of the measures contained within the Welfare Reform Bill, with a particular focus on the demographic situation within West Lothian;

- Focus specifically on provision of information regarding the impact of the changes within the equality protected characteristics of gender equality and disability (as a result of early evidence regarding specific equality groups most likely to be impacted by the proposals); and
- Act as an additional mechanism to engage employees, partners and the community within the development of the West Lothian Anti-Poverty Strategy.

In relation to timescale, the Bill is currently passing through the Parliamentary scrutiny process and it remains unclear when the Bill will become an Act. In addition, the range of changes are anticipated to be implemented on a phased basis. Officers propose that a conference hosted towards end September 2011 will provide sufficient time for both citizens and practitioners to consider the detail of the Bill and to act upon this information as appropriate.

Following agreement that the council will host the event, it is intended that community planning partners in West Lothian will be invited to participate as appropriate.

E. CONCLUSION

Council Executive is asked to approve the outline proposal to enable officers to coordinate a local conference on the impact of the UK Coalition Government Welfare Reform Bill 2011.

F. BACKGROUND REFERENCES

UK Coalition Government Welfare Reform Bill 2011:
[Welfare Reform Bill 2011](#)

Appendices/Attachments: None.

Contact Person(s): Kenny Selbie, Equality Officer/ Alan Cunningham, Welfare Advice Manager

Email: kenny.selbie@westlothian.gov.uk/ alan.cunningham@westlothian.gov.uk

Tel: 01506 281072/ 775120

Alistair Shaw
 Head of Area Services

14 June 2011



COUNCIL EXECUTIVE

**PROVISION OF YOUTH, COMMUNITY, ADVICE AND INFORMATION SUPPORT
FACILITIES IN CRAIGSHILL**

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to advise the committee of the proposed works to Riverside Primary Community Wing and Sheil House, Craigshill to support the provision of improved youth, community, advice and information support facilities and to also advise on the progress being made on Craigsfarm to secure its long term sustainability.

B. RECOMMENDATION

Council Executive is recommended to:

1. Approve the proposed disabled access works to Riverside Primary School and minor renovation works to the Community Wing at a cost of approx. £200,000;
2. Approve the proposed renovation of the ground floor and redecoration of the first floor at Sheil House, Craigshill to facilitate the centralisation of a number of community support, information and advice services including the relocation of the existing library from Almondbank at a cost of approx £1m;
3. Instruct officers to progress proposals for the re-use of Almondbank; and
4. Note the continued partnership working with Craigsfarm Management Committee to develop their business plan proposals including the option of transferring the facility to community ownership subject to approval by Council Executive.

C. SUMMARY OF IMPLICATIONS

I Council Values

- Being honest, open and accountable
- Focussing on our customers' needs
- Making best use of resources
- Working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

The duty of Best Value as set out in the Local Government in Scotland Act 2003.

III Resources - (Financial, Staffing and Property)

A sum of £1,000,000 is included in the Councils Capital Budget for 2011/12 financial year for the enhancement of community facilities in Craigshill.

£200,000 is currently identified for DDA works at Riverside Community Wing.

IV Consultations

Craigshill Community Council and the wider community have been consulted by Area Services.

Consultations have taken place with the various community groups, organisations and Council services to be located in Sheil House.

Regular meetings and liaison with members of Craigsfarm management committee.

Local Members have been provided with a copy of this report for information.

D. TERMS OF REPORT

Background

West Lothian Council is committed to the improvement of youth, community, support, information and advice facilities across the County. The Craigshill area of Livingston has been identified as an area that could benefit from the enhancement and provision of modern facilities to help the community overcome the consequences of multiple deprivations.

Detailed investigations on service provision and extensive community consultation were undertaken to determine the level of demand and type of facilities required in Craigshill and how the funding allocated could be used to greatest benefit. In summary the findings were as follows:

- Craigsfarm was under utilised (only approx. 33% of the floor space was used and for on average 33% of the time it is open).
- Craigsfarm due to its age, condition and layout was not considered a long term viable options to provide the full range youth and community facilities demanded.
- A central location was considered preferable by respondents to the survey (62%)
- Community activism and support service activities should be centralised
- A new build community centre was considered too expensive and no central site available
- Diversionary activity for young people that kept them away from potentially anti social or risky behaviour was a priority.
- Quality of life factors and indicators that featured highly in the analysis; included self confidence, support and sense of community accounting for 66% of the outcomes valued most.

Desires identified by the community:

- 1. investment in a community centre;**
- 2. facilities for young people;**
- 3. information and advice services;**
- 4. vocational training;**
- 5. open space development; and**
- 6. pre-fives and after school services.**

In pursuit of delivering against these priorities a number of options were identified. Members at the Council Executive on the 8th October 2010 approved that the focus should be primarily on Sheil House and Riverside Primary School.

Detailed designs have been developed for both Sheil House and Riverside Community Wing. These have been consulted upon with a number of groups, services and organisations who are considering using and occupying the proposed accommodation. These included West Lothian Youth Action Project, Citizens Advice Bureau, NHS Lothians, West Lothian Drug and Alcohol Service, Daisy Drop In, YWCA (Scotland), Library Services and Access to Employment. All have expressed an enthusiasm to be part of the Sheil House development subject to their grant funding and operational technicalities being agreed.

The proposals for Riverside will involve the installation of disabled access lifts to permit access to the main hall, stage, gymnasium and canteen areas. These will be made available for community use out-with school hours and during holidays. Redecoration, new toilets and some minor works will also be undertaken to existing community wing. The draft layout is shown in Appendix 1.

The proposals for Sheil House will involve the partial renovation and redevelopment of the ground floor to provide meeting rooms (including interview rooms), vocational training rooms (including an IT suite), new library, small café & seating area, drop in facility / play area, centralised reception facility and community notice board together with office accommodation for the Citizens Advice Bureau. The first floor will be modernised to provide improved office accommodation and meeting rooms. Meeting rooms will be available for community to use subject to booking via the reception. The draft layout is shown in Appendix 2.

In implementing the Council Executive decision further consultations including at a public meeting on the 9th November 2010 were undertaken which subsequently highlighted the desire of the community to retain Craigsfarm and the management committees desire to potentially take ownership as part of a sustainable community asset transfer proposal.

Craigsfarm Management Committee and Council Officers have been working collaboratively over the past few months to develop a vision for the facility and have jointly engaged private consultants to prepare a business plan to hopefully secure the future viability of the subjects and investigate the potential for community asset transfer. Initial feedback from the consultants in terms of business opportunities include, youth enterprise and training centre, family centre, social enterprise and mall, voluntary sector hub, arts/sports hub, heritage centre, food centre. These are all being explored further with other emerging opportunities and may involve the need for the Council to provide initial “seed” funding to support the business plan. The business plan for the future of Craigsfarm will be reported back to members for determination once this is finalised.

The relocation of the Library will provide the opportunity to establish a more modern facility and allow the space currently occupied at Almondbank to be utilised either the West Lothian 16+ project, a project to support young people with complex needs to make a more positive transition to adult life, or for the future expansion of Beattie. The NHS Child Development Centre located in one wing of Almondbank may also have expansion requirements. The reuse of Almondbank is being explored further by officers.

The proposed projects will support the delivery of five of the six identified desires from the community consultation. In summary these are as follows:

1. Investment in a community centre – through a combination of accessible halls and areas at Riverside, meeting spaces and advice services at Sheil House and the management committees aspirations for Craigsfarm;
2. Facilities for young people – through a combination of accessible halls and areas at Riverside which is a “hub” of youth activities and the administrative and advice centralisation at Sheil House
3. Information and advice services – By centrally locating a number of agencies and Council services in the one location clients can be easily signposted and supported by partners.
4. Vocational training – Provision of training and meeting rooms including an IT suite will greatly enhance the access to and provision of vocational training opportunities in Craigshill.
5. Open space development – Does not form part of the current proposal although a small secure play area is proposed for Sheil House as part of Daisy (subject to agreement and consents).
6. Pre-fives and after school services – The inclusion of Daisy Drop In within Sheil House and the continued support via Area Services for the Letham Community Wing where the Ladybirds Playgroup and Letham Lemurs After School Club currently meet are based will help support young children and after school services

Members will recollect that as part of the Council's ten year Capital Plan an initial sum of £500,000 was earmarked to improve youth and community facilities within the Craigshill area. A further £200,000 has also been identified for Disability Discrimination Act (DDA) Compliance works to the Community wing of Riverside Primary School. To deliver the proposed projects it has been estimated that £1.2m is required and this has been budgeted for within the current Capital Programme. This represents an additional £500,000.

E. CONCLUSION

The proposed projects as highlighted in the report will deliver improved community facilities in Craigshill and support the delivery of improved advice, information and training.

F. BACKGROUND REFERENCES

Report on the provision of youth and community facilities in Craigshill approved by to Council Executive on 12th October 2010.

Investing in Community Facilities Craigshill Community Consultation Report

Reports to East Livingston and East Calder Local Area Committee

Craigshill Community Facilities Option Appraisal

Appendices/Attachments:

1. Riverside Primary School (Community Wing) – Proposed Layout
2. Sheil House – Proposed Layout

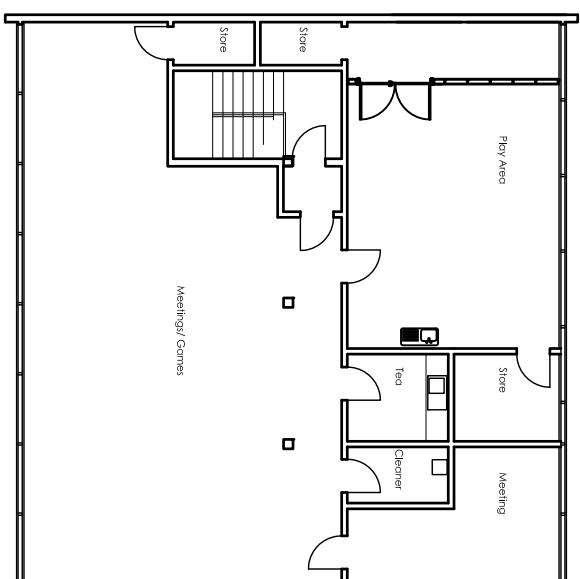
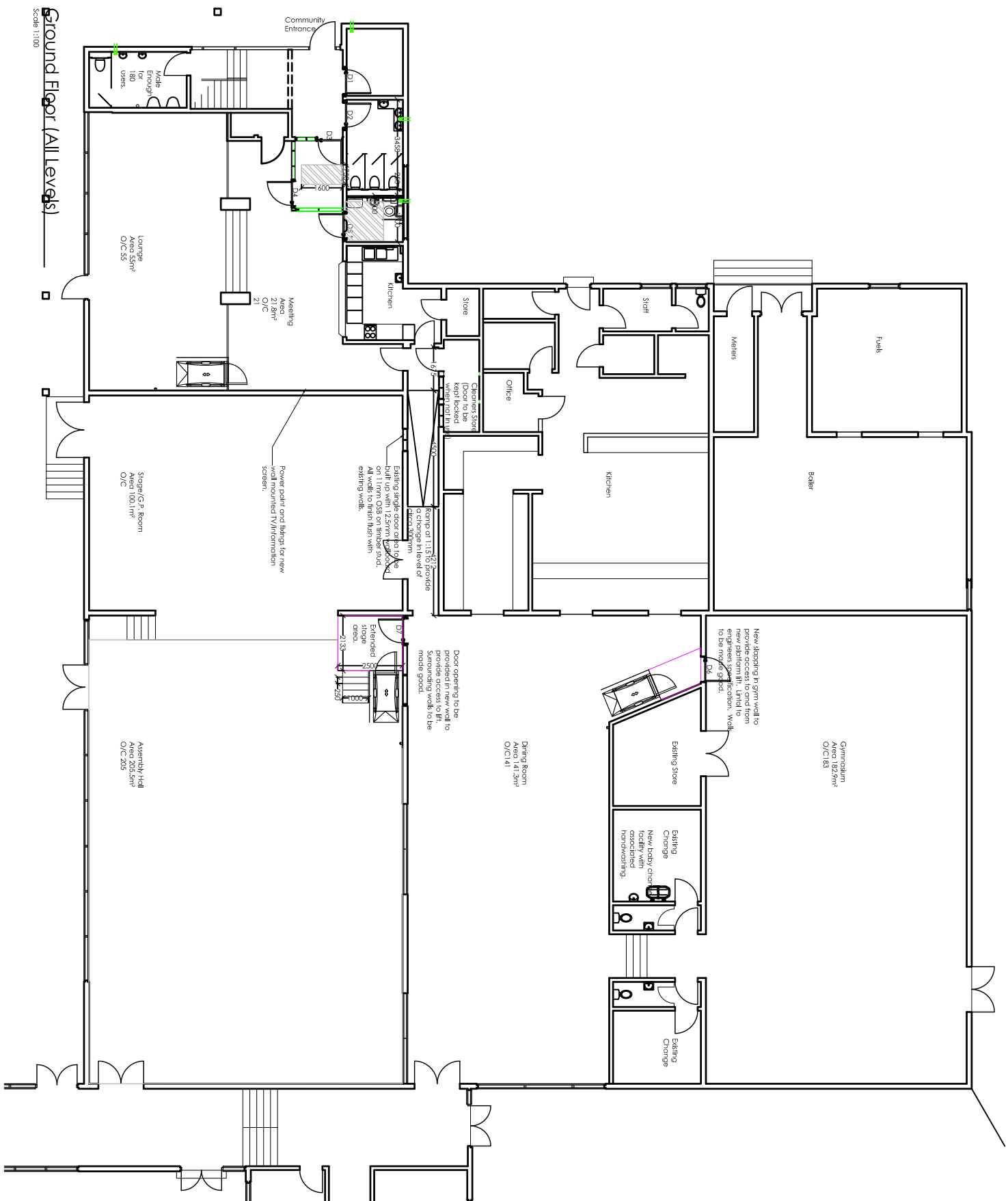
Contact Persons:

Peter Moir, Community Regeneration Officer, Community Planning and Regeneration
Tel: 01506 281093
peter.moir@westlothian.gov.uk


Paul Kettrick, Economic Property Development Officer, Finance and Estates Services
Tel: 01506 281826
paul.kettrick@westlothian.gov.uk

Alistair Shaw, Head of Area Services
Tel: 01506 281754
alistair.shaw@westlothian.gov.uk

Date: 3rd June 2011



Issue	Date	Details
		<p>1. Attention to be directed on the</p> <p>2. The work items to be checked</p>

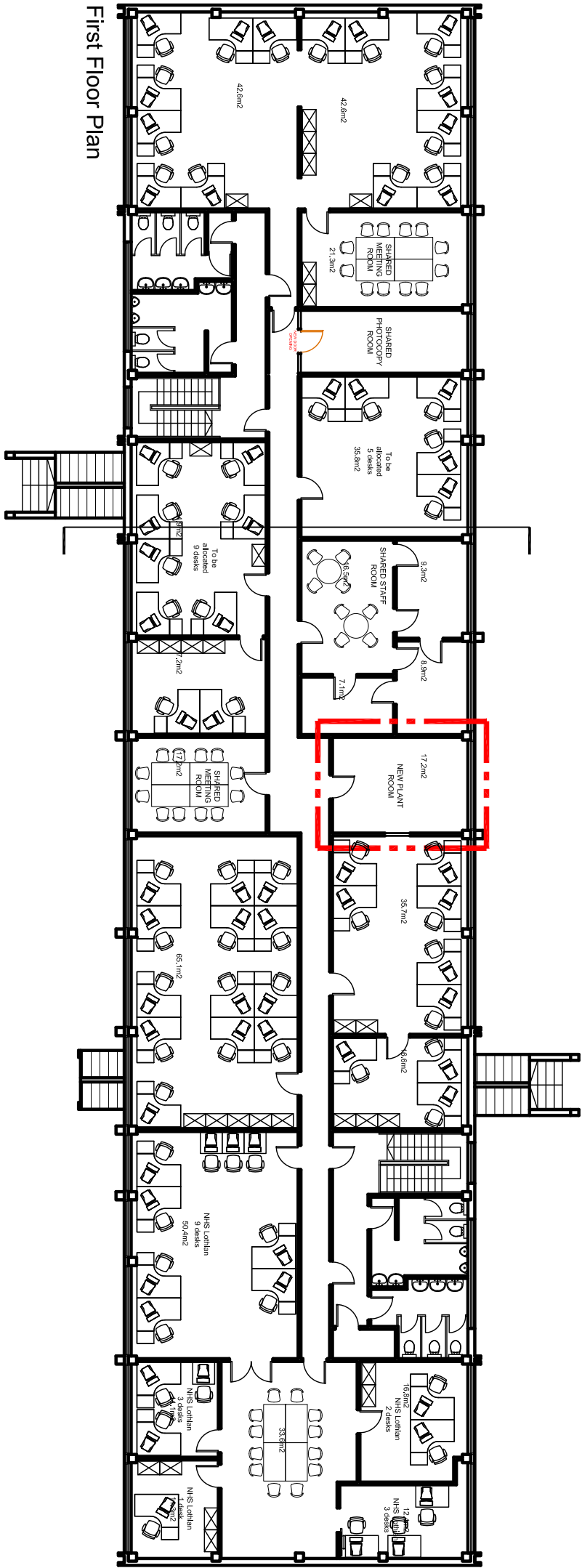
	
<p>West Leishan District Council</p>	
<p>Construction Services</p>	
<p>Construction Design West Leishan Road South, Litlington Estate BRF <p>Project</p> <p>Proposed DOA Works Community Park Revised Planning School</p> </p>	

BILLING					
TENDER					
CONTRACT					
NO. 1					
PARTY NO.					

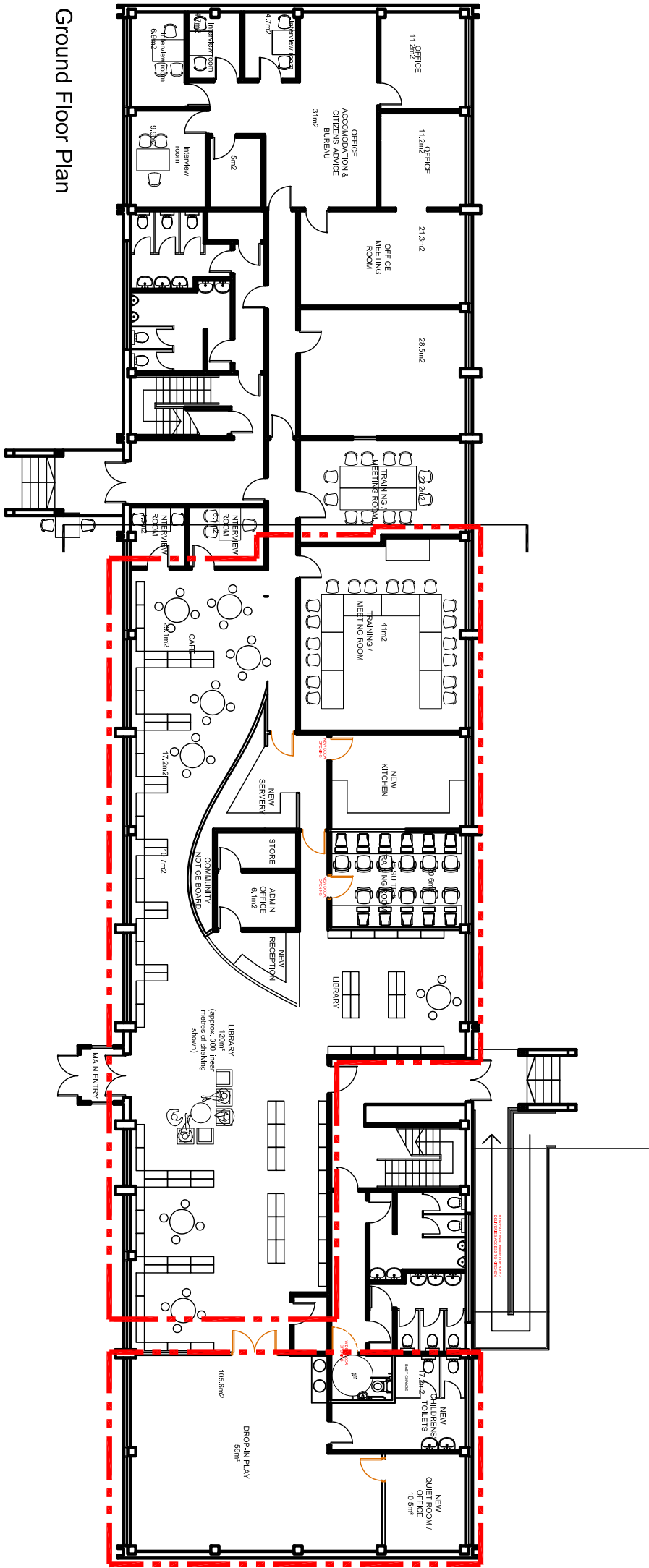
Date	Scale (s)	Drawn
Mar 11	AS NOTED	CS
Project No.	Drawing No.	Issue
CS10049	L021/COM	X

Appendix 1

DRAWING



First Floor Plan



Ground Floor Plan

SHEIL HOUSE OPTION C :

REMOVAL OF PARTITIONS TO CREATE OPEN PLAN ENTRANCE, RECEPTION & CAFE SPACE AROUND A CENTRAL 'HUB'. 'HUB' CONTAINS RECEPTION DESK, ADMIN AREA (EXISTING ROOMS RE-USED), LIBRARY, COMMUNITY NOTICE BOARD & SERVERY AREA FOR CAFE.

PARTITIONS REMOVED FROM EXISTING OFFICE ACCOMMODATION TO CREATE MEETING ROOMS, AND KITCHEN CREATED TO SERVE CAFE & MEETING ACCOMMODATION.

DROP IN CHILDRENS' PLAY AREA WITH OFFICE/QUET ROOM ESTABLISHED. NEW CHILDRENS' TOILETS TO SERVE PLAY AREA ESTABLISHED ADJACENT.

ON FIRST FLOOR MINIMAL ALTERATIONS TO ACCOMMODATE VOLUNTARY & PARTNER ORGANISATIONS.

NEW IT SYSTEMS INSTALLED TO PROVIDE ACCESS FOR GROUPS TO ALL RELEVANT NETWORKS (EXACT REQUIREMENTS TO BE CONFIRMED).

INSTALLATION OF NEW GAS LOW PRESSURE HOT WATER HEATING SYSTEM THROUGHOUT THE GROUND AND FIRST FLOOR.

NEW PLANT ROOM CREATED TO HOUSE NEW HEATING SERVICES.

ADDITIONS

-ADDITIONAL CENTRAL 'HUB' INCORPORATING RECEPTION, COMMUNITY NOTICE BOARD AND SERVERY

-NEW KITCHEN

-ADDITIONAL PARTITIONS TO CREATE QUIET ROOM/OFFICE IN CRECHE

-ADDITIONAL 2no CHILDRENS' TOILETS ADJACENT TO PLAY AREA, INCORPORATING NEW CLEANERS STORE

-ADDITIONAL 2no DISABLED TOILETS (ONE AT EACH TOILET BLOCK ON GF)

-NEW RECEPTION & WAITING AREA FOR OFFICE ACCOMMODATION AND LIBRARY

-NEW EXTERNAL RAMP AND LEVEL ACCESS AREA EXTERNALLY FOR BINS & DELIVERIES

-NEW PLANT ROOM ON FIRST FLOOR

-NEW HEATING/LIGHTING THROUGHOUT GROUND FLOOR ONLY

-NEW IT/DATA THROUGHOUT

-NEW FLOOR FINISHES AND DECORATION THROUGHOUT GROUND FLOOR ONLY

DEMOLITION:

- DEMOLITION OF ROOM PARTITIONS TO CREATE OPEN PLAN CAFE & ENTRANCE LOBBY AREA, MEETING ROOM, LARGE MEETING ROOM AND CLEARER STAIR LOBBY

Name	Date	Status
01	10/01/2011	Approved
02	10/01/2011	Approved
03	10/01/2011	Approved
04	10/01/2011	Approved
05	10/01/2011	Approved
06	10/01/2011	Approved
07	10/01/2011	Approved
08	10/01/2011	Approved
09	10/01/2011	Approved
10	10/01/2011	Approved

West Lothian Council

Construction Services

West Lothian Civic Centre
Howden Road South, Livingston EH54 6PF
Tel: 01506 205443 Fax: 01506 201003

Project

Refurbishment of Sheil House, Crickhall

Drawing

Option C Proposals

Date	Version	Author	Check
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West Lothian Council

COUNCIL EXECUTIVE

TRAINING AND EMPLOYMENT OPPORTUNITIES FOR 16-19 YEAR OLDS

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

To update the Council Executive on the commissioning of additional pre-employment training opportunities for young people.

B. RECOMMENDATION

That Council Executive agree to the commission of additional pre-employment training opportunities for young people as outlined in this paper.

C. SUMMARY OF IMPLICATIONS

I Council Values	Developing our economy and working in partnership
II Policy and Legal	None
III Resources - (Financial, Staffing and Property)	Financial: A total of £860,000 over the two year period September 2011 to August 2013 including the previously agreed current Skills Training Programme budget and additional confirmed European Funding.
IV Consultations	MCMC and Community Planning Partnership (CPP) Economic Forum, Skills Development Scotland, Service Managers, Council's Business Support team, Development and Transport Policy Development and Scrutiny Panel.

D. TERMS OF REPORT

1. Background

The More Choices More Chances (MCMC) challenge remains a key priority for the Council and Community Planning partners. It contributes to Outcome 4 in the Single Outcome Agreement (SOA) viz *“Our young people successful learners, confident individuals, effective contributors and responsible citizens”*, and is included in several other strategic documents across the Council. The SOA also identifies the lack of training capacity in West Lothian as one of our five strategic asks of the Government and is identified as a key inhibitor to the delivery of the MCMC agenda.

The national training programmes managed by SDS (Skills Development Scotland) remain broadly at the same level as last year and the Scottish Further Education Funding Council has reduced further education opportunities for West Lothian young people and likewise across all local authority areas. This proposal assists the training deficit through West Lothian Council directly commissioning additional training opportunities for young people.

West Lothian Council, acting on behalf of the Community Planning Partnership, has been awarded £1,101,600 towards total costs of £2,448,000 from the ESF Objective 5 programme for a Employability and Skills Pipeline (see Appendix 1). This is for the period 1st September 2011 to 31st August 2013. The bid included £860,000 for Stages 2 and 3 interventions as in the table below which will be commissioned by the council's MCMC team :-

Table 1 : Employability and Skills Pipeline Stage 2 and 3 Interventions			
Stage	Intervention	Investment	Opportunities offered
Stage 2	Additional pre-employment support	£280,000	500
Stage 3	School based tasters	£184,000	250
Stage 3	Additional vocational skills programme	£260,000	180
Stage 3	Job specific short programme	£136,000	100
Total		£860,000	1,030

The commissioning exercise will allow for additional interventions to be offered over this cost if more further additional funding becomes available.

2 The Challenge

While improvements in reducing the number of negative destinations has been made, the scale and extent of the MCMC challenge in West Lothian is still considerable as summarised below:

MCMC School Leavers from School Leaver Destination Report 2009/10

- In 2009/2010 West Lothian's positive destination level has increased by 2.2 percentage points on the 2008/09 level. This is twice the overall increase for Scotland of 1.1 percentage points from 85.7% to 86.8%.
- Negative destinations in West Lothian are now at the lowest level they have been since 2000/01
- Particular areas of increase for West Lothian have been in further education (up 1.1%) and training (up 2.5%).
- West Lothian's position against other local authorities has improved by one place from 30th out of 32 local authorities to joint 29th with Glasgow City Council but clearly much remains to be done to further improve this.

MCMC 16-19 Year Olds

- On average there are over 950 16-19 years in West Lothian in need of MCMC, and not in any positive destination.
- The economic downturn has resulted in there being no significant change in this figure over the last three years

3. The need for greater Training and Employment Opportunities

The Scottish Government agenda, 16+ Learning Choices, ensures that every young person who reaches their statutory school leaving date must be provided with a suitable offer of learning. This was to be achieved by December 2010. This requires having sufficient education, training, work or volunteering placement opportunities for young people and it is crucial that the right mix of training opportunities are available. Larger numbers of young people are returning to school to complete S5 and S6 but there remain challenges:

- Under provision in West Lothian of training capacity particularly Get Ready for Work (GRfW) type provision
- Current recession will make it more difficult for MCMC youngsters to compete in the labour market
- Currently 5 unemployed people in West Lothian chasing every JC+ vacancy
- Employers favour more experienced skilled workers rather than young people with no employment track record
- Competition is tough; there were 1651 applications for the 18 Modern Apprenticeships available in the Council this year

The Council is West Lothian's largest single employer and is in a position to provide appropriate opportunities for young people as a placement provider and prospective employer.

4. Current GRfW programme provision

GRfW is the main Scottish Government training programme for young people aged 16-18 who have additional support and development needs before they can progress into mainstream training, learning or job opportunities. It is therefore the type of programme that is most appropriate for the MCMC group once they have left school. From a young person's perspective, GRfW usually consists of a period of off-the-job training and activity followed by an extended placement with an employer. Whilst on the GRfW programme the young person will receive a trainee allowance of £55 per week.

Recent evaluation work on GRfW identified a number of features as good practice:

- Good quality group work providing practical and meaningful project based work
- Employer engagement at the earliest stage
- Mixing young people with adults
- Use of accreditation and awards for participants to develop a culture of achievement
- Linkages to health, sports and related activities to maintain motivation
- Imaginative development of core skills through practical exercises and sports related activity

In West Lothian GRfW is delivered through 4 main providers:

- BLES (Blackburn Local Employment Scheme)
- Forward Training
- Sibbald Training
- ACT (hairdressing)

The SDS provision will offer around 150 “starts” in West Lothian in 2011-12.

West Lothian Council has its own small GRfW contract from SDS in the form of a specialist Life-skills package for the most challenging and least job ready youngsters. This is closely linked to the Youth Inclusion Project (YIP).

5. Other support to the MCMC group

The other main government funded programme for young people is Modern Apprenticeships (MAs). West Lothian Council has a workforce of approximately 8000 and in 2010 took on 17 apprentices. This was down from 20 in 2009 and 26 in 2008. These are all in practical vocational areas including Roads, Horticulture and Construction trades. Around 80% of MAs are employed full time by the Council on completion of their apprenticeship.

There is likely to be Targeted Pathways to Modern Apprenticeships contracts offered in September 2011. Allocation of these contracts are based on the targeted skills areas namely hospitality, tourism, engineering, financial services, energy and renewable, administration and retail. West Lothian Council could provide appropriate placements for each of these targeted areas.

Future Jobs Fund (FJF) placements and other voluntary placements take place within the council, but recruitment to this programme has now ended and all participants will finish by 30th September 2011. The FJF programme run in West Lothian by Access 2 Employment has one of the highest success rates in Scotland with a progression into jobs rate of 65% compared to the national average of 40%.

The Scottish Government is introducing a Scottish Community Jobs Fund similar to FJF but to be delivered through the voluntary sector. Councils appear to have no role in this.

6. Investment by West Lothian Council to create additional opportunities

In 2009 West Lothian Council agreed a three year New Employee Support Initiative (NISI), at a cost of £1M, to support 240 additional Get Ready for Work (GRfW) opportunities available and to also provide grants to employers to encourage them to recruit 45 young people requiring more choices, more chances.

This Skills Training Programme recognised a training deficit locally, and commissioned additional GRfW places. In the first two years (to 31st March 2011) 128 trainees have started the programme, and 17 trainees are currently on placement with a range of council services.

Of the 111 leavers 25 are in employment, 5 are now in modern apprenticeships, 18 are now in further education or training and 3 are doing voluntary work while seeking employment. The progression rate of 46% into positive outcomes is above the national average for GRfW.

The subsidised employment opportunities, now badged as “16–18 Job Grant” was initially promoted through GRfW providers viz Sibbald, BLES and Forward Training, and take up was slow. However this has picked up and over 20 grants have been made since September 2010.

In addition to these there are a number of confidence building and skills development programmes were run including the Prince’s Trust TEAM Programme, Journey to Employment (a partnership between West Lothian Council, West Lothian College and West Lothian Youth Action Project), the Youth Inclusion project (YIP) and RUTS (Rural and Urban Training Scheme) which is a motor cycle based programme in Whitburn.

Co-ordination of all the activities above is required to allow the council to streamline, effectively monitor and increase the demand on each of the services already involved and to ensure that those services not yet involved become so.

7. The Employability and Skills Pipeline

The Pipeline shown in Appendix 1 shows progression by those currently out of the labour market through a number of stages, with specific interventions at each stage, through to being in work. It is recognised that people will enter, and leave, the pipeline at different stages and will not necessarily require all the interventions at each stage.

Young people aged 15-19 are the priority group for the EU funded interventions, and there is a specific on focus young people requiring More choices, More chances. The council’s MCMC team within Area Services will be commissioning support as indicated in Table 1 above.

- The **Additional pre-employment support** will include engagement activities aimed at harder to reach young people, with the aim of both increasing their confidence and motivation and also assisting them to address other barriers to employment linked to their life circumstances.
- The **School based tasters** will provide tasters of the world of work, including input from employers and visits to workplaces.
- The **Additional vocational skills programme** extends the New Employee Support Initiative outlined above.
- The **Job specific short programme** incorporates vocational skills training programme and work experience across a range of key skill sectors.

It is anticipated that the Council will be the primary provider of work placement opportunities.

E. CONCLUSION

The proposals have been developed to make a real difference in increasing the opportunities open to young people on leaving school. The proposed package of activity would demonstrate the Council’s commitment to addressing the MCMC challenge through practical actions and as the area’s largest employer, and the additional investment offers the opportunity to significantly improve the proportion of school leavers achieving a positive destination.

The Council Executive is asked to agree to commissioning additional pre-employment training opportunities for young people as outlined in this paper, and to receive a further paper on additional interventions that could be delivered.

F. BACKGROUND REFERENCES

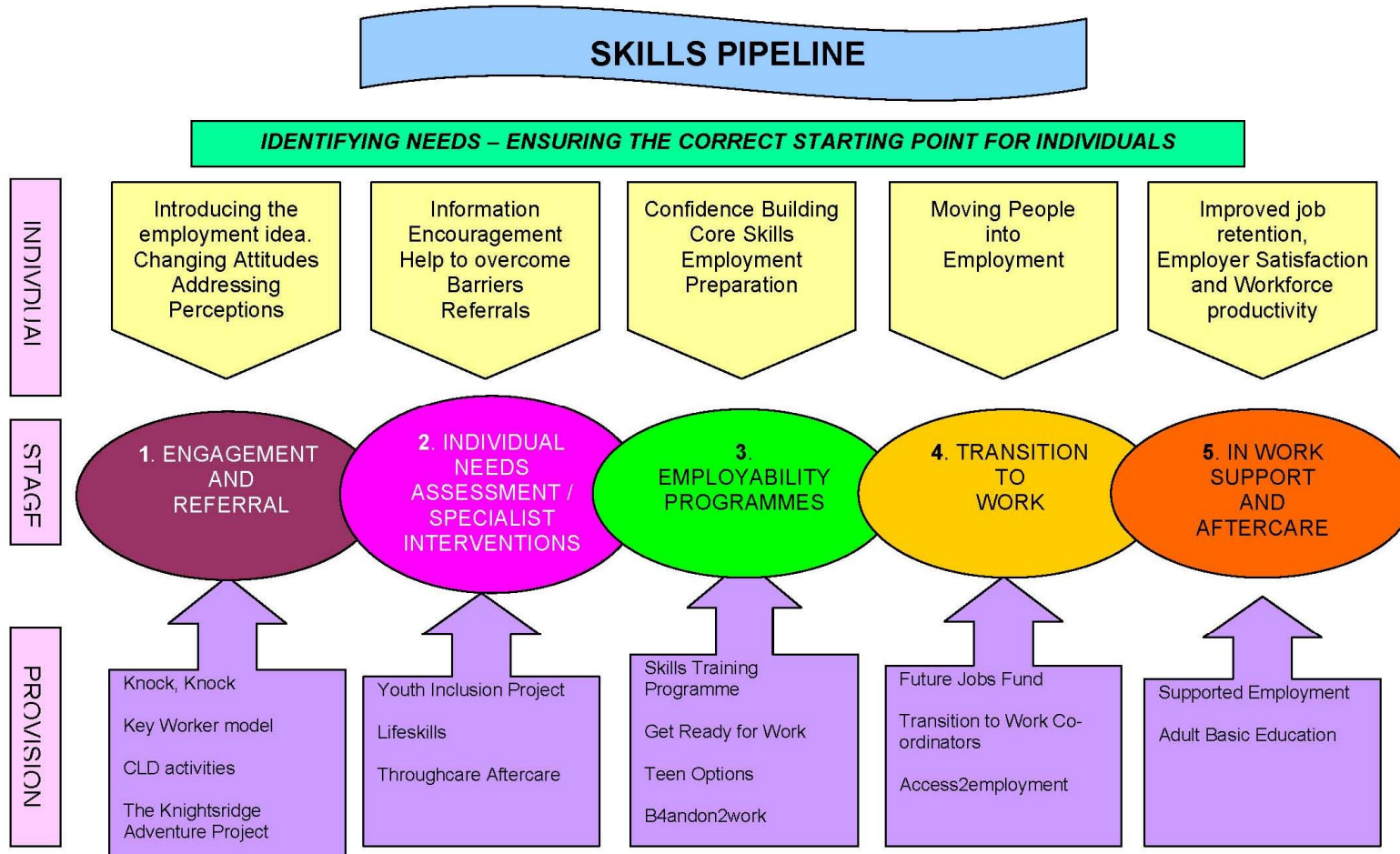
Files in Community Planning and Regeneration

Appendices : Appendix 1 : Skills Pipeline

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Alistair Shaw, Head of Area Services

Date: 16th June 2011



Appendix 1 : Skills Pipeline



COUNCIL EXECUTIVE

BATHGATE FAIRTRADE TOWN AND WEST LOTHIAN FAIRTRADE ZONE APPLICATIONS

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

To ask the Council Executive to support Bathgate Fairtrade Town Steering Group's current bid for Fairtrade Town status and consider elected member representation on the Bathgate Steering Group.

The report also provides an update on West Lothian Fairtrade Zone Steering Group's application for county recognition.

B. RECOMMENDATION

That the Council Executive agrees the content of the report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Working in Partnership
	Making the best use of resources
	Focusing on our customers' needs
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Support Existing Policy on Fairtrade
III Resources - (Financial, Staffing and Property)	None.
IV Consultations	Local partners to be consulted on how best to move the process forward

D. TERMS OF REPORT

- 1 Bathgate Fairtrade Town Steering Group is currently applying to The Fairtrade Foundation for Fairtrade Town status. If successful this would be West Lothian's fifth Fairtrade Town or Village, along with Linlithgow, Livingston, Whitburn and Uphall.
- 2 West Lothian Council's existing policy on supporting Fairtrade was established in 2003 when it resolved to 'introduce the choice of Fairtrade products wherever possible within West Lothian Council establishments and catering services.' The Council currently provides Fairtrade Coffee and Tea at Council catering outlets and if providing these for meetings.

As with previous applications where the Council has supported the other Fairtrade Towns and village the Council Executive is being asked to support the Bathgate bid and agree to nominate two elected members from the ward to represent the Council on the Steering Group.

- 3 West Lothian Fairtrade Zone Steering Group was established following a decision of the Partnership and Resources Policy Development & Scrutiny Panel on 19 February 2010 and the Council Executive on 23 February 2010 to restate the council's commitment to support Fairtrade and to work towards Fairtrade Zone status for the county. The Steering Group has met regularly for over a year and planned or helped to promote a number of events throughout the year, in particular during Fairtrade Fortnight 2011 which saw up to 100 Fairtrade related activities going on around the county in schools, churches, work and public places. It has developed its membership and welcomed the Centre on board as a Flag Ship Employer and has ensured regular press coverage that has seen Fairtrade promoted in a number of publications regularly throughout the year.
- 4 As a result of this work the West Lothian Fairtrade Zone Steering Group is of the view that the criteria set by the Fairtrade Foundation, detailed below, has been achieved and is in the process of submitting its application for Zone Status.
 - Pass a resolution supporting Fairtrade, and agrees to serve Fairtrade tea and coffee at its meetings and in its offices and canteens.
 - Ensure a range of (at least two) Fairtrade products is readily available in the area's shops and local cafés/catering establishments.
 - Fairtrade products are used by a number of local work places and community organisations (places of worship, schools etc).
 - Attract media coverage and popular support for the campaign.
 - Convene a local Fairtrade steering group to ensure continued commitment to its Fairtrade Zone status.
- 5 If Fairtrade Zone status is achieved West Lothian will be added to a number of Local Authorities that have achieved Fairtrade Zone status and help Scotland's campaign to achieve Fairtrade Nation status in 2012.

E. CONCLUSION

The Council Executive is asked to support the Bathgate application and agree to nominate two elected members to sit on the local steering group.

The Council Executive is also asked to note and support progress on the Fairtrade Zone application.

F. BACKGROUND REFERENCES

Minutes of the P,P&R Committee, 9 December 2003

<http://webwest1.app.westlothian.gov.uk/coins/document/policy%20partnership%20and%20resources%20committee/20040210/ppr20031209.pdf>

Minutes of the Partnership and Resources Policy Development & Scrutiny Panel , 19 February 2010 <http://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Di%95qz>

Report to the Partnership and Resources Policy Development & Scrutiny Panel , 19 February 2010

<http://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Di%90o%80>

Minutes of the Council Executive , 23 February 2010

<http://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Di%94oz>

Report to the Council Executive, 23 February 2010

<http://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Di%92j%7D>

Appendices/Attachments: none

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Alistair Shaw, Head of Area Services

Date: 21 June 2011



COUNCIL EXECUTIVE

LOCATION OF AUTOMATIC PUBLIC CONVENIENCE

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The Executive are asked to select a location for a new automatic toilet, which will form an amendment to the Public Convenience strategy, approved in September, 2005.

Alternatively the Executive may opt to pursue efficiencies associated with not installing this toilet (option C), as part of alternative proposals being developed for measures not approved in the 2010 "Tough Choices", for year 13/14 and beyond.

B. RECOMENDATIONS

The Executive are asked to choose a preferred location where a new Automatic Public Convenience would be sited being either Option A) Broxburn Argyll Court **or** Option B) Eliburn Park **or** alternatively, Option C) to progress a buy out of the Council's obligation to install the toilet, as a 4 year spend to save efficiency, thus not choosing to install the toilet at either location and taking the optional efficiency saving opportunity.

C. SUMMARY OF IMPLICATIONS

I. Council Values

Focussing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of resources; working in partnership.

II. Policy and legal (including Strategic Environmental Assessment, Equality issues, Health and Risk Assessment)

Proposal is an amendment to Council's public convenience strategy, 6 September 2005.

III. Resources – (Financial, Staffing and Property)

Additional Automatic toilet costs contained within Waste Services' budget. No staff impact due to the unit being automatic.

IV. Consultations

Previous consultation with Disability forum, during approval of public convenience strategy, September 05. The final model of the toilet unit was selected as a result.

Paper presented to Administration Group and Broxburn Town Centre Management Group. Environment Policy Development, Scrutiny Panel Report 7/4/11.

D. TERMS OF REPORT

1.0 The Council is currently contracted with JC De Caux for the provision of 14 automatic toilets for 20 years (from date each is installed). In accordance with an approved strategy (2005), thirteen have been successfully installed so far and the Council intended for the 14th unit to be installed in Uphall Station. The Uphall Station Community Council subsequently rejected the installation of the unit in Uphall Station and the preferred site had by then been the subject of landscaping improvements. This made the toilet then available for installation elsewhere, but with no readily selected site or requests from other communities for a toilet. The new unit is currently in secure storage and it is understood that installation could be done within a matter of months, subject to any requirement for planning permission (usually only necessary in Conservation areas due to permitted development rights) and/or building warrant.

2.0 Two Communities have latterly identified a demand for a toilet and are understood to be generally supportive of receiving one;

Option A) Broxburn (Argyll Court) or Option B) Eliburn (Park).

A further option exists however;

Option C), for the Council not to install a toilet at either location, but to “buy out” the contractual obligation from the supplier for an indicated sum of approximately £75,000 (subject to negotiation). Option C would represent a spend to save approach, with payback to the Council within c 3.5 years and subsequent recurring saving of approximately £25,000 (plus annual increases) per year thereafter, until the end of the 20 year contract (17½ years remaining). This represents a net saving opportunity of c £275,000 over 17.5 years).

3.0 This final unit needed to complete the Council’s planned roll out of Automatic Toilets is currently fully funded within Waste Services budget. The business case for and against each location is summarised as below. It is understood that no planning permission should be necessary as the Council has permitted development rights for both locations.

4.0 The Executive should note that the four Environment PDSP members in attendance on 7th April 2011 were split over which Option should be recommended as follows;

Two panel members (Cllr De Bold & Cllr King) were in favour of option (B) and two panel members (Cllr Boyle & Cllr Cochrane) were in favour of option (C).

5.0 The following three options are available for the Executive to select;

Option A) - Broxburn (Argyll Court, off Main St.)

- 1) The Broxburn Town Centre Management Group (BTCMG) has expressed very strong interest in having the unit located at Argyll Court. There is an identical unit currently in operation in Greendykes Road which is nearby the proposed new location, but just out with the Main Street area. There was formerly a toilet in front of the swimming pool, which was removed in favour of a new unit in Greendykes Road car park. The Group have expressed concern about the prevalence of public urination in the Main St/Argyll Court area and alleged that this is caused by a small group of people who congregate and drink in this area. This is part corroborated by the attached summary of related instances of recorded crime (appendix 1). The Group however feel strongly that the frequency of public urination is worse than the actual official recorded crime rate for the area.
- 2) The BTCMG's view is very strongly in favour of locating the 14th unit in Argyll Court and have rejected the idea of moving the current Greendykes Road unit to this new location, preferring instead a position of having a 2nd unit in this locale. It should be noted that there is no available budget currently to relocate the Greendykes Road unit to Argyll Court (which would be the BTCM Group's second preference) should a second toilet not be possible for Argyll Court.
- 3) It is debateable whether or not the group who are alleged to be causing the problem of public urination would use an official facility, for which a 10p payment must be made. Another toilet in this location would certainly add to the provision in this locale, but would arguably cause a degree of reduced usage of the Greendykes Road facility. The BTCM Group noted the future housing development planned in this area and Winchburgh, and believe that any reduced usage of Greendykes Road would recover once this development takes place.
- 4) It should be noted that no Environment PDSP member in attendance on 7th April 2011 was supportive of this option, primarily due to the existence of one toilet unit in nearby proximity to the proposed new location.

6.0 Option B) - Eliburn Park

- 1) This new park is expected to receive a high number of visitors who would mainly fall into the following groupings;

Footballers and supporters
Anglers
Users of the new and large play park area (children and parents)
Walkers
Passers by (including motorists).
- 2) There has been no specific problem of public urination highlighted by the Community for this locale, however with the park being relatively new, usage is steadily increasing. A sports pavilion has been constructed which is expected to serve footballers when open. It is not available as a public toilet and the design does not lend itself to being one.
- 3) There is ready access to all park users (and passers by (on foot on in vehicles) of a car park with disabled accessible paving etc. Due to the costs associated and the

need to connect to water, drainage and electricity, it is proposed that the 14th unit be installed near to the Pavilion and within easy access for passing motorists, car park users and park users alike. This is a short walk from the nearby fishing facilities and play park and is relatively central in the park being at the main access. Depending upon the final plot location which is suitable, the unit should be visible from the main road and benefit from street lighting to improve security. The contractor remains liable to repair any damage due to vandalism at no cost to the Council.

- 4) Due to the relative remoteness of the park, there are no other nearby public conveniences. One PDSP member in attendance on 7th April 2011 noted that no other similar park in West Lothian is provided with a public convenience however.
- 5) Two of four the Environment PDSP panel members in attendance on 7th April 11 were in favour of Option B.

7.0 Option C – Not to Install Toilet.

- 1) An option exists for the Council to pursue a “spend to save approach” and buy out the balance of the 20 year contract, resulting in a net saving of circa £275,000 over 17.5 years. This could be applied to the recurring nature of the “Tough Choices” proposals not yet approved for Waste Services, for 2013/14 and beyond. This is subject to negotiation and agreement with JC DE Caux (service provider).
- 2) Two of four the Environment PDSP panel members in attendance on 7th April 11 were in favour of Option C.

E. CONCLUSION

The Council Executive is asked to select a location for the new toilet location, which would form an amendment to the Public Convenience strategy approved in 2005. Site Option A) Broxburn or B) Eliburn Park is offered for recommendation.

Alternatively the Executive may decide that the Council should pursue Option C, which would be to buy out the contractual obligation to install the 14th unit, to make longer term savings on a spend to save basis.

F. BACKGROUND REFERENCES

Report to former Community Safety Committee “Provision of Public Toilets” 6 September 2005.

Report to Environment PDSP “Location of Automatic Public Convenience”, dated 7 April 2011.

Appendices/ Attachments:

Appendix 1 - Summary of recorded crime incidents relating to public urination in West Lothian & Specifically Broxburn

Contact Person: John Paterson (Waste Services Manager)

Date: 15th June 2011

Appendix 1 - Summary of recorded crime incidents relating to public urination in

West Lothian & Specifically Broxburn

- 1.0 West Lothian Council currently provides 14 Public conveniences throughout the area. 13 of these are “automatic”, with 12 of these being open 24/7. There are also numerous additional toilets available to patrons throughout Broxburn and West Lothian (e.g. pubs, some public buildings, clubs, leisure facilities, some shops).
- 2.0 Despite this excellent level of provision, in the past 3 years there have been 167 related crimes recorded in the whole of West Lothian. Of these, 8 occurred in Broxburn with only one earlier this year at Argyle Court (the location suggested for a second toilet).
- 3.0 The existing Council run public toilet facility at Greendykes Road, Broxburn is open 24 hours, 7 days per week and is in very close proximity to the suggested location for a second facility (Argyll Court). It has been observed however that signage to this facility could be significantly improved.
- 4.0 The other incidents in Broxburn have been as follows:
- 1 incident in Loaninghill Road Uphall.
 - 2 persons charged with a crime at the same time in Clarkson Road Broxburn (counted as 2 crimes)
 - 3 incidents in West Main Street, one classed as outside the chip shop, one near to the bus stop and the other not further described.
 - 1 incident in Cardross Avenue.

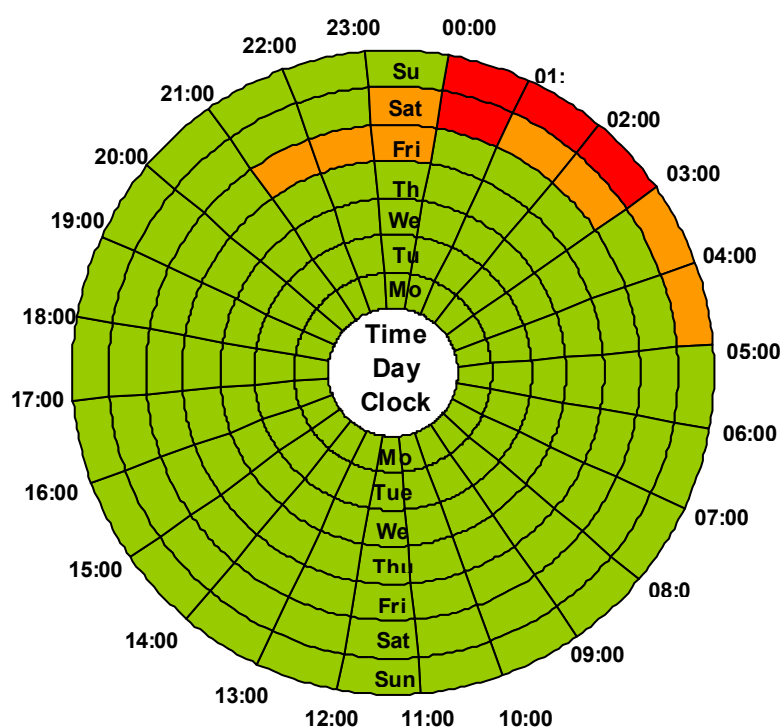
Six of the eight incidents in Broxburn have occurred during 2010, so this area has seen some increase in this crime type this year, compared to previous years. The problem is not as widespread in comparison to other locations, with only 8 recorded cases in 3 years in Broxburn.

- 5.0 Most incidents have been found to occur at times associated with the night time economy, as evidenced in the diagram below and by 23 incidents within Livingston Town Centre beat alone. The one area with a higher than normal number of incidents is Linlithgow where there have been 21 crimes including a high number in the High Street. There have been 8 incidents since the start of 2010 in this location, (despite a second toilet (24/7 facility) being opened in autumn 2009). This suggests that a second official facility may not necessarily result in a decrease in public urination incidents in a community.

Times of recorded incidents

- 6.0 The following graph charts the time and take analysis for urinating offences in West Lothian from 2007 to 2010. The following ranges were used to determine the hotspot time and days of the week for incidents to occur. There is a very clear distinct timeframe for these offences which appear to be mainly be committed at weekends between 00:00Hrs and 03:00Hrs. There is also a difference in time frames from Friday night (21:00Hrs to a peak time of midnight to 01:00Hrs) compared to a Saturday night with a peak between midnight and 03:00Hrs as shown below. There are almost no recorded incidents of public urination during normal daylight hours.

Data Range		
No of incidents	From	To
	15	30
	4	14
	0	3



7.0 In summary, the majority of incidents of crime of this type appear to be recorded in the early hours of the morning at weekends, which is thought to be coincident with “the night time economy”.

The numbers of crimes of this nature reported in Broxburn is material and should not be dismissed, however it is noted that it is lower than in other areas and does not support any perception of a widespread public urination problem.



West Lothian Council

COUNCIL EXECUTIVE

EQUALITY ACT - ROADS NETWORK IMPROVEMENTS TRANCHE 2 PROGRAMME OF WORKS (2011/2012)

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek approval to proceed with the works programme for tranche 2 of the implementation of the road and footpath accessibility improvements.

B. RECOMMENDATION

It is recommended that the Council Executive agrees to the programme of tranche 2 works 2011/12 for road and footpath accessibility improvements.

C. SUMMARY OF IMPLICATIONS

I Council Values

- Focusing on our customers' needs;
- providing equality of opportunities;
- making best use of our resources; and
- working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

Policy: Schemes promoted under The Equality Act 2010.

III Resources - (Financial, Staffing and Property)

Financial: The programme of works will be funded from the DDA Roads Network Improvement budget. £50,000 has been awarded in each year for 2010/11, 2011/12 and 2012/2013.

The future revenue cost implications for the recommended option is estimated to be £2,500 per annum.

Staffing: None

Property: None

IV Consultations

Consultation has been carried out with Disability West Lothian Access Group (DWLAG) to agree the programme of works for tranche 2.

The council's Equality Officer has also been consulted.

D. TERMS OF REPORT

Progress

On 12 April 2011, the Council Executive approved the process of assessing requests for improvements to the road and footpath network along with the programme of works for tranche 1. A works order has now been issued and works will be undertaken over the summer for the implementation of the measures identified in tranche 1.

Tranche 2

It was noted in the April report that approval would be sought from the Council Executive for the programme of works for tranche 2 once the requests had been assessed by the Access Improvement Working Group (AIWG).

Agreement has now been reached with DWLAG on the programme of works for the second tranche, see appendix 1. This will deal with a further 22 requests, equating to a total of 58 request that will be implemented this financial year out of the 78 requests received.

The remaining requests will be considered as part of the final tranche and delivered next financial year.

E. CONCLUSION

The tranche 2 programme of works will further improve our road and footway network for those with mobility difficulties.

F. BACKGROUND REFERENCES

Council Executive Committee on 5 May 2009 - Disability Discrimination Act, Equality and Accessibility on the Local Road Network

Environment Policy Development and Scrutiny Panel report on 3 December 2009 - Disability Discrimination Act, Equality And Accessibility On The Local Road Network, Prioritisation Of Measures

Council Executive Committee on 29 June 2010 – General Services Capital Budget 2010/11 to 2017/18.

Council Executive Committee on 12 April 2011 - Equality Act - Roads Network Improvements, Assessment of Requests and Programme of Works

Appendices/Attachments: Appendix 1 – Programme of Works 2011/2012 (Tranche 2)

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Graeme Malcolm, Transportation Manager, County Buildings, Linlithgow, EH49 7EZ.

28 June 2011

Dropped Kerb Requests

Ref. No.	Location	Ward	Details	Cost Est.	Engineer Cost Banding	Benefit	Assessment
35	Polbeth Road, Polbeth	6	Dropped crossings to be installed to improve access along Main Street, particularly at doctor's surgery.	£3,000	£3,000 - £5,000	Wider Community	Proceed
45	Fergus Avenue, Howden, Livingston	4	Dropped kerb in the vicinity of property for wheelchair access.	£500	<£1,500	Individual/Property	Proceed
47	Auldhill Cottages, Bridgend	1	Dropped kerbs to be installed at end of road to provide access to wider community.	£1,000	<£1,500	Individual/Property	Proceed
56	Lenzie Avenue/Carmondean Centre Road, Deans, Livingston	3	Dropped kerbs and new section of footway to be provided for access to Carmondean Health Centre.	£3,500	£3,000 - £5,000	Wider Community	Proceed
58/70	Avondale Crescent, Armadale	9	Dropped kerb in the vicinity of property for wheelchair access.	£500	<£1,500	Individual/Property	Proceed
60	Main Street, Stoneyburn	6	Dropped kerbs suitable for mobility scooter to be provided.	£4,000	£3,000 - £5,000	Wider Community	Proceed
64/67	Redhouse Court/ Happy Valley Road, Blackburn	7	Dropped kerbs to be installed at end of road to provide access to wider community.	£1,000	<£1,500	Individual/Property	Proceed
Dropped Kerbs Cost Estimate				£13,500			

Handrail Requests

7 to 9	Knightsridge East Road, Knightsridge, Livingston	3	Handrail to be installed on Barclay Way Stewart Way and Sutherland Way to access bus stops on Knightsridge East Road.	£6,000	>£5,000	Wider Community	Referred to AIWG & Agreed to Proceed
29	Bankton Park West, Murieston, Livingston	4	Handrail on path to Bankton/Dedridge.	£2,000	£1,500 - £2,999	Wider Community	Proceed
33	Strathlogie, Westfield	9	Handrail in the vicinity of property.	£1,400	<£1,500	Individual/Property	Proceed
33A	Strathlogie, Westfield	9	Handrail in the vicinity of property.	£1,000	<£1,500	Individual/Property	Referred to AIWG & Agreed to Proceed

Ref No.	Location	Ward	Details	Cost Est.	Engineer Cost Banding	Benefit	Assessment
48	Strathlogie, Westfield	9	Handrail in the vicinity of property.	£1,700	£1,500 - £2,999	Individual/Property	Referred to AIWG & Agreed to Proceed
54	Edmonton Avenue, Howden, Livingston	4	Handrail in the vicinity of property.	£600	<£1,500	Individual/Property	Proceed
65	Herald Rise, Dedridge, Livingston	4	Handrail to be installed to access bus stops.	£1,500	£3,000 - £5,000	Wider Community	Proceed
74	Cherry Avenue, Boghall, Bathgate	8	Handrail to be installed at steps to provide access to wider community.	£1,000	<£1,500	Street	Proceed
Handrail Cost Estimate				£15,200			

Ramp/Footpath Requests

14/68	Almond Road, Craigshill, Livingston	5	Provision of footpath and crossing point to access bus stop.	£10,000	>£5,000	Wider Community	Referred to AIWG & Agreed to Proceed
43	Gowanbank, Ladywell, Livingston	4	Ramp to be constructed at steps to provide access to bus stop.	£2,000	£1,500 - £2,999	Wider Community	Proceed
Ramp/Footpath				£12,000			
Total Cost Estimate (Tranche 2 Measures)				£40,700			



**West Lothian
Council**

COUNCIL EXECUTIVE

DEANS SOUTH LIVINGSTON **PROPOSED 20MPH SCHOOL ZONE**

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek approval to initiate the statutory procedures to provide a 20 mph school zone on Deans South which will form part of the associated traffic calming project outside Deans Primary School.

B. RECOMMENDATION

It is recommended that the Council Executive approves the initiation of the statutory procedures to promote a traffic regulation order to provide a 20mph school zone from a point approximately 35 metres east of the junction of Deans South and Deans South extending west for a distance of approximately 270 metres which includes the residential street Arran.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs and working in partnership.	
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Policy:	Promotion of road safety in line with the council's Road Safety Plan 2006-2010.
	Legal:	Promotion of a permanent Traffic Regulation Order.
III Resources - (Financial, Staffing and Property)	Financial:	Promotion of the traffic regulation order and associated works will be funded from the council's capital programme. The estimated cost is £4000. Maintenance costs relating to the road signage will require to be accommodated in future

revenue budgets.

Staffing: None.

Property: None.

IV Consultation

Lothian & Borders Police and the local ward members have been consulted and the police and all local ward members are in support of this proposal.

D. TERMS OF REPORT

The proposed 20 mph school zone on Deans South will form part of the associated traffic calming project outside Deans Primary School which is funded by Education as part of the refurbishment works at the school.

Proposed 20mph School Zone

Deans South runs east/west to the south of Deans Primary school and presently has a 30mph speed limit with no traffic calming currently in place.

The proposal to provide a 20mph school zone on Deans South outside Deans Primary School will complement the proposed associated traffic calming project, which comprises raised pedestrian crossing tables, a parking layby and footway links to the school.

The proposed length of 20mph school zone extends from a point approximately 35 metres east of the junction of Deans South and Deans South extending west for a distance of approximately 270 metres, which will include the residential street Arran.

E. CONCLUSION

The proposed 20mph school zone on Deans South should further highlight the presence of Deans Primary School and its pupils to passing vehicles.

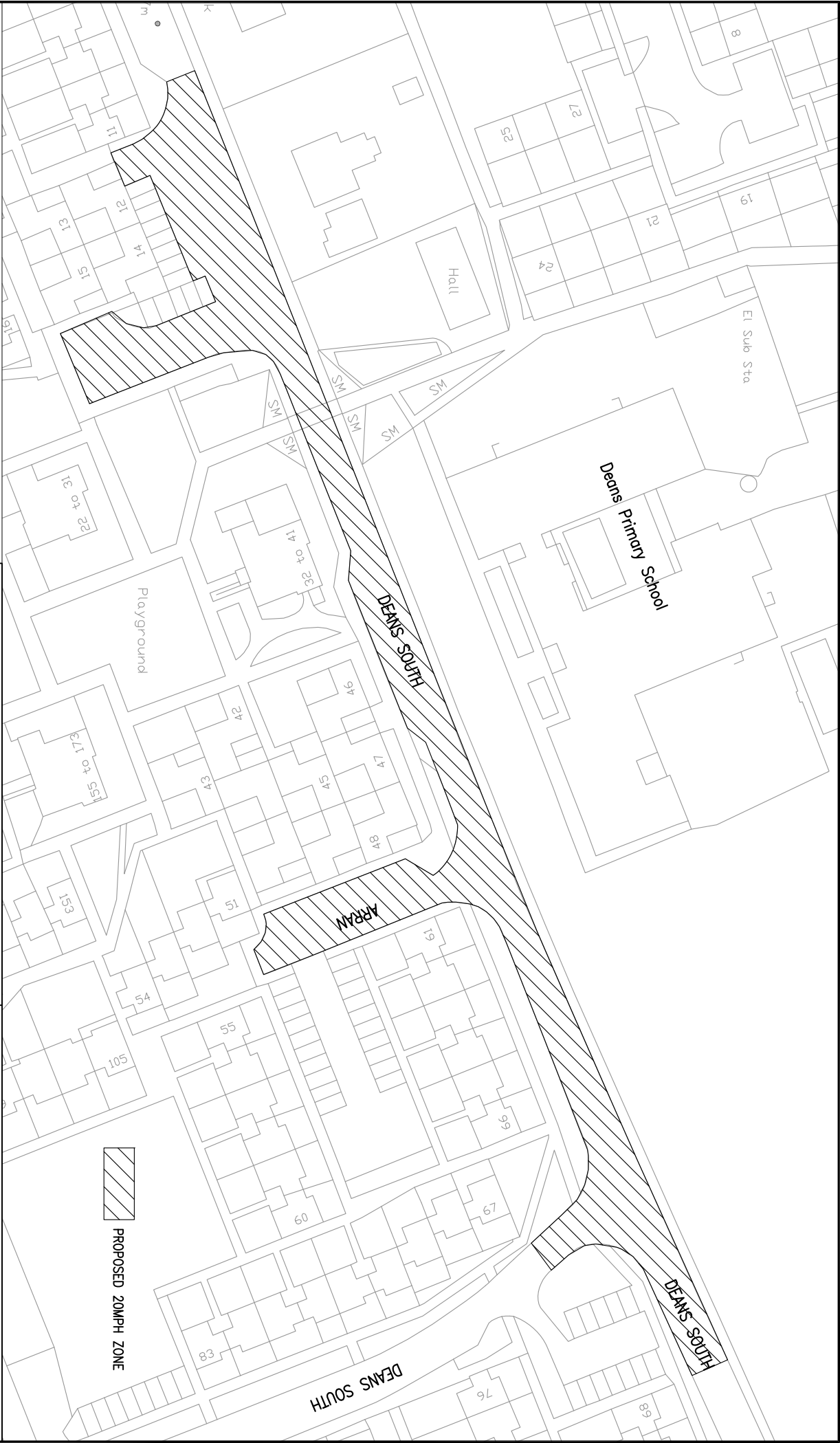
F. BACKGROUND REFERENCES

None

Appendices / Attachments: Drawing No. RSTM/05/W3/001

Contact Person: Andy McMahon, Senior Engineer, Road Safety & Traffic Management, 01506 775298, e-mail: andy.mcmahon@westlothian.gov.uk

28 June 2011



DRAWING NAME:-

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WEST LOTHIAN COUNCIL
OPERATIONAL SERVICES

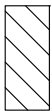
TRANSPORTATION MANAGER
COUNTY BUILDINGS
LINTHGOW EH49 7EZ
TEL No. 01506 775296

TRANSPORTATION
ROAD SAFETY &
TRAFFIC MANAGEMENT

DEANS SOUTH, LIVINGSTON
PROPOSED 20MPH SCHOOL ZONE

DATE:- 08/06/2011
SCALE:- NTS
DRAWN BY:- AMCM
CHECKED BY:- K.H.

Dwg. No.:- RSTM/05/W3/001



PROPOSED 20MPH ZONE



COUNCIL EXECUTIVE

DRAFT PLANNING BRIEFS

WEST MAIN STREET (EAST), BLACKBURN (HBb10)
WEST MAIN STREET (WEST), BLACKBURN (HBb11)

REPORT BY PLANNING SERVICES MANAGER

A. PURPOSE OF REPORT

The purpose of this report is to advise Council Executive of the terms of the draft planning briefs for two sites in West Main Street, Blackburn. Copies of the draft briefs are attached. These draft briefs include location plans.

B. RECOMMENDATION

It is recommended that Council Executive:

1. approves the draft planning briefs;
2. notes that, if the sites are marketed, the briefs will form part of the marketing particulars for the sites; and
3. delegates authority to the Planning Services Manager to make any non-substantive revisions to the planning brief as matters arise.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources and working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The site is identified as a housing site in the adopted West Lothian Local Plan 2009.</p> <p>There are no SEA, equality, health or risk assessment issues associated with the planning briefs.</p>
III Resources - (Financial, Staffing and Property)	The disposal of the sites will generate a capital receipt to support the council's capital programme.

IV Consultations

NETS and Land Services, Education Planning, Operational Services (Transportation and Public Transport) and Finance and Estates Services were consulted in the preparation of the briefs and support the recommendation.

Local members, adjoining proprietors and Blackburn Community Council were also consulted and any representations received are noted below.

The brief is consistent with the terms of the West Lothian Local Plan and does not raise any policy issues. As such a report to the Development and Transport policy Development and Scrutiny Panel was not required.

D. TERMS OF REPORT

This report covers two separate sites; West Main Street (west HBb10), Blackburn and West Main Street (east HBb11), Blackburn, which are allocated as housing sites in the adopted West Lothian Local Plan 2009 (WLLP). The sites are in close proximity geographically and have similar characteristics. Given these similarities, this report covers both sites.

The sites are located in the southwest of Blackburn and lie immediately to the north of West Main Street. They are bound to the north, west and east by existing housing. The sites are currently in use as areas of open space with a number of semi-mature trees located on both sites. Both sites also have adopted footpaths located within their site boundaries.

Under the terms of the adopted West Lothian Local Plan (WLLP), the sites are identified as housing sites (Policy HOU1), which contribute to meeting the housing requirements over the local plan period, and the longer term. In accordance with the WLLP, the draft briefs propose that housing would be the preferred use for the sites.

The sites were first allocated for housing use in the Bathgate Area Local Plan, which was adopted by the council on 17 March 1998. This allocation was retained in the draft West Lothian Local Plan September 1999 and the finalised West Lothian Local Plan July 2001, which were approved for formal consultation at the council's Strategic Services Committee on 17 November 1998 and 20 February 2001 respectively. The allocation then went into the finalised West Lothian Local Plan 2005, which was approved for formal consultation at the council's Enterprise and Development Committee on 19 April 2005. The council received no objections to the sites from third parties and they now form part of the West Lothian Local Plan that was adopted by the council on 13 January 2009.

The briefs are intended to guide the development of the sites and identify key design, environmental and infrastructural requirements of the council. As is standard practice with planning briefs, the briefs have been the subject of consultation with interested parties.

Local members were consulted on the briefs prior to a wider consultation being carried out. This wider consultation encompassed neighbouring properties and Blackburn Community Council.

One emailed response was received following the above consultations. The response was from one of the neighbouring properties consulted. The comment made and response are summarised below; the full correspondence is attached to this report:

Comments	Response
<p>Concern that development on the sites would have a negative impact on the main thoroughfare through Blackburn. The plots are attractive and well maintained and enhance the local community. There are other rundown areas in Blackburn which would better meet the objective for more housing.</p>	<p>The sites are allocated as housing sites in the adopted local plan (Policy HOU1) and have been allocated following the local plan consultation process. This process considered a number of sites in Blackburn with potential for residential development and allocated the preferred sites under Policy HOU1.</p>

E. CONCLUSION

The draft planning briefs allow for the development of the sites for residential use in accordance with Policy HOU1 in the adopted WLLP. One comment was received from the occupier of a neighbouring property regarding the impact the development of these sites would have on the visual amenity of the area.

The briefs act as a guide to potential purchasers and will be used in the formal marketing of the sites at some future date. Members are asked to approve this report and the attached briefs.

Appendices/Attachments: Five:

Draft planning brief -West Main Street (west) HBb10, Blackburn

Site Plan - West Main Street (west) HBb10, Blackburn

Draft planning brief – West Main Street (east) HBb11, Blackburn

Site Plan - West Main Street (east) HBb11, Blackburn

Public comment (redacted)

Contact Person: Colette Maxwell, Planning Officer, Development Planning, 01506 282434

Craig McCorriston, Planning Services Manager, County Buildings, Linlithgow, EH49 7EZ

Date: 28 June 2011



(Draft) PLANNING BRIEF

West Main Street (West), Blackburn
(HBb10)

SITE INFORMATION

LOCATION: The site lies on the north side of West Main Street in the south of Blackburn.

OWNERSHIP: West Lothian Council

AREA: 0.20 hectares

PLANNING POLICY

LOCAL PLAN:

The West Lothian Local Plan (adopted 2009)

POLICY:

Allocated housing site HBb10

EXISTING USE: vacant grass site

PROPOSED USES: residential

PREVIOUS PERMISSION: None

SPECIAL STATUS: None

DEVELOPMENT GUIDANCE

Purpose of the Brief

The purpose of this planning brief is to guide the development of land to be disposed of by the council. Its purpose is to identify key design, environmental and infrastructural requirements of the council as well as identify any additional community benefits that will be required as a result of the development of this site.

This brief is principally intended to be of assistance to potential developers. Developers should demonstrate in their application that they have considered and addressed all the general and specific points raised in the brief. Any proposals submitted by the developer will be subject to the normal requirements of the statutory planning system and will be subject to any relevant new policy guidance, which may emerge between the issuing of these guidelines and the submission of a planning application.

The guidance provided in this planning brief is without prejudice to any further comments and decisions that may be made by the council on any formal consideration of a planning application to develop the site.

The council is committed to creating high quality environments by raising design standards for housing developments. It is the responsibility of developers to comply with the detailed requirements of these guidelines. Further guidance is set out in the council's Residential Development Guide, 2002 which is available from the council. This document is under review.

Please be aware that the accompanying plans and boundaries are indicative and should not be scaled. Exact boundaries must be agreed at the time of any planning application and disposal agreement.

Site Context

The site is located in the south west of Blackburn and lies immediately to the north of West Main Street. The site is bound to the north, west and east by existing housing. There is an electricity sub-station at the north west corner of the site.

The site is currently laid out as an area of informal open space and there are a number of semi-mature trees in the southern part of the site. There are two existing adopted footpaths on or adjacent to the site, one runs along the west boundary and the other cuts across the site from the north west to south east corner.

Development Mix

Housing development is considered an appropriate use for the site and the site is allocated for such in the adopted West Lothian Local Plan 2009.

Where private sector housing development is proposed a contribution towards affordable housing will be required in accordance with the terms of the council's Affordable Housing Policy. Land transferred to West Lothian Council or to a Registered Social Landlord (RSL) under the terms of the Affordable Housing Policy will require to be fully serviced. The date of transfer of such land to the council will be determined on a site-by-site basis. Potential purchasers should note that it is proposed to amend the Affordable Housing Policy. This will result in the need to update the current supplementary planning guidance covering affordable housing. It is recommended that prospective developers discuss affordable housing contributions with the council at an early stage. There are some specific exemptions that apply. Copies of the policy paper are available at

<http://www.westlothian.gov.uk/media/download/doc/1799514/1841832/1850797/1874545/affordablehousing>

Housing Density

The adopted West Lothian Local Plan 2009 indicates that the site would be suitable for six housing units.

Layout/Design/Materials

The council has approved a Residential Development Guide 2002, which sets out specific detailed advice on development standards that developers will be expected to meet. Copies of the Guide can be made available on request although it should be noted that the guide is under review.

Buildings should be designed and positioned to avoid any effect on the privacy of houses surrounding/adjacent to the site. A minimum of 18m between windows of habitable rooms should be taken as a guide (see the Residential Development Guide 2002 for details of relaxations).

A high quality development will be achieved by applying a design solution appropriate to this specific site and a requirement for high quality design, layout and building materials. The successful integration of the development with other uses in this area will pay particular attention to contextual analysis, movement within and around sites, layout and space in and around buildings.

In terms of particular design aspects, the developer will require to take account of the following:

- the design and layout of the development must create a secure environment where opportunities for potential crime are minimised, but without compromise to design quality and residential amenity. The layout should, wherever possible, exploit opportunities for natural surveillance. All paths, cycleways and open spaces should either be overlooked by development, or where paths and cycleways are not overlooked, they should be surfaced and lit. Landscaping adjacent to paths must be at a low level. The developer should have regard to PAN 77 Designing Safer Places.
- the risk of potential crime must be considered in the overall design and layout of the site and general surveillance of pedestrian footpath links and parking areas is required.
- the site to be laid out and orientated to maximise solar gain and minimise exposure.

In terms of particular design principles for this site, the council will require:

- buildings to be designed and positioned to avoid overlooking and adherence to the council's privacy standards as expressed in the Residential Development Guide.

There are no specific requirements regarding materials, but the developer may wish to consider some continuity with the themes established in the external materials of the surrounding area.

Vehicular Access

Depending upon the number of units proposed, access could either be at a single point to serve a rear parking court or individual driveways. In the latter case, a suitable turning area within the curtilage of each plot should be provided.

The location of a single access point is flexible along the site frontage. There is a traffic island on West Main Street near the western boundary of the site that may require to be relocated to accommodate an access in the vicinity.

There is also a Scottish Power sub station adjacent to the site so any access requirements they may have should be taken into account.

The approved Residential Development Guide (2002) sets out details on improving road safety and reducing vehicle speeds. It provides details in relation to roads hierarchy, road junctions, sightlines, private and housing association parking, footpaths and transport assessments and these must be adhered to when considering access points and road layouts. The council's Transportation Unit is reviewing their roads standards.

Parking

As a general guideline, car parking for new residential developments should be provided at the following rates:

Dwellings up to 2 bedrooms – 1 residents off-street space per dwelling + 50% visitors on-street space per dwelling;

Dwellings with 3 or more bedrooms – 2 residents off-street spaces per dwelling + 25% visitors on-street space per dwelling.

In flatted developments, cycle parking should be provided in covered, lockable enclosures. One cycle rack should be provided for every two flats.

Footpath Links

The existing footpath within the site is adopted and a footpath link should be provided within the proposed site layout. This does not necessarily have to follow the exact route of the existing footpath but should provide a link from the north-west corner of the site through to West Main Street.

There is also scope for the existing adopted footpath which runs along the west boundary to be incorporated into the proposed site layout.

Any footpaths to be removed would need to be stopped up at the developer's expense.

Outdoor play spaces

There is no on-site requirement for an equipped play area.

Landscaping/Open Space/Trees

Internal open space and communal landscaping should be kept to the minimum. It should be simple, durable and easily maintained. Incidental open space should be designed out where possible.

Before any start of work on site, sturdy protective fencing should be erected to prevent damage to existing mature trees. Reference should be made to BS 5837:2005 - "Trees in Relation to Construction" in designing the landscape element of the scheme. A landscaping plan must be submitted with any planning application.

The developer must incorporate some native, climax tree species within the development and at least one tree in each garden area.

An arboriculturalists' report is required to assess the position and condition of the existing trees on the site. Where it is not possible to retain a particular tree then a suitable replacement tree should be provided at a location to be agreed within the site.

The developer, in liaison with the council's Development Management Unit, must establish a maintenance agreement and transfer of funds either to an approved maintenance agent or to the council.

Archaeology

From the information currently available to the council and its advisers, there are no known archaeological remains on this site.

Flood Risk

The council has no records to suggest that this site is particularly vulnerable to flooding from any source. The developer is, however, expected to make his own assessment of the risk of flooding from all sources including pluvial flooding and bring forward measures to protect the development and other areas that may be affected as a result of the development as an integral part of the development planning process.

Drainage Impact Assessment

A Drainage Impact Assessment (DIA) will be required. It must be comprehensive and must address the issues of foul, surface and ground water, including land drainage. It must identify the issues affecting the site pre-development and should outline the strategy post-development. The DIA shall generally comply with the document *Drainage Impact Assessment - A Guide for Scotland* published by SEPA et al. There are local variations to the document and early consultation with SEPA and the council's Flood Risk Management Officer is recommended.

No works may start on site until the DIA has been submitted to and approved in writing by the planning authority. The DIA shall include the sensitivity analysis and detail all elements of the surface water drainage system pre and post-development, risk assessment, details of any temporary abatement proposed until the permanent drainage system is in place, evidence that the drainage system meets the treatment requirements of SEPA and evidence that the drainage system will be adopted by Scottish Water.

Sustainable Drainage

The flow of surface water from the site is not currently subject to treatment and attenuation. The developer is expected to meet the treatment requirements of the Scottish Environment Protection Agency (SEPA). It is expected that the surface water drainage system will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed fully in accord with Scottish Water's Construction Standards and Vesting Conditions 'Sewers for Scotland', Second Edition.

The forward flow of surface water from the site shall be attenuated. The critical 1:100-year post-development

flow shall be attenuated to the equivalent of approximately five litres per second per hectare. There may be scope to include attenuation as part of the treatment facility required by SEPA. An end of line treatment system alone is unlikely to be acceptable. A series of source and site controls will be required as an integral part of the surface water drainage system.

The surface water drainage system shall be fully constructed in accordance with the approved plans and details prior to any unit being occupied. In April 2008, the council approved supplementary planning guidance on Sustainable Urban Drainage Systems. The guidance can be accessed at:
<http://www.westlothian.gov.uk/1210/161/205/207>

Sensitivity Analysis

A sensitivity analysis shall be carried out on the proposed layout to demonstrate that the critical storm up to and including the critical 1:200-year events will have no adverse effect on property forming part of the development or elsewhere.

Soil Protection

Due to heavy local soils and typically poor drainage characteristics, topsoil shall be stripped and stored during construction in accord with the guidelines in the council's Soil Sustainability Report. When it is not possible to avoid soil compaction, such as in the immediate environs of buildings, all debris shall be removed from site and intensive methods of soil cultivation be employed prior to the spreading of topsoil. Handling and trafficking of soil must be avoided during periods of wet weather and saturated ground conditions.

Energy Efficiency

Scottish Planning Policy (SPP) identifies the use of energy efficient, micro generating and decentralised renewable energy systems as components in the move towards reducing emissions, but energy efficient design of buildings will make a significant contribution to reducing carbon emissions. Location, siting, orientation, design, materials and insulation are important factors in the energy efficiency of buildings. Section 72 of the Climate Change (Scotland) Act requires all new buildings to be designed to avoid a specified and rising proportion of the projected greenhouse gas emissions from their use through the installation and operation of low and zero carbon generating technologies. This is a material consideration in the processing of a planning application. Applicants should consult with the Planning Authority and the council's Buildings Standards service if they require more information.

Reducing Carbon Emissions

The need to tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it, is a principal challenge of sustainable economic growth. The 2010 Editions of the Building Standards Technical Handbooks, published on 6 April 2010, revise the Scottish Government's target setting for new buildings requiring delivery of a 30% reduction in CO2 emissions, reflecting the provisions of the Climate Change (Scotland) Act 2009.

Developers will be required to ensure that their proposals meet with the latest building standards, guidance and methodologies provided in building regulations. Buildings must be designed to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.

The design of new development should therefore address the causes of climate change by minimising carbon and other greenhouse gas emissions and should include features that provide effective adaptation to the predicted effects of climate change. New development should be planned to make use of opportunities for decentralised and local renewable or low carbon sources of heat and power wherever possible.

Sustainable Design

In anticipation of stringent government guidance requiring zero and low carbon, and, sustainable design standards for buildings, developers are encouraged to design and specify buildings and overall layout in a manner, which takes advantage of current and emerging best practice.

Biodiversity

The council has a duty under the Nature Conservation (Scotland) Act 2004 to protect and conserve biodiversity and the West Lothian Local Biodiversity Action Plan 2005-2009 identifies habitats and species of significance. Developers will be required to assess the biodiversity status of the site including its potential as a habitat for wildlife by way of an independent site survey undertaken by appropriately qualified persons at an appropriate time of year to be agreed with the relevant agencies. The developer will be required to liaise closely with SNH and the council regarding these matters and where required submit proposed remedial measures to offset any adverse impacts of development.

Waste Management

Space for collection, segregation, storage and possibly treatment of waste (e.g. individual and/or communal bin stores, composting facilities, and waste treatment facilities) should be allocated within the site layout. Prior to submitting a planning application, developers should contact the council's Waste Management team to determine site specific requirements based on a proposed layout.

Education

The site is within the catchment areas of Bathgate Academy and St Kentigern's Secondary Schools, Blackburn, and Blackburn and Our Lady of Lourdes primary schools. There are capacity issues at secondary school level.

Prior to purchasing the site, the developer should contact the council's Education Planning (Mark Brooks: 01506-281855) for up to date information on school rolls at particular schools. School rolls fluctuate and this would need to be considered in view of the available accommodation at the school and the Scottish Government's Education Department guidance that may apply at that time.

Education Planning are a statutory consultee in the planning permission process and an objection is a material consideration in the determination of planning permission. An objection by the Service could prevent planning permission being obtained. School rolls constantly change and prior to submission of planning permission it is recommended that future developers contact Education Planning to obtain an up to date steer on both the available capacity at the schools, education's position on any potential application and any contributions that are in place.

For all housing sites within West Lothian, Education Planning require the developer to contribute to denominational secondary school provision in line with approved supplementary planning guidance. Contribution rates are £1,983 per residential unit. This applies to most residential development although a number of exemptions apply. Actual payments will be index linked to the changes indicated in the RICS Building Cost Information Service Tender Price Index using the first quarter 2010 as the base date and the levels of contribution will be reviewed regularly to take account of changed circumstances. See details within detailed Supplementary Planning Guidance for specific exemptions.

To support the development strategy of the Edinburgh and Lothians Structure Plan 2015 (E&LSP) and the West Lothian Local Plan (WLLP)(as adopted 13 January 2009), the council's Education Executive on 16 June 2010 approved an extension to Bathgate Academy. The contributions requirement for Bathgate Academy is currently £2,437 per residential unit indexed to the RICS Building Cost Information Service Tender Price index 2nd quarter of 2008. It should be noted that new Supplementary Planning Guidance for school contributions is being prepared and that this rate could change.

This Planning Brief was prepared within a specific timeframe. The situation with school rolls and capacity changes over each session. Government guidance may also change between school sessions. Consequently, there may be a need to phase a particular development with suspensive planning conditions that was not originally envisaged when this planning brief was prepared. Developers must consult with Education Planning at an early stage in preparing their proposals.

Ground Conditions

Interested parties must satisfy themselves on all matters relating to ground conditions within and adjacent to the site.

A contour plan of the existing and proposed final levels on the site must be submitted with the planning application.

Contaminated Land

The council is unaware of any issues of land contamination. However, developers must submit with any planning application a study and report assessing the site for contamination and adverse ground conditions. If there is any indication of contamination, or other ground condition problems, a remediation statement and environmental insurance must be provided by suitably qualified persons or organisations acceptable to the council and be made available with the submission of any planning application. The above requirement will not prejudice any action that may be taken under the statutory contaminated land regime.

The council has produced supplementary planning guidance (SPG) on land contamination which was approved by the Council Executive on 29 September 2009. This is available at <http://www.westlothian.gov.uk/1210/161/205/207>

Developers should contact the council's contaminated land officer for further information (contact Neil Brown, 01506 282423).

Construction Training and Local Employment Agreements

In December 2008, the council approved supplementary planning guidance entitled Construction Training and Local Employment Agreements. This SPG encourages developers in West Lothian to enter into Local Employment Agreements (LEA) with the council. These agreements would set out how the developer intends to make training opportunities available to local people and make available entry-level employment opportunities for disadvantaged priority groups e.g. long-term unemployed, single parents, incapacity benefit claimants, young people, minority groups. Developers are not compelled to comply with the SPG but are encouraged to bring forward proposals which are aimed at promoting training and entry-level employment opportunities on a voluntary basis. It is likely that larger scale developers will wish to sign up to the guidance, however there is no threshold established within the SPG. It can be viewed at the following link on the council's website: <http://www.westlothian.gov.uk/1210/161/205/207>

Controlling light pollution (and reducing lighting energy consumption)

In September 2009 the council approved supplementary planning guidance entitled Controlling Light Pollution and Reducing Lighting Energy Consumption. This SPG addresses two important environmental factors, namely nuisance light and energy usage. Specifically, it seeks to encourage developers, architects and lighting designers to provide non-obtrusive and energy efficient lighting designs when preparing proposals for any development which incorporates an element of out-of-doors artificial lighting. It relates to all exterior lighting situations regardless of the location of the lighting project or whether it is a stand alone project or part of an overall development. Potential developments and lighting situations include, but are not limited to industrial developments, retail developments, housing developments, transport interchanges, roads and

footpaths (either stand alone or as part of an overall development), exterior sports grounds and arenas, feature lighting for civic enhancement, illuminated advertisements, and replacement of existing lighting installations.

All developments are required to take cognisance of this guidance when developing plans to be submitted with their planning application. Copies of the guidance are available at: <http://www.westlothian.gov.uk/1210/161/205/207>

Developer Contributions

In addition to the requirements set out above, the council has identified a series of additional contributions which developers of new sites are now required to provide. Details of this supplementary guidance can be found on the council's website at <http://www.westlothian.gov.uk/1210/161/205/207>. The following contributions would be applicable to this site.

Travel Plan Co-ordinator – Where residential development is proposed a “Travel Information Pack” requires to be provided to each householder.

Cemetery Contributions – To allow the council to plan for strategic cemetery provision, developers will be required to contribute £35 per house towards new cemetery provision. Actual payments will be index linked to the increases indicated in the RICS Building Cost Information Service Tender Price Index using the first quarter 2006 rates as a base date. This contribution also applies to flats. An SPG is available on West Lothian Cemetery contributions and can be accessed at <http://www.westlothian.gov.uk/1210/161/205/207>.

Services

All services are assumed to be available to the site. Developers must consult utility providers direct (initial contact details on Site Plan). Any services information shown on the site plan is diagrammatic only and must not be scaled. The developer must verify the actual position of mains and services directly with the relevant supplier.

Planning Applications

Applicants are advised to discuss their proposals with the Development Management and Development Planning units prior to submitting any offer for the site, or a planning application. Application forms, neighbour notification procedures and fee scales are available from the Development Management Unit, County Buildings, High Street, Linlithgow, EH49 7EZ, or contact: 01506-282480. Alternatively, forms can be downloaded from the web site at: <https://eplanning.scotland.gov.uk/WAM/>

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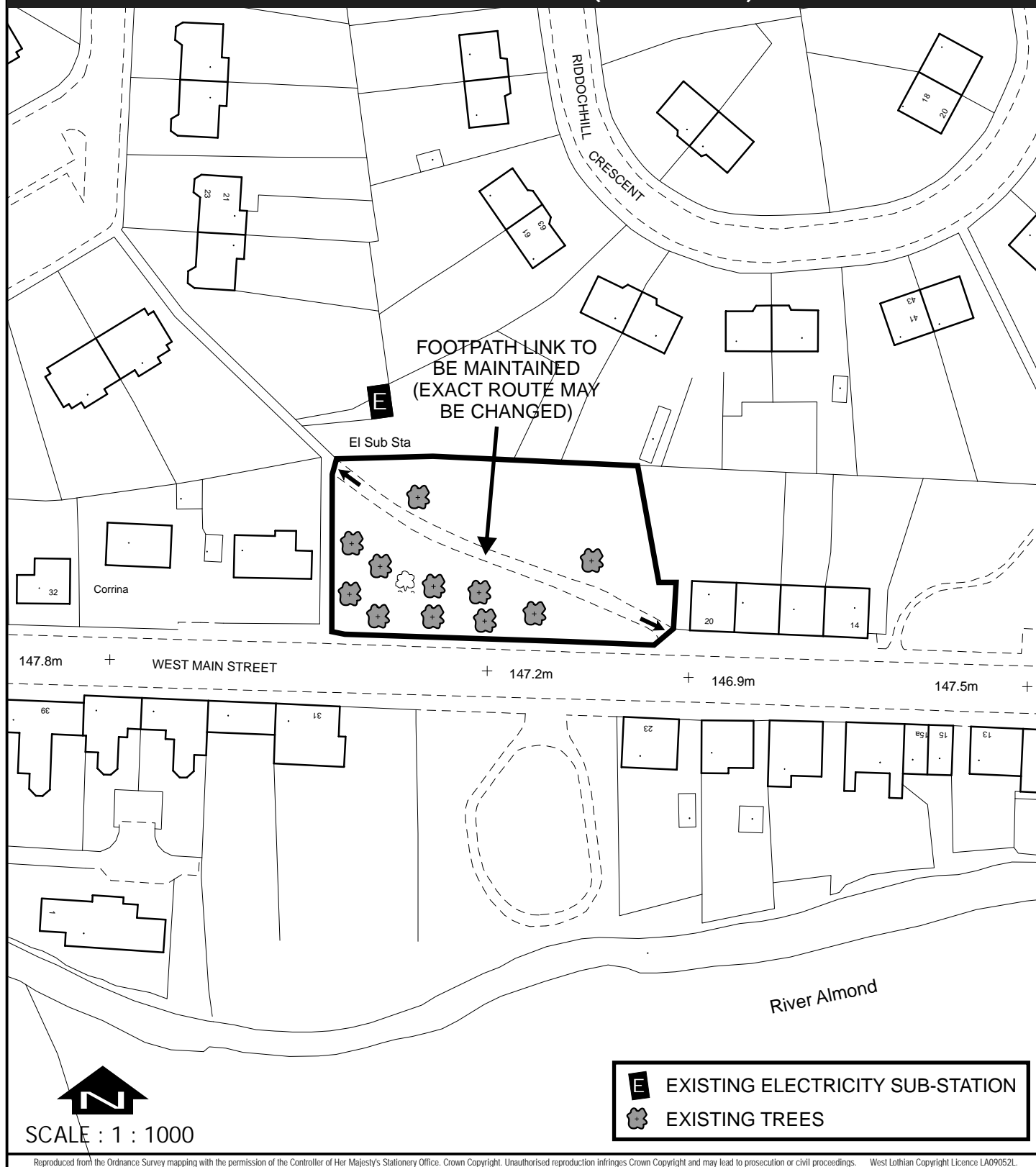
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June 2011
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SITE PLAN : West Main Street (West Site), Blackburn.



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CONTACTS

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Any developer should satisfy themselves on availability of services by contacting services / utilities and on the ground conditions. This brief may not cover all planning matters that may arise. Early consultation with Planning Authority is advised.



(Draft) PLANNING BRIEF

West Main Street (East), Blackburn (HBb11)

SITE INFORMATION

LOCATION: The site lies on the north side of West Main Street in the south of Blackburn.

OWNERSHIP: West Lothian Council

AREA: 0.20 hectares

PLANNING POLICY

LOCAL PLAN:

The West Lothian Local Plan (adopted 2009)

POLICY:

Allocated housing site HBb11

EXISTING USE: vacant grass site

PROPOSED USES: residential

PREVIOUS PERMISSION: None

SPECIAL STATUS: None

DEVELOPMENT GUIDANCE

Purpose of the Brief

The purpose of this planning brief is to guide the development of land to be disposed of by the council. Its purpose is to identify key design, environmental and infrastructural requirements of the council as well as identify any additional community benefits that will be required as a result of the development of this site.

This brief is principally intended to be of assistance to potential developers. Developers should demonstrate in their application that they have considered and addressed all the general and specific points raised in the brief. Any proposals submitted by the developer will be subject to the normal requirements of the statutory planning system and will be subject to any relevant new policy guidance, which may emerge between the issuing of these guidelines and the submission of a planning application.

The guidance provided in this planning brief is without prejudice to any further comments and decisions that may be made by the council on any formal consideration of a planning application to develop the site.

The council is committed to creating high quality environments by raising design standards for housing developments. It is the responsibility of developers to comply with the detailed requirements of these guidelines. Further guidance is set out in the council's Residential Development Guide, 2002 which is available from the council. This document is under review.

Please be aware that the accompanying plans and boundaries are indicative and should not be scaled. Exact boundaries must be agreed at the time of any planning application and disposal agreement.

Site Context

The site is located in the south west of Blackburn and lies immediately to the north of West Main Street. The site is bound to the north, west and east by existing housing.

The site is currently laid out as an area of informal open space and there are a number of semi-mature trees on the site. There is an existing adopted footpath which cuts across the centre of the site in a north to south direction.

Development Mix

Housing development is considered an appropriate use for the site and the site is allocated for such in the adopted West Lothian Local Plan 2009.

Where private sector housing development is proposed a contribution towards affordable housing will be required in accordance with the terms of the council's Affordable Housing Policy. Land transferred to West Lothian Council or to a Registered Social Landlord (RSL) under the terms of the Affordable Housing Policy will require to be fully serviced. The date of transfer of such land to the council will be determined on a site-by-site basis. Potential purchasers should note that it is proposed to amend the Affordable Housing Policy. This will result in the need to update the current supplementary planning guidance covering affordable housing. It is recommended that prospective developers discuss affordable housing contributions with the council at an early stage. There are some specific exemptions that apply. Copies of the policy paper are available at

<http://www.westlothian.gov.uk/media/downloadaddoc/1799514/1841832/1850797/1874545/affordablehousing>

Housing Density

The adopted West Lothian Local Plan 2009 indicates that the site would be suitable for six housing units.

Layout/Design/Materials

The council has approved a Residential Development Guide 2002, which sets out specific detailed advice on development standards that developers will be expected to meet. Copies of the Guide can be made available on request although it should be noted that the guide is under review.

Buildings should be designed and positioned to avoid any effect on the privacy of houses surrounding/adjacent to the site. A minimum of 18m between windows of habitable rooms should be taken as a guide (see the Residential Development Guide 2002 for details of relaxations).

A high quality development will be achieved by applying a design solution appropriate to this specific site and a requirement for high quality design, layout and building materials. The successful integration of the development with other uses in this area will pay particular attention to contextual analysis, movement within and around sites, layout and space in and around buildings.

In terms of particular design aspects, the developer will require to take account of the following:

- the design and layout of the development must create a secure environment where opportunities for potential crime are minimised, but without compromise to design quality and residential amenity. The layout should, wherever possible, exploit opportunities for natural surveillance. All paths, cycleways and open spaces should either be overlooked by development, or where paths and cycleways are not overlooked, they should be surfaced and lit. Landscaping adjacent to paths must be at a low level. The developer should have regard to PAN 77 Designing Safer Places.
- the risk of potential crime must be considered in the overall design and layout of the site and general surveillance of pedestrian footpath links and parking areas is required.
- the site to be laid out and orientated to maximise solar gain and minimise exposure.

In terms of particular design principles for this site, the council will require:

- buildings to be designed and positioned to avoid overlooking and adherence to the council's privacy standards as expressed in the Residential Development Guide.

There are no specific requirements regarding materials, but the developer may wish to consider some continuity with the themes established in the external materials of the surrounding area.

Vehicular Access

Access would need to be near the western boundary of the site to avoid the bus layby.

A single access point to serve a rear parking court would be acceptable. There is limited site frontage onto West Main Street that would make individual driveways difficult to achieve.

There is an Advance Direction Sign on the western boundary that must be retained due to there being no scope to relocate this in the area.

The approved Residential Development Guide (2002) sets out details on improving road safety and reducing vehicle speeds. It provides details in relation to roads hierarchy, road junctions, sightlines, private and housing association parking, footpaths and transport assessments and these must be adhered to when considering access points and road layouts. The council's Transportation Unit is reviewing their roads standards.

Parking

As a general guideline, car parking for new residential developments should be provided at the following rates:

Residential Development

Dwellings up to 2 bedrooms – 1 residents off-street space per dwelling + 50% visitors on-street space per dwelling;

Dwellings with 3 or more bedrooms – 2 residents off-street spaces per dwelling + 25% visitors on-street space per dwelling.

In flatted developments, cycle parking should be provided in covered, lockable enclosures. One cycle rack should be provided for every two flats.

Footpath Links

The existing footpath within the site is adopted and a footpath link should be provided within the proposed site layout. This does not necessarily have to follow the exact route of the existing footpath but should provide a link from the north of the site through to West Main Street.

Any footpaths to be removed would need to be stopped up at the developer's expense.

Outdoor play spaces

There is no on-site requirement for an equipped play area.

Landscaping/Open Space/Trees

Internal open space and communal landscaping should be kept to the minimum. It should be simple, durable and easily maintained. Incidental open space should be designed out where possible.

Before any start of work on site, sturdy protective fencing should be erected to prevent damage to existing mature trees. Reference should be made to BS 5837:2005 - "Trees in Relation to Construction" in designing the landscape element of the scheme. A landscaping plan must be submitted with any planning application.

The developer must incorporate some native, climax tree species within the development and at least one tree in each garden area.

An arboriculturalists' report is required to assess the position and condition of the existing trees on the site.

Where it is not possible to retain a particular tree then a suitable replacement tree should be provided at a location to be agreed within the site.

The developer, in liaison with the council's Development Management Unit, must establish a maintenance agreement and transfer of funds either to an approved maintenance agent or to the council.

Archaeology

From the information currently available to the council and its advisers, there are no known archaeological remains on this site.

Flood Risk

The council has no records to suggest that this site is particularly vulnerable to flooding from any source. The developer is, however, expected to make his own assessment of the risk of flooding from all sources including pluvial flooding and bring forward measures to protect the development and other areas that may be affected as a result of the development as an integral part of the development planning process.

Drainage Impact Assessment

A Drainage Impact Assessment (DIA) will be required. It must be comprehensive and must address the issues of foul, surface and ground water, including land drainage. It must identify the issues affecting the site pre-development and should outline the strategy post-development. The DIA shall generally comply with the document *Drainage Impact Assessment - A Guide for Scotland* published by SEPA et al. There are local variations to the document and early consultation with SEPA and the council's Flood Risk Management Officer is recommended.

No works may start on site until the DIA has been submitted to and approved in writing by the planning authority. The DIA shall include the sensitivity analysis and detail all elements of the surface water drainage system pre and post-development, risk assessment, details of any temporary abatement proposed until the permanent drainage system is in place, evidence that the drainage system meets the treatment requirements of SEPA and evidence that the drainage system will be adopted by Scottish Water.

Sustainable Drainage

The flow of surface water from the site is not currently subject to treatment and attenuation. The developer is expected to meet the treatment requirements of the Scottish Environment Protection Agency (SEPA). It is expected that the surface water drainage system will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed fully in accord with Scottish Water's Construction Standards and Vesting Conditions 'Sewers for Scotland', Second Edition.

The forward flow of surface water from the site shall be attenuated. The critical 1:100-year post-development flow shall be attenuated to the equivalent of approximately five litres per second per hectare. There may be scope to include attenuation as part of the treatment facility required by SEPA. An end of line treatment system alone is unlikely to be acceptable. A series of source and site controls will be required as an integral part of the surface water drainage system.

The surface water drainage system shall be fully constructed in accordance with the approved plans and details prior to any unit being occupied. In April 2008, the council approved supplementary planning guidance on Sustainable Urban Drainage Systems. The guidance can be accessed at:
<http://www.westlothian.gov.uk/1210/161/205/207>

Sensitivity Analysis

A sensitivity analysis shall be carried out on the proposed layout to demonstrate that the critical storm up to and including the critical 1:200-year events will have no adverse effect on property forming part of the development or elsewhere.

Soil Protection

Due to heavy local soils and typically poor drainage characteristics, topsoil shall be stripped and stored during construction in accord with the guidelines in the council's Soil Sustainability Report. When it is not possible to avoid soil compaction, such as in the immediate environs of buildings, all debris shall be removed from site and intensive methods of soil cultivation be employed prior to the spreading of topsoil. Handling and trafficking of soil must be avoided during periods of wet weather and saturated ground conditions.

Energy Efficiency

Scottish Planning Policy (SPP) identifies the use of energy efficient, micro generating and decentralised renewable energy systems as components in the move towards reducing emissions, but energy efficient design of buildings will make a significant contribution to reducing carbon emissions. Location, siting, orientation, design, materials and insulation are important factors in the energy efficiency of buildings. Section 72 of the Climate Change (Scotland) Act requires all new buildings to be designed to avoid a specified and rising proportion of the projected greenhouse gas emissions from their use through the installation and operation of low and zero carbon generating technologies. This is a material consideration in the processing of a planning application. Applicants should consult with the Planning Authority and the council's Buildings Standards service if they require more information.

Reducing Carbon Emissions

The need to tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it, is a principal challenge of sustainable economic growth. The 2010 Editions of the Building Standards Technical Handbooks, published on 6 April 2010, revise the Scottish Government's target setting for new buildings requiring delivery of a 30% reduction in CO2 emissions, reflecting the provisions of the Climate Change (Scotland) Act 2009.

Developers will be required to ensure that their proposals meet with the latest building standards, guidance and methodologies provided in building regulations. Buildings must be designed to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.

The design of new development should therefore address the causes of climate change by minimising carbon and other greenhouse gas emissions and should include features that provide effective adaptation to the predicted effects of climate change. New development should be planned to make use of opportunities for decentralised and local renewable or low carbon sources of heat and power wherever possible.

Sustainable Design

In anticipation of stringent government guidance requiring zero and low carbon, and, sustainable design standards for buildings, developers are encouraged to design and specify buildings and overall layout in a manner, which takes advantage of current and emerging best practice.

Biodiversity

The council has a duty under the Nature Conservation (Scotland) Act 2004 to protect and conserve biodiversity and the West Lothian Local Biodiversity Action Plan 2005-2009 identifies habitats and species of significance. Developers will be required to assess the biodiversity status of the site including its potential as a

habitat for wildlife by way of an independent site survey undertaken by appropriately qualified persons at an appropriate time of year to be agreed with the relevant agencies. The developer will be required to liaise closely with SNH and the council regarding these matters and where required submit proposed remedial measures to offset any adverse impacts of development.

Waste Management

Space for collection, segregation, storage and possibly treatment of waste (e.g. individual and/or communal bin stores, composting facilities, and waste treatment facilities) should be allocated within the site layout. Prior to submitting a planning application, developers should contact the council's Waste Management team to determine site specific requirements based on a proposed layout.

Education

The site is within the catchment areas of Bathgate Academy and St Kentigern's Secondary Schools, Blackburn, and Blackburn and Our Lady of Lourdes primary schools. There are capacity issues at secondary school level.

Prior to purchasing the site, the developer should contact the council's Education Planning (Mark Brooks: 01506-281855) for up to date information on school rolls at particular schools. School rolls fluctuate and this would need to be considered in view of the available accommodation at the school and the Scottish Government's Education Department guidance that may apply at that time.

Education Planning are a statutory consultee in the planning permission process and an objection is a material consideration in the determination of planning permission. An objection by the Service could prevent planning permission being obtained. School rolls constantly change and prior to submission of planning permission it is recommended that future developers contact Education Planning to obtain an up to date steer on both the available capacity at the schools, education's position on any potential application and any contributions that are in place.

For all housing sites within West Lothian, Education Planning require the developer to contribute to denominational secondary school provision in line with approved supplementary planning guidance. Contribution rates are £1,983 per residential unit. This applies to most residential development although a number of exemptions apply. Actual payments will be index linked to the changes indicated in the RICS Building Cost Information Service Tender Price Index using the first quarter 2010 as the base date and the levels of contribution will be reviewed regularly to take account of changed circumstances. See details within detailed Supplementary Planning Guidance for specific exemptions.

To support the development strategy of the Edinburgh and Lothians Structure Plan 2015 (E&LSP) and the West Lothian Local Plan (WLLP)(as adopted 13 January 2009), the council's Education Executive on 16 June 2010 approved an extension to Bathgate Academy. The contributions requirement for Bathgate Academy is currently £2,437 per residential unit indexed to the RICS Building Cost Information Service Tender Price index 2nd quarter of 2008. It should be noted that new Supplementary Planning Guidance for school contributions is being prepared and that this rate could change.

This Planning Brief was prepared within a specific timeframe. The situation with school rolls and capacity changes over each session. Government guidance may also change between school sessions. Consequently, there may be a need to phase a particular development with suspensive planning conditions that was not originally envisaged when this planning brief was prepared. Developers must consult with Education Planning at an early stage in preparing their proposals.

Ground Conditions

Interested parties must satisfy themselves on all matters relating to ground conditions within and adjacent to the site.

A contour plan of the existing and proposed final levels on the site must be submitted with the planning

application.

Contaminated Land

The council is unaware of any issues of land contamination. However, developers must submit with any planning application a study and report assessing the site for contamination and adverse ground conditions. If there is any indication of contamination, or other ground condition problems, a remediation statement and environmental insurance must be provided by suitably qualified persons or organisations acceptable to the council and be made available with the submission of any planning application. The above requirement will not prejudice any action that may be taken under the statutory contaminated land regime.

The council has produced supplementary planning guidance (SPG) on land contamination which was approved by the Council Executive on 29 September 2009. This is available at <http://www.westlothian.gov.uk/1210/161/205/207>

Developers should contact the council's contaminated land officer for further information (contact Neil Brown, 01506 282423).

Construction Training and Local Employment Agreements

In December 2008, the council approved supplementary planning guidance entitled Construction Training and Local Employment Agreements. This SPG encourages developers in West Lothian to enter into Local Employment Agreements (LEA) with the council. These agreements would set out how the developer intends to make training opportunities available to local people and make available entry-level employment opportunities for disadvantaged priority groups e.g. long-term unemployed, single parents, incapacity benefit claimants, young people, minority groups. Developers are not compelled to comply with the SPG but are encouraged to bring forward proposals which are aimed at promoting training and entry-level employment opportunities on a voluntary basis. It is likely that larger scale developers will wish to sign up to the guidance, however there is no threshold established within the SPG. It can be viewed at the following link on the council's website: <http://www.westlothian.gov.uk/1210/161/205/207>

Controlling light pollution (and reducing lighting energy consumption)

In September 2009 the council approved supplementary planning guidance entitled Controlling Light Pollution and Reducing Lighting Energy Consumption. This SPG addresses two important environmental factors, namely nuisance light and energy usage. Specifically, it seeks to encourage developers, architects and lighting designers to provide non-obtrusive and energy efficient lighting designs when preparing proposals for any development which incorporates an element of out-of-doors artificial lighting. It relates to all exterior lighting situations regardless of the location of the lighting project or whether it is a stand alone project or part of an overall development. Potential developments and lighting situations include, but are not limited to industrial developments, retail developments, housing developments, transport interchanges, roads and footpaths (either stand alone or as part of an overall development), exterior sports grounds and arenas, feature lighting for civic enhancement, illuminated advertisements, and replacement of existing lighting installations.

All developments are required to take cognisance of this guidance when developing plans to be submitted with their planning application. Copies of the guidance are available at: <http://www.westlothian.gov.uk/1210/161/205/207>

Developer Contributions

In addition to the requirements set out above, the council has identified a series of additional contributions which developers of new sites are now required to provide. Details of this supplementary guidance can be found on the council's website at <http://www.westlothian.gov.uk/1210/161/205/207>. The following contributions would be applicable to this site.

Travel Plan Co-ordinator – Where residential development is proposed a "Travel Information Pack" requires

to be provided to each householder.

Cemetery provision – To allow the council to plan for strategic cemetery provision, developers will be required to contribute £35 per house towards new cemetery provision. Actual payments will be index linked to the increases indicated in the RICS Building Cost Information Service Tender Price Index using the first quarter 2006 rates as a base date. This contribution also applies to flats. An SPG is available on West Lothian Cemetery contributions and can be accessed at <http://www.westlothian.gov.uk/1210/161/205/207>.

Services

All services are assumed to be available to the site. Developers must consult utility providers direct (initial contact details on Site Plan). Any services information shown on the site plan is diagrammatic only and must not be scaled. The developer must verify the actual position of mains and services directly with the relevant supplier.

Potential developers should not that there is an existing surface water sewer crossing the site. Scottish Water will require a stand-off depth equal to the depth of the sewer plus one metre. The depth of the sewer requires to be established on site. Alternatively it may be possible to divert the sewer. This would require a formal application to Scottish Water by the developer. If Scottish Water grant permission for a diversion then these works would be completed at the developers expense.

For further information, Scottish Water can be contacted at ConnectionsNTA@scottishwater.co.uk

Planning Applications

Applicants are advised to discuss their proposals with the Development Management and Development Planning units prior to submitting any offer for the site, or a planning application. Application forms, neighbour notification procedures and fee scales are available from the Development Management Unit, County Buildings, High Street, Linlithgow, EH49 7EZ, or contact: 01506-282480. Alternatively, forms can be downloaded from the web site at: <https://eplanning.scotland.gov.uk/WAM/>

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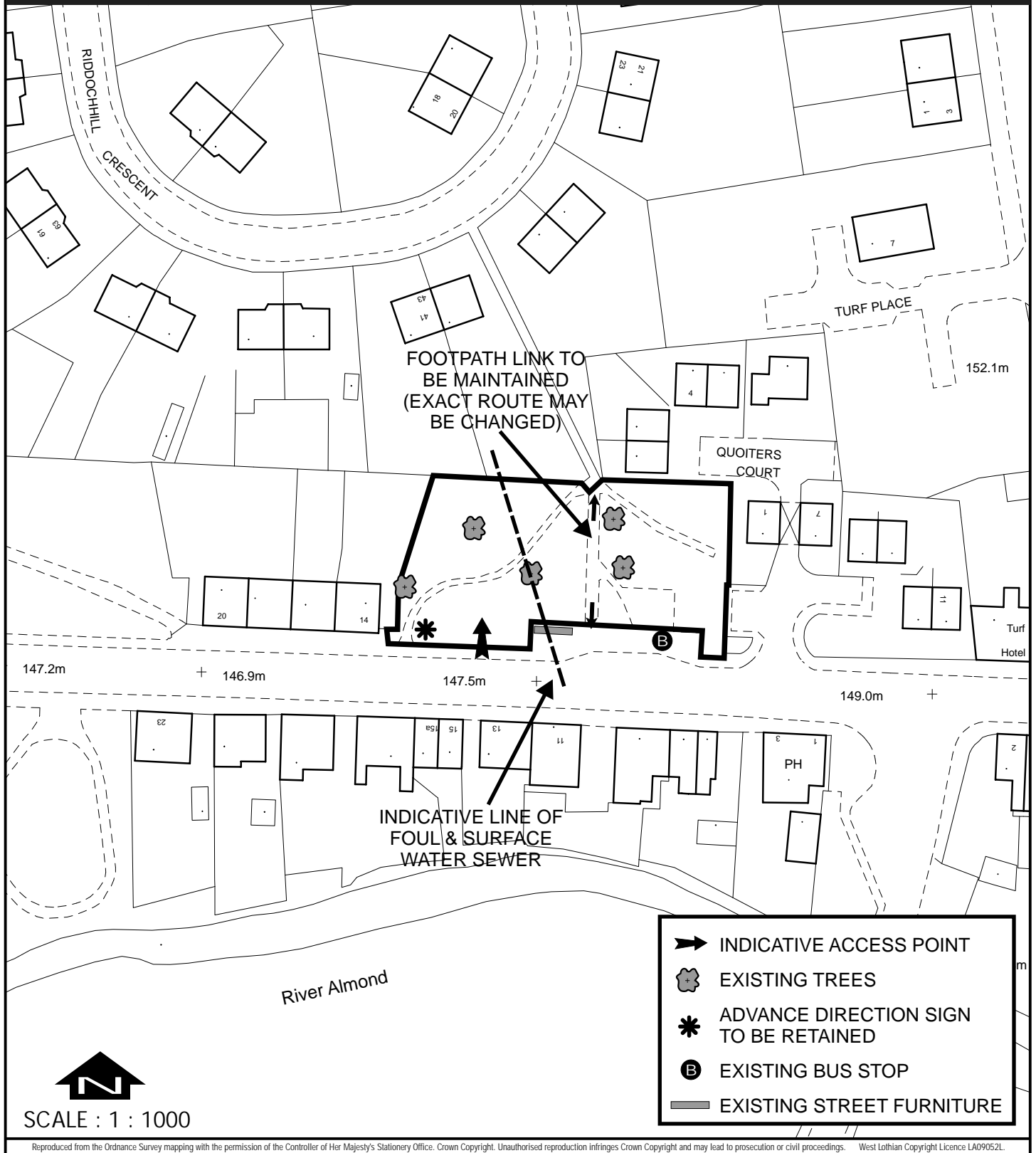
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June 2011
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SITE PLAN : West Main Street (East Site), Blackburn.



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**West Lothian
Council**

COUNCIL EXECUTIVE

**DRAFT PLANNING BRIEF – ALMONDVALE ROUNDABOUT SOUTH WEST,
LIVINGSTON**

REPORT BY PLANNING SERVICES MANAGER

A. PURPOSE OF REPORT

The purpose of this report is to advise the Council Executive of the terms of a draft planning brief for a site at the Almondvale Roundabout South West, Livingston. A copy of the brief is included as Appendix One.

B. RECOMMENDATION

It is recommended that Members:

- approve the draft planning brief;
- note that if the site is marketed, the brief will form part of the marketing particulars for the site; and
- delegate authority to the Planning Services Manager to make any non-substantive revisions to the planning brief as matters arise.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources and working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The site is identified for development in the West Lothian Local Plan as a site for town centre uses. The council adopted the local plan on 13 January 2009.</p> <p>There are no SEA, equality, health or risk assessment issues associated with the planning brief.</p>
III Resources - (Financial, Staffing and Property)	The disposal of the site will generate a capital receipt to support the council's capital programme.
IV Consultations	Education, NETS and Land Services, Transportation and Finance and Estates Services were consulted in the preparation of the brief.

Local members were consulted prior to consultation with Bellsquarry, Dedridge and Livingston Village Community Councils. Adjoining proprietors at Bluebell Glade, Livingston were also consulted.

The brief is consistent with the terms of the West Lothian Local Plan and does not raise any policy issues. As such a report to the Development and Transport Policy Development and Scrutiny Panel was not required.

D. TERMS OF REPORT

The site is located on the southwestern edge of the Almondvale Roundabout at the junction of Charlesfield Road and Alderstone Road. The site lies within the southwest corner of the Livingston town centre envelope as identified in the adopted West Lothian Local Plan (WLLP). Under the terms of the Local Plan the site is allocated for town centre uses. Such an allocation allows for a broad range of uses including retail, leisure, offices, business, recreation and housing (including flats). The brief allows for these uses. A copy of the brief is attached as Appendix One.

The site was first allocated for town centre uses in the Finalised West Lothian Local Plan 2005 (FWLLP), which was approved for formal consultation at the council's Enterprise and Development Committee on 19 April 2005. The formal consultation period, known as the 'on deposit period' inviting objections and representations to the FWLLP, ran from May to July 2005. The council received no objections to the site from third parties and it consequently now forms part of the West Lothian Local Plan that was adopted by the council on 13 January 2009.

The brief is intended to guide the development of the site and identify key design, environmental and infrastructural requirements of the council as well as any additional community benefits that will be required as a result of development. As is standard practice with planning briefs, it has been the subject of consultation with interested parties. The consultation period ended on 10 June 2011.

Local Members were consulted on the brief. Councillor Johnston responded to advise that he is happy for the site to be developed for housing, as agreed in the Local Plan and that his preference would be for council housing. The brief allows for housing development. Councillor Fitzpatrick responded opposing development of the site which he considers to be a very pretty, much valued amenity space by the local community.

Graeme Morrice MP asked for a copy of the brief and has responded to request that no development takes place on the site as it is a piece of wooded land which is highly valued by local residents. He also expresses concerns relating to the proximity of the proposed site access to the Almondvale Roundabout which, he advises, would exacerbate problems on the roundabout.

Given the location of the site, at the edge of the administrative boundaries of Bellsquarry, Dedridge and Livingston Village Community Councils, all three Community Councils were consulted on 4 May 2011 on the terms of the brief and an invitation extended to meet to discuss if requested. No comments were received.

As neighbouring proprietors, residents at numbers 7 and 8 Bluebell Glade, Livingston were also consulted. The consultation resulted in twenty-seven individual objections largely from residents in the Adambrae area, these are attached as Appendix Two to this report.

The following concerns have been raised relating to:

- loss of green belt and amenity;
- adverse impact on wildlife, quality of life and property values;
- density of development;
- adverse impact on traffic, particularly on the Almondvale Roundabout and increased congestion;
- the proposed new footpath connecting Adambrae with the site;
- the availability of business, office and warehouse space elsewhere in the town should be considered rather than developing the proposed site;
- adverse impact on local amenities and lack of school capacity; and
- lack of consultation.

In response to the comments raised, Members are advised as follows:

The site is not designated as green belt and is allocated for development in the adopted West Lothian Local Plan as advised earlier in this report.

The brief specifies a build zone, which allows for development to be set back from the existing housing at Adambrae and for the retention/enhancement of the woodland, thus forming a buffer between developments, having regard to local amenity. The brief also requires the retention of a substantial area of trees in the south of the site and provision of enhanced landscaping on the western boundary. This will allow for protection and enhancement of residential amenity and improve the setting for future development, particularly in relation for the council's proposals for an extension to the Adambrae Cemetery to the west.

In response to concerns relating to the impact on trees and wildlife, further safeguards have been added into the brief to protect the trees during construction and provide further landscaping. In addition, the brief has been amended to allow for further landscaping on the southern boundary, which would include tree planting. Safeguards for the protection and retention of the woodland have also been written into the brief. In addition, the terms of the brief require potential purchasers to assess and have regard to biodiversity on the site.

Housing is only one of a number of possible uses for the site. The types of development, which could come forward, will be determined by the submission of a planning application to develop the site and the brief will be a material consideration to be taken into account in determining any application. There is no planning application to develop the site and no immediate plans to market the site. Property values are not a material planning consideration.

In response to concerns relating to the proposed density of development the brief has been amended to allow for a range of densities from 35 – 45 units per hectare. The need for play facilities on the site will be determined by the type of development which comes forward and the brief alerts purchasers to the fact that a contribution towards play facilities may be required should housing development proceed.

The proposed footpath connecting Adambrae with the site, would be located outwith the existing housing developments and run along the western boundary of Alderstone Road to link with an existing underpass and footpath network towards Charlesfield Road to the north and into the retail park to the east. The new footpath would also link with an existing footpath to the south at the Adambrae Roundabout, therefore providing for enhanced pedestrian access for those wishing to access the town centre on foot. The proposed vehicular access to the site is via Charlesfield Road and not the Almondvale roundabout. Developers will be required to carry out a capacity assessment of the junction and interaction with Almondvale Roundabout to support development of the site. The location plan attached to the brief indicates the likely vehicular access and location of the proposed footpath.

With regard to Adambrae Cemetery, the WLLP makes provision for an extension to this facility and reserves an area of land to the east of the existing cemetery for expansion of the facility.

Developer contributions would be required towards education provision in accordance with council policy. With regard to school capacity, particularly at Bankton Primary School, Education has been consulted on the terms of the brief and raised no objections.

The draft planning brief has been the subject of consultation with local members and Community Council's as advised earlier in this report. With regard to wider consultation with neighbours, the procedure for preparing planning briefs only requires those residents abutting the site to be notified, in this instance proprietors at numbers 7 and 8 Bluebell Glade.

E. CONCLUSION

The draft planning brief allows for a range of uses on the site and will act as a guide to potential purchasers. The site has been declared surplus by the council and inclusion of the site in the adopted Local Plan indicates that the council is minded to dispose of it at some future date.

Finance and Estates have, in the meantime, advised that there are no immediate plans to market the site. The purpose of the brief at this stage is to allow for the site to come forward quickly should the council decide at some future date to move forward on marketing.

Appendices/Attachments: Two

Contact Person: Fiona McBrierty, Principal Planner, Development Planning, 01506 775203

Craig McCorriston, Planning Services Manager, County Buildings, Linlithgow, EH49 7EZ

28 June 2011

Appendix One - Draft Planning Brief, Almondvale Roundabout SW Quadrant



West Lothian
Council

Development Planning

(Draft) PLANNING BRIEF

Almondvale Roundabout (SW Quadrant)

NB version 23 standard clauses

SITE INFORMATION

LOCATION: The site lies off the Almondvale Roundabout on the junction with Alderstone Road to the east and Charlesfield Road to the north.

OWNERSHIP: West Lothian Council

AREA: Approx 0.5ha (TBC)

PLANNING POLICY

LOCAL PLAN:

The West Lothian Local Plan (adopted 2009)

POLICY: The site is allocated for town centre uses under the terms of the adopted WLLP. Policies TC2 and TC3 apply.

EXISTING USE: Vacant land

PROPOSED USES: A range of uses suitable to a town centre location could be accommodated on the site including retail, leisure, offices, business, recreation and residential development.

PREVIOUS PERMISSION: None

SPECIAL STATUS: None

DEVELOPMENT GUIDANCE

Purpose of the Brief

The purpose of this planning brief is to guide the development of land to be disposed of by the council and identify key design, environmental and infrastructural requirements of the council as well as identify any additional community benefits that will be required as a result of the development of this site.

This brief is principally intended to be of assistance to potential developers of the site. They should demonstrate in their application that they have considered and addressed all the general and specific points raised in the brief. Any proposals submitted by the developer will be subject to the normal requirements of the statutory planning system and will be subject to any relevant new policy guidance, which may emerge between the issuing of these guidelines and the submission of a planning application.

The guidance provided in this planning brief is without prejudice to any further comments and decisions that may be made by the council on any formal consideration of a planning application to develop the site.

The council is committed to creating high quality environments by raising design standards across all forms of development and retaining/safeguarding any specific items of special merit such as specimen trees for example. It is the responsibility of developers to comply with the detailed requirements of these guidelines. Further guidance is set out in the council's Residential Development Guide, 2002 which is available from the council. This document is under review.

Please be aware that the accompanying plans and boundaries are indicative and should not be scaled. Exact boundaries must be agreed at the time of any planning application and disposal agreement.

Site Context

The site lies on the western edge of Livingston town centre and within the town centre envelope. It forms a corner site constrained by the two principle access routes of Charlesfield Road and Alderstone Road.

Development Mix

A mixed-use development with a presumption in favour of leisure/offices/business/recreational developments and flatted housing is considered appropriate.

Where private sector housing development is proposed a contribution towards affordable housing will be required in accordance with the terms of the council's Affordable Housing Policy. Land transferred to West Lothian Council or to a Registered Social Landlord (RSL) under the terms of the Affordable Housing Policy will require to be fully serviced. The date of transfer of such land to the council will be determined on a site-by-site basis. Potential purchasers should note that it is proposed to amend the Affordable Housing Policy. This will result in the need to update the current supplementary planning guidance covering affordable housing. It is recommended that prospective developers discuss affordable housing contributions with the council at an early stage. There are some specific exemptions that apply. Copies of the policy paper are available at

<http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/1874545/affordablehousing>

Retail

The West Lothian Retail Capacity Study (WLRCS) was commissioned by the council in June 2008. The purpose of the study was to consider convenience shopping provision and make recommendations on the adequacy of retail floorspace provided within West Lothian in relation to current and projected available expenditure. The study also examined the core development areas identified within the West Lothian Local Plan and reported on their suitability to accommodate convenience retail development to serve these areas. This study is a material consideration in the consideration of planning proposals for convenience retail development. The study can be viewed at <http://www.westlothian.gov.uk/1210/161/205/207>

Housing Density

Within a range of 35 – 45 dwellings per hectare is considered appropriate.

Materials

There are no specific requirements regarding materials, but the developer may wish to consider some continuity with the themes established in the external materials of adjacent developments.

Vehicular Access

Access from Alderstone Road would not be possible due to the proximity of the signalised roundabout, the bus stop and the underpass. In addition, there is no scope either to provide a dedicated right turn lane.

Access from Charlesfield Road subject to junction spacing requirements (min 70m from roundabout) and visibility criteria being met. A capacity assessment of the junction and interaction with Almondvale Roundabout is required to support development of the site. A new access so close to a signalised roundabout is not ideal and although the site is relatively small it may require the provision of a dedicated right turn lane and localised road widening to accommodate this.

The approved Residential Development Guide (2002) sets out details on improving road safety and reducing vehicle speeds. It provides details in relation to roads hierarchy, road junctions, sightlines, private and housing association parking, footpaths and transport assessments and these must be adhered to when considering access points and road layouts. The council's Transportation Unit is reviewing their roads standards.

Parking

As a general guideline, car parking for new residential developments should be provided at the following rates:

Residential Development

Dwellings up to 2 bedrooms – 1 residents off-street space per dwelling + 50% visitors on-street space per dwelling;

Dwellings with 3 or more bedrooms – 2 residents off-street spaces per dwelling + 25% visitors on-street space per dwelling.

Office Development

For office developments, 1 parking space per 30sqm floorspace is required. For cycle parking, 1 space per 300sqm is required.

Retail Development

For food retail development, for the first 500sqm, 1 parking space per 25sqm is required and thereafter 1 space per 17sqm. For cycle parking, 2 spaces per 300sqm of gross floor area is required. For non-food retail, 1 parking space per 25sqm is required.

Hotel Development

Hotel development will require 1 parking space per bedroom plus additional provision for bars/restaurants of 1 space per 7sqm floorspace. For cycle parking 1 space per 300sqm is required.

Leisure and Commercial Development

For leisure and commercial developments, potential purchasers are advised to contact the council's Transportation team for requirements.

For all other developments, please contact the council's Transportation Unit for details of parking standards.

Cycle Parking

In flatted developments, cycle parking should be provided in covered, lockable enclosures. One cycle rack should be provided for every two flats.

For other developments "Sheffield" type cycle racks should be provided.

Footpath Links

The site is served by two underpasses – to the east at Alderstone Road and to the north at Charlesfield Road. The underpass at Alderstone Road should be retained.

Developers will be required to provide a new section of footway on the west side of Alderstone Road to connect the existing footway near Adambrae Roundabout with the footway at the bus stop near the Almondvale Roundabout (see site plan), to adoptable council standards. This footway is required to provide a pedestrian link between the site and the Adambrae area, which is considered important if the proposed site is developed for the use classes suggested in the brief.

Layout/Design

Buildings should be designed and positioned to avoid any effect on the privacy of houses adjacent to the site. A minimum of 18m between windows of habitable rooms should be taken as a guide (see the Residential Development Guide 2002 for details of relaxations).

The council has approved a Residential Development Guide 2002, which sets out specific detailed advice on development standards that developers will be expected to meet. Copies of the Guide can be made available on request although it should be noted that the guide is under review.

A high quality development will be achieved by applying a design solution appropriate to this specific site and a requirement for high quality design, layout and building materials.

In terms of particular design aspects, the developer will require to take account of the following:

- The design and layout of the development must create a secure environment where opportunities for potential crime are minimised, but without compromise to design quality and residential amenity. The layout should, wherever possible, exploit opportunities for natural surveillance. All paths, cycleways and open spaces should either be overlooked by development, or where paths and cycleways are not overlooked, they should be surfaced and lit. Landscaping adjacent to paths must be at a low level. The developer should have regard to PAN 77 Designing Safer Places.
- The risk of potential crime must be considered in the overall design and layout of the site and general surveillance of pedestrian footpath links and parking areas is required.
- The site to be laid out and orientated to maximise solar gain and minimise exposure.

- Developers will be required to design and specify housing and other buildings which take advantage of good practice in energy and water conservation.

In terms of particular design principles for this site, the council will require:

- Buildings to be designed and positioned to avoid overlooking and adherence to the council's privacy standards as expressed in the Residential Development Guide.

Play Space/Outdoor play spaces -

Where more than 20 houses are proposed there will be a requirement for contributions of £500.00 per unit towards play provision as per the requirements of the council's Residential Development Guide. Flats are currently exempt from this requirement. Developers should note, however, that the Residential Development Guide is currently under review.

Landscaping and Open Space/Landscape Treatment

Internal open space and communal landscaping should be kept to the minimum. It should be simple, durable and easily maintained.

Archaeology

From the information currently available to the council and its advisers, there are no known archaeological remains on this site.

Biodiversity

The council has a duty under the Nature Conservation (Scotland) Act 2004 to protect and conserve biodiversity and the West Lothian Local Biodiversity Action Plan 2005-2009 identifies habitats and species of significance. Developers will be required to assess the biodiversity status of the site including its potential as a habitat for wildlife by way of an independent site survey undertaken by appropriately qualified persons. The developer will be required to liaise closely with SNH and the council regarding these matters and *where required* submit proposed remedial measures to offset any adverse impacts of development.

Trees

There are a number of trees along the eastern and southern boundaries of the site. Trees on the southern boundary, forming a buffer to the housing development beyond should be retained.

Before any start of work on site, sturdy protective fencing should be erected to prevent damage to existing mature trees. Reference should be made to BS 5837:2005 - "Trees in Relation to Construction" in designing the landscape element of the scheme. A landscaping plan must be submitted with any planning application.

Sustainable Urban Drainage (SUDs)

The Council has no information to suggest that this site is necessarily susceptible to flooding. Records have only been maintained since November 1997 however and incidents of flooding have not always been brought to the Council's attention. The developer is advised that the site comprises a section of open watercourse, which includes a headwall and associated trash screen. The greatest risk of flooding in West Lothian is associated with obstruction of trash screens and failure or a lack of capacity associated with culverted watercourses.

A Flood Risk Assessment must be provided and the specification agreed with the council's Flood Risk Management Officer. In particular it must assess the likelihood of flooding on the site and the consequence of any flooding and recommendations for potential alleviation.

In April 2008 the council approved supplementary planning guidance on flooding issues in West Lothian. The guidance sets out the requirements for the preparation and submission of Drainage Assessments and Flood Risk Assessments for developments. It also includes reference to Sustainable Urban Drainage Systems within the West Lothian area. The SPG is available at <http://www.westlothian.gov.uk/1210/161/205/207>

The flow of surface water from the site is not currently subject to treatment and attenuation. The developer is expected to meet the treatment requirements of the Scottish Environment Protection Agency (SEPA). It is expected that the surface water drainage system will be vested in Scottish Water as drainage authority and

will, as a consequence, be designed and constructed fully in accord with Scottish Water's Construction Standards and Vesting Conditions 'Sewers for Scotland', Second Edition.

The forward flow of surface water from the site shall be attenuated. The critical 1:100-year post-development flow shall be attenuated to the equivalent of approximately five litres per second per hectare. There may be scope to include attenuation as part of the treatment facility required by SEPA. An end of line treatment system alone is unlikely to be acceptable. A series of source and site controls will be required as an integral part of the surface water drainage system.

The surface water drainage system shall be fully constructed in accordance with the approved plans and details prior to any unit being occupied. In April 2008, the council approved supplementary planning guidance on Sustainable Urban Drainage Systems. The guidance can be accessed at: <http://www.westlothian.gov.uk/1210/161/205/207>

The flow of surface water from the site shall be treated to meet the requirements of the Scottish Environment Protection Agency (SEPA). SEPA advise that for residential developments, two levels of SUDS treatment may be required for hardstanding areas (including roads). Reference should be made to SEPA's Regulatory Method (WAT-RM -08) for sewerage discharges.

Surface water must be drained to a watercourse, overland discharge area or surface water sewer. Only if this cannot be achieved should permission be sought to attenuate and drain to a combined sewer, but approval cannot be guaranteed and will be at the discretion of Scottish Water on a case-by-case basis.

It should be noted that SEPA does not assess issues associated with flood risk or the adoption of sustainable drainage infrastructure. It is therefore vital that developers consult directly with the council's Development Control Engineer, the Flood Risk Management Officer and Scottish Water on these issues.

In accordance with SEPA's 'Policy and Supporting Guidance on the Provision of Waste Water and Drainage in Settlements', there is a requirement that all developments within a sewered area be connected to the public sewer.

Developers must include surface water treatment to meet SEPA requirements. The developer must establish the extent and destination of post-development run-off and provide on-site attenuation proposals acceptable to the council.

A series of source controls to attenuate and treat surface water will have to be provided by the developer which may include water butts with overflow devices, permeable driveways, and above or below ground retention structures. This is in order to help minimise the cumulative effects of surface water downstream as a result of the development.

It is expected that surface water drainage systems, including sustainable drainage systems for residential developments, will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed in accord with Scottish's Water's "Construction Standards and Vesting Conditions- Sewers for Scotland: Second edition (2000).

It is expected that surface water drainage systems, including sustainable drainage systems for residential developments, will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed in accord with Scottish's Water's "Construction Standards and vesting conditions- Sewers for Scotland: Second edition (2000).

Drainage Impact Assessment

The development is adjacent to a watercourse, including a culverted watercourses and a functional flood plain and may have a raised groundwater levels. A Drainage Impact Assessment (DIA) will be required. It must be comprehensive and must address the issues of foul, surface and ground water, including land drainage. It must identify the issues affecting the site pre-development and should outline the strategy post-development. The DIA shall generally comply with the document Drainage Impact Assessment - A Guide for Scotland published by SEPA et al. There are local variations to the document and early consultation with SEPA, Scottish Water, and the council's Flood Risk Management Officer is recommended (Graeme Hedger on 01506 776554).

No works may start on site until the DIA has been submitted to and approved in writing by the planning authority. The DIA shall include the sensitivity analysis and detail all elements of the surface water drainage system pre and post-development, risk assessment, details of any temporary abatement proposed until the permanent drainage system is in place, evidence that the drainage system meets the treatment requirements of SEPA and evidence that the drainage system will be adopted by Scottish Water.

There is a particular issue of foul flow in West Lothian and it is important to consult with Scottish Water. Consequently, for the specific requirements of Scottish Water, developers are strongly advised to consult with them at an early date. Scottish Water can be contacted at connections@scottishwater.co.uk telephone: 0845 601 8855.

For the specific requirements of Scottish Water, developers are strongly advised to consult with them at an early date. Scottish Water can be contacted at connections@scottishwater.co.uk telephone 0845 601 8855.

Sensitivity analysis

A sensitivity analysis shall be carried out on the proposed layout to demonstrate that the critical storm up to and including the critical 1:200-year events will have no adverse effect on property forming part of the development or elsewhere.

Soil Protection

Due to heavy local soils and typically poor drainage characteristics, topsoil shall be stripped and stored during construction in accord with the guidelines in the council's Soil Sustainability Report. When it is not possible to avoid soil compaction, such as in the immediate environs of buildings, all debris shall be removed from site and intensive methods of soil cultivation be employed prior to the spreading of topsoil. Handling and trafficking of soil must be avoided during periods of wet weather and saturated ground conditions.

Energy Efficiency

Scottish Planning Policy (SPP) identifies the use of energy efficient, micro generating and decentralised renewable energy systems as components in the move towards reducing emissions, but energy efficient design of buildings will make a significant contribution to reducing carbon emissions. Location, siting, orientation, design, materials and insulation are important factors in the energy efficiency of buildings. Section 72 of the Climate Change (Scotland) Act requires all new buildings to be designed to avoid a specified and rising proportion of the projected greenhouse gas emissions from their use through the installation and operation of low and zero carbon generating technologies. This is a material consideration in the processing of a planning application. Applicants should consult with the Planning Authority and the council's Buildings Standards service if they require more information.

Reducing Carbon Emissions

The need to tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it, is a principal challenge of sustainable economic growth. The 2010 Editions of the Building Standards Technical Handbooks, published on 6 April 2010, revise the Scottish Government's target setting for new buildings requiring delivery of a 30% reduction in CO2 emissions, reflecting the provisions of the Climate Change (Scotland) Act 2009.

Developers will be required to ensure that their proposals meet with the latest building standards, guidance and methodologies provided in building regulations. Buildings must be designed to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.

The design of new development should therefore address the causes of climate change by minimising carbon and other greenhouse gas emissions and should include features that provide effective adaptation to the predicted effects of climate change. New development should be planned to make use of opportunities for decentralised and local renewable or low carbon sources of heat and power wherever possible.

The use of energy efficient, microgenerating and decentralised renewable energy systems will be components in the move towards reducing emissions, but energy efficient design of buildings will make a significant contribution to reducing emissions. Location, siting, orientation, design, materials and insulation are

therefore important factors to consider.

Waste Management

Space for collection, segregation, storage and possibly treatment of waste (e.g. individual and/or communal bin stores, composting facilities, and waste treatment facilities) should be allocated within the site layout. Prior to submitting a planning application, developers should contact the council's Waste Management team to determine site -specific requirements based on a proposed layout.

Sustainable Design

In anticipation of stringent government guidance requiring zero and low carbon, and, sustainable design standards for buildings, developers are encouraged to design and specify buildings and overall layout in a manner, which takes advantage of current and emerging best practice.

Education

The site is within the catchment areas of St Ninian's and Bankton primary schools and at secondary level James Young High School, St Margaret's Academy.

Please note that Education and Cultural Services is a statutory consultee in the planning permission process and an objection is a material consideration in the determination of planning permission. An objection by the Service could prevent planning permission being obtained. School rolls constantly change and prior to submission of planning permission it is recommended that future developers contact Education and Cultural Services to obtain an up to date steer on both the available capacity at the schools, education's position on any potential application and any contributions that are in place.

Prior to purchasing the site, the developer should contact the council's Education Services (Mark Brooks: 01506-281855) for up to date information on school rolls at particular schools. School rolls fluctuate and this would need to be considered in view of the available accommodation at the school and the Scottish Government's Education Department guidance that may apply at that time.

For all sites within West Lothian, Education Services require the developer to contribute to denominational secondary school provision in line with approved supplementary planning guidance. Contribution rates are £1,983 per residential unit. This applies to most residential development although a number of exemptions apply. Actual payments will be index linked to the changes indicated in the RICS Building Cost Information Service Tender Price Index using the 1st quarter 2010 as the base date and the levels of contribution will be reviewed regularly to take account of changed circumstances. See details within detailed Supplementary Planning Guidance for specific exemptions.

This Planning Brief was prepared within a specific timeframe. The situation with school rolls and capacity changes over each session. Government guidance may also change between school sessions. Consequently, there may be a need to phase a particular development with suspensive planning conditions that was not originally envisaged when this planning brief was prepared. Developers must consult with Education Services at an early stage in preparing their proposals (contact details on Site Plan).

The council has approved supplementary planning guidance on school commissioning costs in January 2007. There is a requirement for developer contributions in circumstances where new, or additional, school accommodation is necessary. Education Services can confirm the extent of this contribution (contact Mark Brooks: 01506-281855).

Ground Conditions

Interested parties must satisfy themselves on all matters relating to ground conditions within and adjacent to the site. It is known that made-up ground exists within the central part of the site.

A contour plan of the existing and proposed final levels on the site must be submitted with the planning application. This survey should include the land immediately to the east of the skate park.

Contaminated Land

The council is not aware of any land contamination issues on the site. However, developers must submit with any planning application a study and report assessing the site for contamination and adverse ground

conditions. If there is any indication of contamination, or other ground condition problems, a remediation strategy and environmental insurance must be provided by suitably qualified persons or organisations acceptable to the council and be made available with the submission of any planning application. The above requirement will not prejudice any action that may be taken under the statutory contaminated land regime.

The council has produced supplementary planning guidance (SPG) on land contamination which was approved by the Council Executive on 29 September 2009. This is available at <http://www.westlothian.gov.uk/1210/161/205/207>

Developers should contact the council's contaminated land officer for further information (contact Neil Brown, 01506 282423).

Noise

In June 2008, the council approved supplementary planning guidance (SPG) on noise issues. On sites that are likely to be noise sensitive, the assessments and mitigation requirements of the SPG must be considered and provided in any development proposals. Copies of the SPG are available at <http://www.westlothian.gov.uk/1210/161/205/207>. In this instance a formal noise assessment is considered unlikely.

Health Impact Assessment

In August 2008, the council approved supplementary planning guidance (SPG) on Health Impact Assessment. This site does not meet the types of development specified in the SPG that requires a HIA to be undertaken. Copies of the SPG are available at <http://www.westlothian.gov.uk/1210/161/205/207>

Construction Training and Local Employment Agreements

In December 2008, the council approved supplementary planning guidance entitled Construction Training and Local Employment Agreements. This SPG encourages developers in West Lothian to enter into Local Employment Agreements (LEA) with the council. These agreements would set out how the developer intends to make training opportunities available to local people and make available entry-level employment opportunities for disadvantaged priority groups e.g. long-term unemployed, single parents, incapacity benefit claimants, young people, minority groups. Developers are not compelled to comply with the SPG but are encouraged to bring forward proposals which are aimed at promoting training and entry-level employment opportunities on a voluntary basis. It is likely that larger scale developers will wish to sign up to the guidance, however there is no threshold established within the SPG. It can be viewed at the following link on the council's website: <http://www.westlothian.gov.uk/1210/161/205/207>

Controlling light pollution (and reducing lighting energy consumption)

In September 2009 the council approved supplementary planning guidance entitled Controlling Light Pollution and Reducing Lighting Energy Consumption. This SPG addresses two important environmental factors, namely nuisance light and energy usage. Specifically, it seeks to encourage developers, architects and lighting designers to provide non-obtrusive and energy efficient lighting designs when preparing proposals for any development which incorporates an element of out-of-doors artificial lighting. It relates to all exterior lighting situations regardless of the location of the lighting project or whether it is a stand alone project or part of an overall development. Potential developments and lighting situations include, but are not limited to industrial developments, retail developments, housing developments, transport interchanges, roads and footpaths (either stand alone or as part of an overall development), exterior sports grounds and arenas, feature lighting for civic enhancement, illuminated advertisements, and replacement of existing lighting installations.

All developments are required to take cognisance of this guidance when developing plans to be submitted with their planning application. Copies of the guidance are available at: <http://www.westlothian.gov.uk/1210/161/205/207>

Supplementary Planning Guidance: Provision of Digital Ducting Within New Developments

Planning Services has developed the above guidance in conjunction with Economic Development colleagues in the council. It was approved by the Council Executive on 13 April 2010. The guidance is designed and written for housing and other developers who intend or who wish to consider the laying of ducting on

development sites, and in particular within new housing developments, for the delivery of digital data services that are fit for purpose for digital service provision now and well into the future. It will also make developers aware of what they should be considering in providing such infrastructure where they may have not considered this as a factor in planning their developments. A copy of the approved guidance is available on request and can also be viewed at the following web link: <http://www.westlothian.gov.uk/1210/161/205/207>.

Services

All services are assumed to be available to the site. Developers must consult utility providers direct (initial contact details on Site Plan). Any services information shown on the site plan is diagrammatic only and must not be scaled. The developer must verify the actual position of mains and services directly with the relevant supplier.

Developer Contributions

In addition to the requirements set out above, the council has identified a series of additional contributions which developers of new sites are now required to provide. Details of this supplementary guidance can be found on the council's website at <http://www.westlothian.gov.uk/1210/161/205/207>. The following contributions would be applicable to this site.

Travel Plan Co-ordinator – Where residential development is proposed a “Travel Information Pack” requires to be provided to each householder. A travel plan will be required for class 4 developments. (Contributions are to be secured through Section 69 Agreement).

Note: Financial contributions towards a travel co-ordinator service were suspended for a two-year period from 25 November 2008.

Public Art – Applies to residential development (+10 units) and retail uses. In the case of a residential development with between 10 and 49 units the required contribution is £150 per unit. Developments with more than 50 units are charged at the higher rate of £250 per unit. Supplementary Planning Guidance can be viewed at <http://www.westlothian.gov.uk/1210/161/205/207>

Cemetery provision – To allow the council to plan for strategic cemetery provision, developers will be required to contribute £35 per house towards new cemetery provision. This contribution also applies to flats. An SPG is available on West Lothian Cemetery contributions and can be accessed at <http://www.westlothian.gov.uk/1210/161/205/207>.

General

Developers must satisfy themselves in all matters relating to the site including ground conditions, and are strongly advised to contact the Council's Development Planning and Transportation units and Development Management and Building Control units to discuss proposals prior to making an offer for the site. The above guidance is provided without prejudice to any further comments or decisions that may be made by the council on formal consideration of a planning application to develop the site.

Applicants are advised to discuss their proposals with the Development Management and Development Planning units prior to submitting any offer for the site, or a planning application. Application forms, neighbour notification procedures and fee scales are available from the Development Management Unit, County Buildings, High Street, Linlithgow, EH49 7EZ, or contact: 01506-282456. Alternatively, forms can be downloaded from the web site at: <https://eplanning.scotland.gov.uk/WAM/>

Contacts

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Education

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Contaminated Land

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Contaminated Land Officer
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email neil.brown@westlothian.gov.uk

June 2011

From: [REDACTED]
Sent: 07 June 2011 01:33
To: McBrierty, Fiona
Subject: Planning Brief Consultation

Dear Fiona

I am writing to object to the proposed use of the vacant land next to the Almondvale Roundabout (Junction with Alderstone Road and Charlesfield Road). At present this piece of land is a green area full of wildlife.

- We need to preserve these conservation greenbelt linking areas within the town boundary.
- The amenity of an open environment gives added value to the community and a sense of wellbeing.
- The wooded areas are full of wild life mainly because they are undisturbed. This will not be the case if more housing is added.
- The cemetery in Adambrae is quiet and serene. I am sure the residents of the town, and of the surrounding area, would like it to remain so. The site area of the cemetery will grow over the years to come and it would seem sensible if ground was available for that purpose.
- 1 in 5 houses in Ireland are lying vacant due to the economic downturn caused by overproduction of housing. We do not want that to be the case here. There are plans for a considerable number of additional housing developments throughout West Lothian and this small area should be excluded.
- The wildlife corridor must be preserved and should not be concreted over, when there are many other, non-wildlife sites, available.
- The traffic is bad enough at the Almondvale roundabout without the addition of another arm.
- Adambrae and Livingston village communities are quite respected small communities and the addition of extra housing could reduce their value.
- There is a large enough retail park within the town and to make additional facilities would only duplicate the provided amenities. Having any retail facilities on that side of Alderstone road would encourage pedestrian traffic to cross the roundabout and a busy main road.

- There are many empty business office and warehouse spaces already in Livingston, so to build even more would be building for building's sake and at the cost to the wildlife.
- Eliburn has a new children's' leisure park and it is wonderful, but it is well out of sight of surrounding houses and not in a high traffic area. I commend the council for that provision but suggest that another one is not needed.
- It is essential to the wellbeing of the residents of Livingston that a substantial amount of green belt is preserved throughout the town. This particular area is near to the concrete jungle, that is the centre.
- The sale of this piece of land will only provide a small addition to the council coffers and will have a negative effect on the existing residents forever.
- A local resident has already tried to buy the land with the intent that it should be able to remain as it is. He was told that it was greenbelt and would never be used for anything else and therefore would not be sold. Why has the council changed the rules? Is money more important than residents wellbeing and wishes? If this goes ahead then I see a lot of voters changing their vote come the next election.
- The addition of a footpath connecting Adambrae with the site is unwelcome and is strongly objected to, as pedestrian traffic is not encouraged through the residential area of Adambrae. All streets within Adambrae are of a dead-end nature, giving a sense of peace and quiet and a measure of security to the residents.
- The consideration of solar gain for any new houses / gardens will encourage the removal of the established trees which is unacceptable to the residents.

A signed petition is currently being circulated within the community and will be lodged with the Council shortly.

Yours sincerely



(Adambrae Resident)

From: [REDACTED]

Sent: 08 June 2011 21:04

To: McBrierty, Fiona; De Bold, Robert - Councillor; Fitzpatrick, Lawrence; Johnston, Peter (Councillor); Logue, Danny(cllr); Muir, John - Councillor

Subject: Planing Brief Cosultation: Almonvale Roundabout, Livingston

Dear Fiona

Further to your letter dated 4th May 2011 regarding the above planning brief (your ref BRIEFS/1 FMcB/AU), I am writing on behalf of my family residing at Bluebell Glade to lodge our objection to the requested planning permission for the plot in question. I have lived in Livingston for the past 20 years (the last 10 years in Adambrae) and have become very concerned at the continued erosion of green areas within the town. One look at the current Google Earth image around the proposed development site (which is approximately 8 years old) highlights how much the town centre has encroached into the land around the Adambrae area. What makes the proposed development even more galling is the fact that so many industrial/retail units around the town lie vacant, and yet you are now proposing development on a fresh piece of Green Belt. A case in point would be the vacant and boarded up Nikon site across the road from the proposed site.

When we moved into Bluebell Glade, we chose this location due to the quiet cull-de-sac environment it offered where children can play safely in the street. There is no through traffic and the street is very secluded.

Our main concerns regarding any development are;

- Erosion of Green Belt area.
- Resulting impact on wildlife.
- Visual impact – i.e. height of proposed buildings.
- Noise pollution from residential/retail/industrial units.
- Light pollution from residential/retail/industrial units.
- Odours from residential/retail/industrial units.
- Increased crime.
- Increased littering.
- Increased traffic/congestion at roundabout.
- Use of quiet cull de sac as a pedestrian through way.

We feel very strongly that what has until now been the perfect location to raise our family would be spoiled forever. This is our home. We have lived here for 10 years and in that time have seen a huge change in the green belt areas surrounding our home. Please no more!

Best Regards

[REDACTED]

From: [REDACTED]
Sent: 08 June 2011 20:48
To: McBrierty, Fiona
Subject: Planning Brief Consultation: Almondvale Roundabout, Livingston

Dear Fiona,

During a conversation with a community councillor this week, it has come to my attention that West Lothian Council are planning to develop green belt land next to the Almondvale Roundabout, Livingston. Why has no communication been made to affected Adambrae residents, who would be impacted by such a development? I feel strongly that the development of the proposed area would have a negative impact:

1. The greenbelt area should be preserved - a habitat which is full of wildlife and which should remain undisturbed.
2. Traffic at the roundabout is already very busy and adding another arm would just make it considerably worse.
3. Any development in this area would potentially reduce the re-sale of any existing property within Adambrae. A key reason for buying our property was the strip of woodland behind our garden. It provides a very pleasant view and adds to our privacy. The prospect of being overlooked by additional buildings would reduce our privacy and significantly change the outlook from our house.
4. Bluebell Glade, which would lie adjacent to the new development is currently a very quiet cul-de-sac, which provides a safe haven for the large number of children that live there. Opening up access to/from Bluebell Glade would be seen as very unacceptable from a safety point of view and it would also increase the amount of pedestrian traffic.

I am angry that Adambrae residents have not been consulted and that any development would have a significant impact on the quality of life we currently enjoy.

Yours sincerely,

[REDACTED]
(Bluebell Glade Resident)

From: [REDACTED]
Sent: 08 June 2011 19:06
To: McBrierty, Fiona
Cc: [REDACTED]
Subject: Proposed planning permission

I am writing on behalf of myself and my partner residing at Bluebell Glade to lodge our disapproval for a requested planning permission on the corner of Alderstone Road and Charleston Road (opposite Morrisons). When we moved into Bluebell Glade, we chose this location due to the environment it offered our children. Presently the street is a quiet cul-de-sac offering an environment where the children can play safely in the street. There is no through traffic and the street is very secluded. If the proposed planning is accepted then the area to the North of the street will become open and this will, in turn, create a very different environment and feel within the street.

Presently this is a very green belt type of area and has trees and wildlife. If this is then changed for a developed piece of land, then the environment would be irrevocably altered. The area where the children play would no longer be as secluded and would not offer the current safety and security afforded to them. The green belt area in the street would also be greatly reduced affecting the nature and wildlife and also the outlook and views afforded to us with the current situation would be detrimentally affected. We believe that planning permission was refused to a private developer previously, due to the area being a green belt area. This ethos should still be the same whether it is a private developer or the council.

Furthermore, the traffic on the Alderstone road is already a very busy area with this being one of the main routes from the A71 to many key locations within Livingston (i.e. the Almondvale centre, The Almondvale Stadium, St. Johns Hospital, as well as numerous business parks already on this route). In adding further development (either commercial, residential or leisure) this would add to the traffic congestion and, yet further, affect the environment of this green belt area.

Yours Sincerely

[REDACTED]

From: [REDACTED]
Sent: 10 June 2011 12:52
To: McBrierty, Fiona
Subject: RE: Proposed planning permisson

Dear Fiona,

Further to previous correspondence I am writing again to advise that after speaking to people in our community, EVERYONE is against any proposed building work at the Adambrae roundabout. Furthermore, we are also angry at not being formally advised by the council of the proposed building work, and only found out by pure chance. I would like this also to be noted in the report for the planning brief to the Council Executive as well as our previous objections.

We hope that you take our objections seriously and not disregarded as we feel very strongly about destroying this green belt area.

I look forward to hearing from you soon on this matter.

Regards

[REDACTED]

From: [REDACTED]
Sent: 08 June 2011 13:09
To: McBrierty, Fiona
Subject:

Dear Mrs McBrierty,

As a horticulturalist I am deeply concerned for the proposed development on the site opposite Morrisons at Adambrae in Livingston. This is a key green site. It is very concerning as Edinburgh Council has done the same with green zones. Making them valuable for resale. It is the aesthetic value people appreciate in areas where they live as there is little or few lands like this in residential areas. I realise this is a hard time for the council as finances are hard to come by but I am sure there are other ways than raping the land of its assets. I used to stay in Livingston and when I return it seems development has taken over and the roads and hospitals can't cope with the outlay. I would suggest, further development should be addressed to other areas, where there are no concerns for wildlife and natural habitation.

Thanks for your time, please respond by reply.

[REDACTED]

From: [REDACTED]
Sent: 08 June 2011 10:24
To: McBrierty, Fiona
Cc: Angela.Constance.msp@scottish.parliament.uk; graeme.morrice.mp@parliament.uk;
[REDACTED]

Subject: OBJECTION TO PROPOSED USE OF LAND - ADAMBRAE

Dear Fiona

I am writing to strongly object to the proposed use of the vacant land next to the Almondvale Roundabout (Junction with Alderstone Road and Charlesfield Road). At present this piece of land is a green area full of wildlife.

We need to preserve this greenbelt. Myself and my husband tried to buy this piece of land a few years ago (we actually applied twice) so that no developments could be built on it and were told both times that we could not as it was being kept greenbelt and would not be developed. Why has this changed? The wooded areas are full of wild life mainly because they are undisturbed. This will not be the case if more housing or office premises are added. Presently there are numerous empty offices around the Livingston area so I do not understand why this area would be used to build more.

The traffic is bad enough at the Almondvale roundabout without further disruptions.

Yours sincerely

[REDACTED]
(Adambræ Resident)

From: [REDACTED]
Sent: 08 June 2011 09:48
To: McBrierty, Fiona
Subject: Disapproving with developing at Almondvale Roundabout (nr Adambrae) in Livingston.

Dear Ms. McBrierty
June 8 2011

I would like to agree that developing in a natural green zone would be devastating to say the least. We need to stand united in keeping these types of zones natural as much as we can. As it sits we are heavily destroying what we do have for natural land. Preserving what we have should be our primary concern.

As much as I do understand our population is increasing I truly believe that developing should be done in areas that don't destroy what we have left for nature. In my opinion I think this matter needs to be reconsidered and maybe re-zone somewhere not detrimental to nature.

I am against development proposal in this said zoning. Thank you for reading my response on this matter .

Wishing you a good day

[REDACTED]

From: [REDACTED]

Sent: 08 June 2011 09:12

To: McBrierty, Fiona

Subject: OBJECTION TO BUILDING PLAN FOR ALMONDVALE ROUNDABOUT IN LIVINGSTON

Dear Ms McBrierty

I am writing to share my concern about this development, which is very close to my friend's house. It is a Key Green Site in the area, and the residents really appreciate the facility. To have it replaced by yet more roads dismays me.

Loss of mature trees and green spaces contributes directly to flooding from runoff, as well as degrading the pleasant surroundings that every resident should ideally enjoy.

Livingston is a beautiful town, with many green spaces and small woodlands which are approaching maturity. I think you should consider very carefully whether this is the right approach for the residents of the area, and I hope you listen to their concerns.

Yours sincerely

[REDACTED]

From: [REDACTED]

Sent: 08 June 2011 09:11

To: McBrierty, Fiona

Subject: Objection to the Building Plan for Almondvale Roundabout, Livingston (nr Adambrae)

Dear Fiona,

I'm am writing to you to object to the proposal to develop the land at Almondvale Roundabout (nr Adambrae) in Livingston.

This is a key natural green zone, its has meany plants and wildlife and we explore the area with the children, building on it would devastate the area, not to mention its very close to the Natural Trust Land at the other end of Adambrae and the deer for that area of wood land have been seen in the proposed development area.

Also, any development will bring increased traffic and noise pollution, which will be detrimental to our children's health as well as that of the wildlife in the area. Also, the road from Adambrae roundabout to Almondvale rundabout gets backed up very easily most days during rush hour, any additional traffic in the area will further add to the existing problems.

Any development which includes housing will increase the number of children requiring schooling in the local catchment area. Adambrae is within the Bankton Primary catchment and the school is fully subscribed as far as I'm aware, and the local doctor and dental services are also stretched and any additional families would simply add to the already over burdened services.

I would very much appreciate it you could drop me a wee note letting me know that you have received and acknowledged my objection to the proposed development.

Best Regards

[REDACTED]

From: [REDACTED]
Sent: 07 June 2011 23:06
To: McBrierty, Fiona
Subject: Objection to KEY GREEN SITE Proposal

Dear Ms. McBrierty,

I am writing to object heavily to the planning proposal to build on a KEY GREEN SITE opposite Morrisons at Adambrae in Livingston (Almondvale Roundabout). It is a very important area to the community and building on it would be a real tragedy. There are so many alternative areas that can be built on, yet so few beautiful green areas that are used by people all across the social spectrum.

Please add my email to your list of opposition.

I look forward to hearing from you in due course.

Yours sincerely,

[REDACTED]

From: [REDACTED]
Sent: 07 June 2011 21:36
To: McBrierty, Fiona
Subject: objection to proposed building in Adambrae parks

Dear Fiona

I am writing to object to proposed building of high density housing on green space directly behind my property at [REDACTED] Bluebell Glade.
my reasons for objecting are that this development will destroy the Green Space and wildlife within it, It will also mean a total loss of privacy to my property thus devaluing my property because it will be overlooked. I am also concerned that in an already over populated there will be an increase in noise and littering. I am led to believe that the plans are to build high density social housing with footpaths linking into our development this by the nature of the housing and tenants housed within them cause many problems, it is a fact that people who do not own their property are less likely to maintain it, are not considerate to their immediate environment. Where there are social housing developments the crime levels are most often higher there are more problems with anti social behaviour.
Whilst my main objection is building work of any type obviously I have increased concerns about social housing as I have many years experience of working within social housing areas and am very well aware of the problems they bring.
I hope you will take action to block these plans

I look forward to your response

[REDACTED]

From: [REDACTED]
Sent: 07 June 2011 21:26
To: McBrierty, Fiona
Subject: Objection To Proposed Development Adjacent to Bluebell Glade Livingston

Fiona,

It has come to our attention that there is a proposal for a development adjacent to the rear of Bluebell Glade Adambrae Parks in Livingston.

When we purchased the property from Wimpey homes in 2000 we were advised that the the land to rear of our properties was "green belt land" and could not be built on and as such this is the grounds for the objection.

Clearly the plans I have seen has raised lot's of question's and concerns.

- How can you build on greenbelt land.
- What is development going to be Industrial? Shops? Hgh level flats? Council Housing ? Housing prvivate developers ?
- What will become of the wooded area to rear of properties of Bluebell Glade.
- What will be the access & egress routes for the proposed development.
- Do we have assurance that Bluebell Glade will retain it's "Cul de Sac" status. There are some 40 children in the Glade and as parent's of a four year old we are extremely concerned that the security a Cul De Sac provides, may be compromised.
- There will be more as time goes on.

We be sending a letter to Wimpey Homes to verify the status (at the time of purchase) of the land to the rear of the property, along with the "deeds" to our property, which are currently with our solicitors.If you can advise if the status of the land has changed after our purchase. We need to know when this decision was made, as once again we have had no correspondance from West Lothian council, regards the staus of the land.

We have also signed a petition that is being raised by the residents to protest against the proposal and one of the neighbours will be engaging with the local press, to highlight our concerns.

Once again we find ourselves at a complete loss why the proposal's for such developments are not passed out to the people it directly affects. Why are we not being informed about these plans? You should sending correspondance to those affected. Do you not understrand the impact this has on people? If we had not been informed by a neighbour this evening we would not have known anything about the plans. This also leads me onto another point regards the closure date for objections to be raised, which I have been advised is 10th June, Yes ! Less than 48 hours from now !

As council tax payers to West Lothian Council we are very dissapointed with the level's of service that we have had in our dealing's with the council since moving here and I am afraid the way this has been handled does not inspire our confidence.

We will be working closely with our neighbours to ensure that all our concerns are addressed.

We look forward to an update from yourself or West Lothian council's planning department.

[REDACTED]

From: [REDACTED]

Sent: 07 June 2011 20:03

To: McBrierty, Fiona

Subject: Almondvale roundabout livingston

Fiona, I would like to note that I disapprove of the plans to build on the land at Almondvale roundabout. This plot of land should remain as a green site for our area, rather than be build upon. There are many other areas of livingston that could be used. Currently this land has many animals, trees and plants. This should remain in tact from my point of view.

Regards [REDACTED]

From: [REDACTED]
Sent: 09 June 2011 14:46
To: McBrierty, Fiona
Subject:

Dear Fiona

I am distraught to find that West Lothian Council are intending to allow buildings to be constructed on designated greenbelt areas at Adambrae. There are a number of wildlife living in this area and the destruction of their habit was dramatically reduce there numbers if not kill them completely. This is esp. true to of the roe deer who live in the greenbelt and have seen their habit continually and dramatically reduced. This is not a policy a support who have voted for their for I urge you to reconsider. This area is also used for a number of children to play on, including my own. There is so little space left for children to run free that I feel you may actually be infringing on their human rights by proposing to remove a safe outside space for them. This is the view of my whole family and as a publicly elected representative, I feel your view must reflect that of myself and those who voted for you and not those of builders and the construction industry.

Regards

[REDACTED]

From: [REDACTED]

Sent: 09 June 2011 16:25

To: McBrierty, Fiona

Subject: Objection to planning proposal: Adambrae, Livingston.

Dear Fiona McBrierty,

I am writing to you to formally note my concerns to the planning proposal to build on the site opposite Morrisons supermarket, Adambrae, Livingston.

This is a key green site within the local area and used and loved by locals on a daily basis. Building on this plot of land would have a devastating effect on the local community for whom open green spaces are rare enough.

Open green spaces housing natural wildlife have proven value in improving morale in communities that are heavily built up and this area is no different. It is somewhere that children can play and people can walk their dogs.

I would hope this proposal would be reconsidered in light of these issues.

I look forward to hearing from you soon.

Kind Regards

[REDACTED]

From: [REDACTED]
Sent: 09 June 2011 16:28
To: McBrierty, Fiona
Subject: Proposal to build next to Adambrae, Livingston

Dear Fiona,

I wish to lodge my objection to the proposal to build on the land next to Adambrae in Livingston. As a development full of family homes, this key green site has offered privacy and security to those living there. For the children growing up in the area, it offers somewhere to play, a place to build childhood memories and a reason not to hang around the street corners. There is of course, a plethora of wildlife which also calls this land its home.

I request that the council reconsiders their plan to build on this ground and sees that it will be detrimental to all those currently living there.

Regards

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 09 June 2011 17:23
To: McBrierty, Fiona
Subject: proposal of new development at almondvale roundabout,
livingston

Dear Ms McBrierty

I am writing with my concerns with regard to the proposal of high density building work at the almondvale roundabout, Livingston. I have lived in Adambrae for almost 12 years, it has taken at least 5 years for the wildlife to start coming back here. Another development would mean disrupting wildlife yet again.

Not to mention the traffic is pretty horrendous at that roundabout as it is without adding to the volume of traffic.

Yours sincerely
[REDACTED]

From: [REDACTED]
Sent: 09 June 2011 20:14
To: McBrierty, Fiona
Subject: PROPOSED BUILDING PLANS FOR ALMONDVALE ROUNDABOUT

Dear Fiona,

I live in Bluebell Glade in Livingston which is right beside the "key green zone" at Almondvale roundabout that has been pencilled in to be atrociously destroyed for some building plans to be put into operation. This is a completely ridiculous idea that I can only imagine has been thought up by people only interested in one thing money.

We moved into this street in particular for very specific reasons. It is quiet, beautiful and a very safe environment for our children to be brought up in. These plans will absolutely decimate what we love about this area. It will destroy the habitat of much wildlife that resides in the area, put an end to the enjoyment we have with the children exploring the woodland and it's surrounding area. Livingston is already a VERY built up area and this will just add to that problem and kill off another piece of natural beauty. Can you not leave these areas alone. Obviously not as your wallets must be empty and instead of working out a reasonable course of action you seem to want to destroy what we cherish without any thought of consequence for the people that live here.

The traffic in this area is already very congested, the schools, doctors & dentists surgeries are already full up so where would any new large amount of people moving into the area go for these facilities I must ask myself. We feel like we are having our precious homes ripped from under our feet. All we have worked and toiled for to pay for such a beautiful and SAFE environment for us and our children to live in is being stolen from us.

I'm even willing to bet a years salary that none of this will be taken on board in the slightest as you have probably already made your mind up and no matter what we say or do will change the fact you are going ahead with these plans anyway. I wouldn't be surprised if you have sold the land already and have the building plans made up, locked away in a basement, guarded by a tiger, in a broken filing cabinet with no handle in a room that the light is broken, under lock and key & ready to put into action. So I would like to thank you in advance for putting our children, homes & our very precious "key green zone" in harms way with the increased traffic, the destruction of the beautiful land, the increase in population that will be thrown on our doorstep.

I am very unhappy about this and I do not apologize for my outraged tone in this letter. I know EVERYONE in this area is also very much against these outrageous and callous proposals.

Yours sincerely,

[REDACTED]

From: [REDACTED]
Sent: 09 June 2011 20:55
To: McBrierty, Fiona
Subject: planning brief - almondvale roundabout

Dear Ms McBrierty

[REDACTED] brought to our attention the proposed building works behind Bluebell Glade.

We would like to object to this most strongly in terms of damage to wildlife, which has only recently recovered in the last couple of years following the completion of the Adambrae estate, and the likely impact on the area's already stretched infrastructure.

Regards

[REDACTED]

From: [REDACTED]
Sent: 09 June 2011 22:48
To: McBrierty, Fiona
Subject: Almondvale Roundabout

Dear Ms. McBrierty

I would like to agree that developing in a natural green zone would be devastating to say the least. We need to stand united in keeping these types of zones natural as much as we can. As it sits we are heavily destroying what we do have for natural land. Preserving what we have should be our primary concern.

As much as I do understand our population is increasing I truly believe that developing should be done in areas that don't destroy what we have left for nature. In my opinion I think this matter needs to be reconsidered and maybe re-zone somewhere not detrimental to nature. I am against development proposals in this said zoning. Thank you for reading my response on this matter .
Wishing you a good day

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 10 June 2011 10:16
To: McBrierty, Fiona
Subject: Proposed development of green belt land at Adambrae
Importance: High

Dear Ms McBrierty,

I am writing to you to object to the proposed development of the green belt land at Adambrae opposite Morrisons. My family has been resident here for over eleven years and have always appreciated the quality of the surrounding land. My children always enjoy playing and walking through the woodland which holds a number of valuable species of mammal such as bats and hedgehogs and foxes along with birds such as woodpeckers, magpies, robins and blue and great tits. When we first moved into the area from Edinburgh we were told that there would be no development of the land from the culvert up to the cemetery grounds but how the pull of the pound changes things!

I know that there are plenty of 'brown field' sites in and around Livingston so why would the local government be set on destroying such a valuable stretch of green belt where there are so many other sites that would benefit from redevelopment?

I hope that you will take note of the objections of the local residents as Adambrae is a very desirable place to live, but taking away the surrounding countryside and woodland simply for profit would just turn Adambrae Parks into a 'run o' the mill town scheme'.

Regards,

[REDACTED]

From: [REDACTED]
Sent: 10 June 2011 13:02
To: McBrierty, Fiona
Subject: Planning Development Almondvale Roundabout

To Fiona McBrierty

It has come to my attention from friends and neighbours of Adambrae Livingston, that a development is being proposal for Social Housing or other development opportunities.

I feel very strongly against this proposal and wanted to formally express my objection against any project within the Adambrae Area. I am a home owner in Bramble Glade and I purchased my house 10 years ago on the understanding that all land surrounding Bramble Glade and Bluebell Glade we classified as Greenbelt. This was one of my main reasons for deciding to purchase in this area, therefore I am extremely upset to learn that possible development is in discussion.

I have discussed this matter with many of my neighbours in Bramble Glade and the majority are of the same opinion and we are very much against this proposal.

I appreciate the importance of social housing requirements but there is already a social housing development very close by (Alexander Drive) and I feel this is unfair for further social housing development within such close proximity. Such developments are never proposed in areas as Murieston or Deerpark and feel this is very unfair to residents of Adambrae. Our neighbourhood is a great place to live and we would like to keep it as it is with the lovely green fields and trees surrounding it as promised 10 years ago.

I really appreciate you taking time to read my concerns and wanted to express my feelings on the matter.

Kind Regards

XXXXXXXXXXXXXXXXXXXX

Adambrae Resident

From: [REDACTED]
Sent: 10 June 2011 14:10
To: McBrierty, Fiona
Subject: Please Do Not Build on Key Green Site in Livingston

Dear Fiona

Please note that I strongly disapprove of the planning proposal to build on the site opposite Morrisons at Adambrae in Livingston. Please note my objection to the planned destruction of this Key Green Site.

Kind REgards

[REDACTED]

From: [REDACTED]
Sent: 10 June 2011 16:43
To: McBrierty, Fiona
Subject: Charlesfield Proposal

Hi Fiona

Please accept this as an objection to the Charlesfield Proposal on the following grounds:

This will entail a significant reduction in Green Space in the area.

The Cemetery area should be kept quite and respectful of visitors and be kept for expansion of the existing cemetery provision in coming years

There will be a significant and substantial loss of amenity in the area.

My perception is that there will be an impact on local schools and implications for road safety with increased traffic in an already busy area.

As per WLC's policy for objections to developments, you already state that 'The Brief will be reported to the Council Executive for approval'. This appears to pay lip service to this process as a pre-determined decision and WLC appear to go ahead with their plans in any case.

Given that this was released around the time that the Alderston Rd proposal was passed it really questions WLC attempt at finding suitable alternative sites as Test 2 requires, when quite obviously this proposal in the background.

Yours sincerely
[REDACTED]

From: [REDACTED]
Sent: 10 June 2011 19:18
To: McBrierty, Fiona
Subject: charlesfeild road site

Fiona McBrierty,

I would stongly object to another green space at Charlesfeild road with trees and wildlife within our town that you plan to build on. I obvously know there is a need for housing for people but your choice of sites is just getting ridiculus , after going through the councils proceedures with the Alderstone west road site , i feel it's frankly a joke the way the council say's it's land for possible factory units and the like. Everyone knows it's for housing & everyone knows which contractor will be getting the work so why all the beating about the bush. Lets for once be open , honest and accountable to the public as your mission statement dictates. Try looking out your windows at the Civic Centre where there is a few acres of land outside your front door where no trees / wildlife has to be disturbed with house building works on this nice flat grass area. As a member of the public i have lost any confidence in most things the council states, bring back the Livingston Development Corporation who beleived in open green spaces and woodlands for all the public to enjoy and not to create a wlc concrete jungle .

[REDACTED]

From: [REDACTED]
Sent: 10 June 2011 22:47
To: McBrierty, Fiona
Subject: Planing Proposal Adambrae

Dear Ms McBrierty,

I am writing to you about the proposed Development in the Adambrea area of Livingston. I have friends that live right next to the site that is meant to be getting developed and find that losing that area a tragedy. As every time I visit I always see children playing in it, If this area gets developed where are the kids going to play on the road maybe? Also my friend was telling me that he had seen deer running around there too. Losing that kind of wildlife and plant life in the area would be a massive shock to the community.

I ask you, What would rather look at trees or concrete?

Please add my email to your list of opposition.

Looking forward to hearing from you.

Yours Sincerely

[REDACTED]

From: [REDACTED]
Sent: 11 June 2011 12:07
To: McBrierty, Fiona
Subject: Planning Brief Consultation: Almondvale Roundabout, Livingston

Dear Ms McBrierty

Please accept this email as an objection to the above proposal on the following grounds:

This will entail a significant reduction in Green Space in the area;

The Cemetery area should be kept quiet and respectful for visitors

and be kept for expansion of the existing cemetery provision in

coming years;

There will be a significant and substantial loss of amenity in the area;

There would also be an impact on local schools and implications for road safety with increased traffic in an already busy area.

As per WLC's policy for objections to developments, you already state that 'The Brief will be "reported to the Council Executive for approval'. This would appear to imply lip service to this process and presents as a pre-determined decision which could be viewed as allowing WLC to go full steam ahead with their plans despite any objections !!

Given that this Brief was released around the time that the Alderston Rd proposal was passed it really questions WLC's attempt at finding suitable alternative sites as Test 2 requires, when quite obviously this proposal was in the background.

Yours sincerely

[REDACTED]

From: [REDACTED]

Sent: 14 June 2011 11:34

To: McBrierty, Fiona

Subject: Planning Brief Almondvale Roundabout

Dear Fiona

(Draft) Planning Brief Almondvale Roundabout (SW Quadrant)

Thank you for sending me the above Planning Brief.

I would ask that no development takes place on the above site for the following reasons:

- The site is a piece of wooded land which is highly valued by local residents.
- The confusing design of the nearby signalised Almondvale roundabout continues to cause problems for both Livingston residents and visitors and I have personally witnessed a number of accidents and near misses. Any new access to the site in such close proximity to the roundabout would undoubtedly exacerbate the situation.

Please acknowledge receipt of these comments.

I would be grateful if you would keep me up to date on how this issue progresses and look forward to hearing from you.

[REDACTED]



West Lothian Council

COUNCIL EXECUTIVE

WEST LOTHIAN LOCAL DEVELOPMENT PLAN

DEVELOPMENT PLAN SCHEME No.3 & CALL FOR SITES

REPORT BY PLANNING SERVICES MANAGER

A. PURPOSE OF REPORT

The purpose of this report is to:

- inform the members of an update to the Development Plan Scheme No.3 document to reflect slippage in the progress of the Strategic Development plan (SDP); and
- inform members of the number of sites and issues submitted by third parties under the 'call for sites' process for the West Lothian Local Development Plan (LDP).

B. RECOMMENDATION

It is recommended that the Council Executive:

- 1) notes and approves the changes in the anticipated timescales for progress of the West Lothian Local Development Plan as set out in the revised Development Plan Scheme No.3; and
- 2) notes the submissions made under the 'call for sites' process for the LDP;

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Preparation of a SDP and LDP are statutory requirements under the terms of the Planning etc. (Scotland) Act 2006. Once approved, the SDP will replace the approved Edinburgh and the Lothians Structure Plan 2015 (E&LSP) whilst the LDP will replace the adopted West Lothian Local Plan (WLLP). Both the SDP and the LDP will, in time, become material considerations in the determining of planning applications and when approved, will form the next development plan for West Lothian.

A Draft Environmental Report will be prepared to accompany the future Main Issues Report for the LDP and a full Strategic Environmental Assessment (SEA) will accompany the Proposed Plan stage of the LDP.

III Resources - (Financial, Staffing and Property)

The terms of the emerging development plan for West Lothian will have financial implications for the council in terms of capital and revenue expenditure. These cannot be quantified at this stage. There may also be implications for capital receipts.

IV Consultations

The draft amended DPS No.3 and call for sites were both reported to the Development and Transport Policy Development and Scrutiny Panel of 26 May and the Panel:

- 1) Noted the terms of the report;
- 2) Agreed that ward members would be provided with details of the sites within their particular ward in due course with emphasis on the council owned sites initially; and
- 3) Agreed that information relating to the total overall development capacity and site ownership would be contained within the report to the Council Executive.

It should be noted that elected members were not consulted on sites put forward for consideration by council officers.

No other consultations were required in the preparation of this report.

D. TERMS OF REPORT

Development Plan Scheme No.3 - Update

On 11 January 2011, the Council Executive approved the Development Plan Scheme No.3 document, that set out anticipated timescales for taking forward the West Lothian Local Development Plan (LDP).

Due to changes in the timescale for taking forward the SDP, it is proposed to alter the timescale for taking forward the LDP

The updated timescales at key stages for taking forward the SDP was approved at the SESplan Joint Committee on 7 March. The details are as follows:

SESplan created [June 2008]

Approval of Edinburgh and South East Scotland SDP boundary [Nov 2008]

Publication of Development Plan Scheme No 1. [March 2009]

Preparation of Main Issues Report and supporting documents, commissioning and receiving background studies e.g. Green Belt study, Housing Needs and Market Assessment, Monitoring Statement , Urban Capacity Study etc and commence strategic environmental assessment (SEA) process [Jan – March 2009]

Publication of Main Issues Report (MIR) and Interim Environmental Report (IER) [May 2010]

Statutory Consultation [May-August 2010]

Analysis of MIR and IER representations [Sept-Nov 2010]

Preparation of Proposed Plan and updated Environmental Report [Sept 2010 – May 2011]

Consideration of Proposed Plan by SESplan Joint Committee [June 2011]

Member Authorities Ratification process [August – October 2011]

Desktop Publishing and printing of proposed Plan [October – November 2011]

Publication of Proposed Plan including ER and Action Programme [November 2011]

Formal representation period for submission of representations [November – December 2011]

Analysis of formal representations [January – April 2012]

Submission of SDP to Scottish Ministers including Action Programme and ER [July 2012]

Examination in public of outstanding objections and final Ministerial decision. [to be determined by Scottish Ministers]

The proposed revised timescale for taking forward the West Lothian Local Development Plan will be set out in the revised DPS No.3 is as follows:

- *Publication of Development Plan Scheme No.3 **31 March 2011 (amended version 3A June 2011)***
- *Seeking expressions of interest in development sites and general questionnaire from January – April 2011 (amended to January to May 2011)*
- *Preparation of Main Issues Report from autumn 2010 – summer 2011 to (now to be Autumn/Winter 2011)*
- *Publication of Main Issues Report, Environmental Report, Monitoring Statement, Equalities and Human Rights Impact Assessment **Autumn 2011/Early 2012 (after publication of SESplan Proposed Plan) (now Spring 2012)***
- *Publish formal responses to Main Issues Report (now summer/autumn 2012)*

- *Publication of proposed plan including Environmental Report and Action Programme **within six months of Scottish Ministers approving the SDP***
- Examination of outstanding issues/representations **within 12 months of the LDP being published.**

As a consequence of these changes, publication of the Main Issues Report and the LDP will be delayed by around three months.

This amended timetable will require the approval of the Council Executive and thereafter amended copies of DPS No.3 will be published on the council's website and in local libraries. Two copies will be sent to the Scottish Government as is required under the Development Planning (Scotland) Regulations 2008.

Call for Sites

On 11 January 2011, the Council Executive approved a 'call for sites' for the West Lothian Local Development Plan. The deadline for receiving submissions expired on Friday, 6 May and the council received 225 submissions in total for consideration to be allocated in the LDP and this includes submissions made at the Main Issues Report Stage for the SDP. The details of all sites can be viewed in Appendix 1 of the report.

The appendix to the report contains site ownership information that the council has to date, following the request of the D&T PDSP that information be included in the database. We are presently seeking further information from this from those parties who have proposed sites and ward members have been provided with a folder given to each group that contains site plans and the database. All original submissions have also been made available on CD to all members.

In terms of the site area of land submitted and total number of units submitted under call for sites, this is detailed below:

Total site area (all uses): 3259 Ha

Total Residential Land: 2290 Ha

Total Employment Land: 355 Ha

Total mixed use land: 614 Ha

Estimated Total Residential Units: 20,300

Officers will analyse these sites and report back to future Development and Transport Policy Development and Scrutiny Panels and Council Executive meetings as appropriate in due course as the LDP progresses.

E. CONCLUSION

The Development Plan Scheme No.3 for the West Lothian Local Development Plan requires to be updated in terms of timescales for key stages in its preparation to reflect slippage in the progress of the SDP. The updated DPS No.3A is therefore recommended to be approved by the Council Executive.

The sites submitted under the 'call for sites' require to be noted by the Council Executive. These will be analysed and reported back to the Panel and the Council

Executive in the future as the West Lothian LDP progresses.

F. BACKGROUND REFERENCES

Development Plan Scheme No.3: West Lothian Local Development Plan:

http://www.westlothian.gov.uk/media/downloadaddoc/1799514/1841832/2114979/dps_no3

The Development Planning (Scotland) Regulations 2008

Planning etc. (Scotland) Act 2006

Report and Appendix of DPS No.3 Scheme report to SESPLAN Project Board 7 March 2011

Adopted West Lothian Local Plan 2009

West Lothian Local Development Plan Scheme No.1 – March 2009

West Lothian Local Development Plan Scheme No.2 – March 2010

Report to Development and Transport Policy Development and Scrutiny Panel 09.12.10 on Call for Sites and Development Plan Scheme No.3:

<http://coins.westlothian.gov.uk/coins/agenda.asp?meetingid=4242>

Report to Council Executive on 11.01.11 for Call for Sites and Development Plan Scheme No.3:

<http://coins.westlothian.gov.uk/coins/agenda.asp?meetingid=4418>

Report to Policy Development and Scrutiny Panel 26 May on DPS No.3 (Amended) and Expressions of Interest Sites:

<http://coins.westlothian.gov.uk/coins/agenda.asp?meetingid=4245>

Appendices/Attachments: One – List of sites received to 'call for sites' submissions

Contact Person: Steven McLucas, Planning Officer, Development Planning Officer, Tel. 01506 282425, e-mail: steve.mclucas@westlothian.gov.uk

Craig McCorrison, Planning Services Manager, County Buildings, Linlithgow, EH49 7EZ, Tel. 01506 282443, e-mail: craig.mccorrison@westlothian.gov.uk

28 June 2011

APPENDIX 1: LIST OF SITES RECEIVED UNDER 'EXPRESSION OF INTERESTS' PROCEDURE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0001	ECOSSE REGENERATION LTD / ECOSSE REGENERATION LTD	McInally Associates Ltd	Heartlands Development Area, Whitburn	Whitburn	3000 additional residential units sought at Heartlands, Whitburn	7. WHITBURN AND BLACKBURN
EOI-0002	ELDERHEYS LTD / Grovebank Properties Ltd	Andrew McCafferty Associates	Kirkton Business Centre, Kirk Lane, Livingston	Livingston	Nursing Home / Care Home / Retirement Flats / Pharmacy / Health Centre / Local neighbourhood centre retail uses	3. LIVINGSTON NORTH
EOI-0003	J SWAN / J SWAN	Jack Cadell	Hoghill, Oakbank East Calder	East Calder	Residential use	5. EAST LIVINGSTON AND EAST CALDER
EOI-0004	DAVID SIBBALD / SIBBALD LTD	Tom Hardie, Hardie Planning consultancy	Windyknowe, Phase 2, Bathgate	Bathgate	Residential / community uses / changing room facility associated with playing fields and open space on a site of 2.13Ha (circa 60 units)	8. BATHGATE
EOI-0005	STUART RUSSELL / (no response)	N/A	Site to south of South Logiebrae Nursery, Westfield	Westfield	Residential use (self build plots) Site area circa 10 Ha	9. ARMADALE AND BLACKRIDGE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0006	JOHN REID / Firm of John Reid	N/A	East Mains of Ballencrieff Farm, by Bathgate	Bathgate	Residential use (site area 0.64 Ha) (circa 8 units)	8. BATHGATE
EOI-0007	SIBBALD LIMITED / Trustees of the Sibbald SIPP (Self Invested Personal Plan)	Tom Hardie, Hardie Planning consultancy	Site 1, Sibbald Training Centre, Blackridge	Blackridge	Class 4 office use (site area 0.95 Ha)	9. ARMADALE AND BLACKRIDGE
EOI-0008	SIBBALD LIMITED / Trustees of the Sibbald SIPP (Self Invested Personal Plan)	Tom Hardie, Hardie Planning consultancy	Site 2, Sibbald Training Centre, Blackridge	Blackridge	A mixture of potential uses to include, for example, Class 1 (retail), Class 4 (office), Class 5 (general industry), Class 6 (Storage and/or distribution), Class 8 (Residential for Training Centre purposes), Class 11 (Indoor Leisure) on a site with an area of 2.88Ha.	9. ARMADALE AND BLACKRIDGE
EOI-0009	FRANK KENNEDY / FRANK KENNEDY	N/A	Site west of Seafield	Seafield	Residential (site area 12.5Ha) (circa 300 units)	7, WHITBURN AND BLACKBURN
EOI-0010	GRAEME TOWNSLEY / GRAEME TOWNSLEY	Jane Fox, Fox Planning Consultancy	Land Adjacent to Bridgend Golf Club, Golf Course Road, Bridgend, Linlithgow	Bridgend	Residential (site area 1.7Ha) (circa 25 units)	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0011	LORD ROSEBERY / Lord Rosebery, Rosebery Estates	Louise McIntrye, Strutt and Parker	Land Adjacent to Willowdean, Bridgend	Bridgend	Residential (site area 1.7Ha) (circa 40 units)	1. LINLITHGOW
EOI-0012	LORD ROSEBERY / Lord Rosebery, Rosebery Estates	Louise McIntrye, Strutt and Parker	Land at Cousland Farm, north of A705, Livingston	Livingston	Residential (site area 7.3Ha) (circa 150 units)	7. WHITBURN AND BLACKBURN
EOI-0013	LORD ROSEBERY / Lord Rosebery, Rosebery Estates	Louise McIntrye, Strutt and Parker	Land at Cousland Farm, south of A705, Livingston	Livingston	Mixed use employment (15.3Ha)	7. WHITBURN AND BLACKBURN
EOI-0014	GARDINER ESTATES / GARDINER ESTATES	Fiona Clandillon, Ryden	Springfield North, Linlithgow	Linlithgow	Continued employment use on WLLP site ELi8 (but remove single user restriction to Sun Microsystems) Site area is 9.6Ha	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0015	GARDINER ESTATES / GARDINER ESTATES	Fiona Clandillon, Ryden	Springfield South / Boghall East	Linlithgow	Retail / residential /employment (site area 3.2Ha) on existing WLLP allocation ELi2 (number of units tbc)	1. LINLITHGOW
EOI-0016	GARDINER ESTATES / GARDINER ESTATES	Fiona Clandillon, Ryden	Springfield West	Linlithgow	Residential (site area 3.1Ha) (number of units tbc)	1. LINLITHGOW
EOI-0017	FORKNEUK CONSORTIUM (ASHDALE LAND AND PROPERTY CO; FORKNEUK FARMING PARTNERSHIP & WALKER GROUP MEIKLE / (As per proposer)	David Tough, Ryden	Forkneuk, North Uphall	Uphall	Residential (site area 192Ha) (circa 1750 - 2000 units)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0018	RAEMOIR PROPERTIES / RAEMOIR PROPERTIES	Fiona Clandillon, Ryden	Oakbank Farm, East Calder	East Calder	Residential (site area 2.6Ha) (number of units tbc)	5. EAST LIVINGSTON AND EAST CALDER
EOI-0019	RAEMOIR PROPERTIES / RAEMOIR PROPERTIES	Fiona Clandillon, Ryden	Dixon Terrace, Whitburn	Whitburn	Residential (site area 2.45Ha) (number of units tbc)	7. WHITBURN AND BLACKBURN

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0020	KENSINGTON AND EDINBURGH ESTATES / KENSINGTON AND EDINBURGH ESTATES	Fiona Clandillon, Ryden	Springfield, Linlithgow	Linlithgow	Retail (site area 3.32 Ha) on existing WLLP employment allocation ELI2)	1. LINLITHGOW
EOI-0021	FORKNEUK FARMING PARTNERSHIP / FORKNEUK FARMING PARTNERSHIP	Fiona Clandillon, Ryden	North East Field, Uphall Station	Uphall Station	Residential (site area 2.9Ha) (number of units tbc)	5. EAST LIVINGSTON AND EAST CALDER
EOI-0022	FORKNEUK FARMING PARTNERSHIP / FORKNEUK FARMING PARTNERSHIP	Fiona Clandillon, Ryden	Land at Station Road, Uphall	Uphall	Employment use (classes 4, 5 & 6) (site area 9.4Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0023	SDA Ltd Strategic Development Agency Ltd / SDA Ltd Strategic Development Agency Ltd	Diarmud O'Connor, PPCA LTd	Land south of Armadaale	Armadaale	Residential (but with flexibility to have mixed use to merge with existing consents north of the site (site area 71Ha) (number of units tbc)	9. ARMADALE AND BLACKRIDGE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0024	GLADMAN DEVELOPMENTS / GLADMAN DEVELOPMENTS	Mrs Catherine Wood, Learmonth Estates Ltd	Elburn Park, Livingston	Livingston	Residential use (approx 80 units), mixed uses including class 4, 5 and worshiping hall and community facilities (site area circa 6Ha on existing WLLP allocation ELv28	2. LIVINGSTON NORTH
EOI-0025	EDF ENERGY RENEWABLES /non applicable	Mr Tim Wheeler	General issue, on shore wind farm energy generation	District wide	EDF ER has a general interest in potential sites for onshore wind energy development within the West Lothian Local Plan area.	DISTRICT WIDE ISSUE
EOI-0026	MR B KANE / MR B KANE	n/a	Suggested amendment to settlement envelope at Station House, Addiewell	Addiewell	Residential use by incorporating land within the settlement of Addiewell (number of units tbc)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0027	JAMES FORD / JAMES FORD	n/a	Crofthead Farm, Fauldhouse	Fauldhouse	Residential and business use (site area 25.6Ha) (circa 300 units)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0028	JAMES FORD / JAMES FORD	n/a	Back O Moss Farm, Longridge (site A)	Longridge	Residential and play park (site area 0.98Ha) (number of units 20 units tbc)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0029	JAMES FORD/ JAMES FORD	n/a	Back O Moss Farm, Longridge (site B)	Longridge	Residential use (site area 2.2Ha) (number of units circa 50 tbc)	6. FAULDHOUSE AND THE BREICH VALLEY

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0030	RJ DUNN PROPERTY CONSULTANCY LTD / The Brooke Hospital for Animals & Scottish Society for the Prevention of Cruelty to Animals & World Society for the Protection of Animals & Peoples Dispensary for Sick Animals & The Edinburgh Cat Protection League & International League for the protection of Horses & The Incorporated Trustees of the Donkey Sanctuary & Mr George Clark & Executors Nominat of the late Donald Farquharson	n/a	Site at Murieston Road, Livingston (site HLv59 in the adopted WLLP)	Livingston	Residential use (site area 4.24Ha) (circa 60 units)	4. LIVINGSTON SOUTH
EOI-0031	Mr LIAM McCARTNEY / Mr LIAM McCARTNEY	John Duff, John Duff Planning	Site to west of West Calder cemetery, West Calder	West Calder	Residential use (site area 2.73Ha) (circa 30 – 40 units)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0032	AWG PROPERTY LTD & THOMAS	Christine Stuart,	Site west of Curling Pond Lane,	Longridge	Residential use (3.75Ha) (circa 30 units)	6. FAULDHOUSE AND THE BREICH VALLEY

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
	LINTON / The Linorr Partnership c/o Mr Thomas Linton Stonehead Farm	KCC Consulting Ltd	Longridge			
EOI-0033	MR & MRS COMRIE / MR & MRS COMRIE	Fraser Littlejohn, Montagu Evans LLP	Houston Farm Riding School, Uphall	Uphall	As well as accommodating built development associated with the expansion and consolidation of the existing riding school use in the shorter term, it is considered that the land holdings represent a medium term opportunity for development potentially comprising a variety of land uses including housing, business and commercial development on site with an area of 4.85Ha (number of units tbc)	3. BROXBURN, UPHALL AND WINCHBURGH
EOI-0034	NHS Lothian / NHS Lothian	Fraser Littlejohn, Montagu Evans LLP	Bangour Village Hospital, by Dechmont	Dechmont	SIGNIFICANT MIXED USE DEVELOPMENT WITH POTENTIAL TO COMPRISE A VARIETY OF USES INCLUDING HOUSING, BUSINESS, COMMERCIAL AND RETAIL DEVELOPMENT. (site area 89Ha)	2. BROXBURN, UPHALL AND WINCHBURGH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0035	PUMPHERSTON ESTATES / PUMPHERSTON ESTATES	Fiona Clandillon, Ryden	Pumpherstons Farm, by Pumpherstons	Pumpherstons	Housing led mixed use development including employment uses (site area 86.97Ha) (number of units tbc)	5. EAST LIVINGSTON AND EAST CALDER
EOI-0036	ARCHIE MEIKLE / Ashwood Scotland Ltd	Jim Pollock, JA Pollock, Property Consultant.	Site at McIntosh Road, Kirkton Campus, Livingston	Livingston	Extend existing allocation use of class 4 and 5 to also class 6 (existing WLLP allocation ELv44) (number of units tbc)	4. LIVINGSTON SOUTH
EOI-0037	A & R GRAHAM / Alan Graham, Gavieside Farm	Jim Pollock, JA Pollock, Property Consultant.	Site at Harwood Farm, by West Calder	West Calder	Residential use (site area 84.75Ha)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0038	A & R GRAHAM / Alan Graham, Gavieside Farm	Jim Pollock, JA Pollock, Property Consultant.	Site at Seafeld Farm, south of Seafeld	Seafeld	Residential use (site area 30.57Ha) circa 350 units	7. WHITBURN AND BLACKBURN
EOI-0039	A & R GRAHAM / Alan Graham, Gavieside Farm	Jim Pollock, JA Pollock, Property Consultant.	Site at Langside Farm, north of Polbeth	Polbeth	Residential use (site area 34.32Ha) circa 250 units.	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0040	A & R GRAHAM / Alan Graham, Gavieside Farm	Jim Pollock, JA Pollock, Property Consultant.	Site at Easter Breich Farm, south of Seafeld	Seafeld	Residential use (site area 13.16Ha) circa 150 units	7. WHITBURN AND BLACKBURN

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0041	A & R GRAHAM / Alan Graham, Gavieside Farm	Jim Pollock, JA Pollock, Property Consultant.	Site at Hermand Farm , south east of West Calder	West Calder	Residential use (site area 64Ha) circa 600 units	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0042	JIM WALKER / Jim Walker, Pathhead Farm, Dunbar	Jim Pollock, JA Pollock, Property Consultant.	Site at Hartwood Road, south west of West Calder	West Calder	Residential use (site area 1.55Ha) circa 10 units	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0043	ELDERHEYS LTD / Grovebank Properties Ltd	Andrew McCafferty Associates	Kirkton Business Centre, Kirk Lane, Livingston	Livingston	Residential; Housing or flats, Nursing/Care Home (Class 8, Use Classes Order 1997), Retirement flats occupancy to be restricted by condition/section 75 agreement, Health Centre/pharmacy, Small scale retail and non- retail uses (Site area 1.9Ha)	3. LIVINGSTON NORTH
EOI-0044	THE CHURCH OF SCOTLAND GENERAL TRUSTEES / (as proposer)	John Handley, DPP LLP	Land at Ecclesmachan Glebe, Ecclesmachan	Ecclesmachan	Residential use (site area £Ha) circa 10 -15 units (low density housing)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0045	THE CHURCH OF SCOTLAND GENERAL TRUSTEES / (as proposer)	John Handley, DPP, LLP	Land East of Manse Road, Linlithgow	Linlithgow	Residential use (site area 2Ha) circa 50 units	1. LINLITHGOW
EOI-0046	JP SLATTERY / JP SLATTERY	Stephen Dawes, Dawes Associates	Land to north east of Bridgecastle Road, Armadale	Armadale	Residential and leisure use (site area 19.5Ha) 25 units.	9. ARMADALE AND BLACKRIDGE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0047	W JONES (GLASGOW) LTD / W JONES (GLASGOW) LTD	Stephen Dawes, Dawes Associates	Land at Middlerigg, east of Armadale	Armadale	Residential use (site area 25.02Ha) circa 120 units	9. ARMADALE AND BLACKRIDGE
EOI-0048	WOODHEAD DEVELOPMENTS (SCOTLAND) LTD / WOODHEAD DEVELOPMENTS (SCOTLAND) LTD	Stephen Dawes, Dawes Associates	Land at Standhill Farm, west of Armadale	Armadale	Residential use (site area 12Ha) 280 units	9. ARMADALE AND BLACKRIDGE
EOI-0049	AITKEN BROTHERS C/O MR & MRS AITKEN / AITKEN BROTHERS C/O MR & MRS AITKEN	POILIN NI CHONGHAILE, GAP DEVELOPMENTS LTD	Land at Cathlaw Lane, Torphichen	Torphichen	Residential with business related commercial use (site area 5Ha) 10 units	9. ARMADALE AND BLACKRIDGE
EOI-0050	AITKEN BROTHERS C/O MR & MRS AITKEN / AITKEN BROTHERS C/O MR & MRS AITKEN	POILIN NI CHONGHAILE, GAP DEVELOPMENTS LTD	Riccarton Farm, Porterside, south east of Linlithgow	Linlithgow	Residential, Transport improvements, Community Benefits, Recreation and Education (site area 20Ha), 50 units	1. LINLITHGOW
EOI-0051	MR GEORGE CLARK / Please note the land is owner by several parties, including seven registered charities. R.J. Dunn Property Consultancy Limited is appointed to act on behalf of all of the landowners, and accordingly all contact information	POILIN NI CHONGHAILE, GAP DEVELOPMENTS LTD	Site at Wellhead Farm, Livingston (HLv59 in the adopted West Lothian Local Plan 2009)	Livingston	Residential use (site area 4.24Ha) 60 units	4. LIVINGSTON SOUTH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0052	MR & MRS WALKER / MR & MRS WALKER	POILIN NI CHONGHAILE, GAP DEVELOPMENTS LTD	Hartwood Road, West Calder	West Calder	Community Facilities, care home and parking (site area 1Ha)	6. FAULDHUSE AND THE BREICH VALLEY
EOI-0053	STRAWSON J4 M8 LTD / STRAWSON J4 M8 LTD	Grant Young, GVA Grimley Ltd	Site at J4 M8 Storage and Distribution Park, Pottishaw, Bathgate	Bathgate	Storage and distribution (class 6), office and light industry (class 4), ancillary hotel (class 7) and retail (class 1) uses on site with area of 89.27Ha (existing WLLP allocation EBg7 and within employment area boundary)	7. WHITBURN AND BLACKBURN
EOI-0054	CEMEX LTD / CEMEX LTD	Alistair Hilton, Drivers Jonas Deloitte.	Kettlestoun Mains, Linlithgow	Linlithgow	Residential use (site area 40 Ha) seeking allocation in this LDP of 200 units, but site could potentially accommodate up to 500 units	1. LINLITHGOW
EOI-0055	GEORGE CLARK & IAN CLARK / GEORGE CLARK & IAN CLARK	Niall Stringer, Turcan Connell	Site at Wellhead Farm , Livingston	Livingston	Mixed use but primarily residential development (site area circa 20Ha)	4. LIVINGSTON SOUTH
EOI-0056	G McMAHON, ADENVIEW LTD / G McMAHON, ADENVIEW LTD	Ged Hainey, Ryden	Mid Street, Bathgate	Bathgate	Residential use (including mainstream housing and retirement homes)	8. BATHGATE
EOI-0057	MUIR HOMES / MUIR HOMES	Alan Farningham, KCC Consulting Ltd	Deer Park Avenue - Proposed Hotel use	Livingston	Hotel use (class 7) on site with an area of 0.79Ha	3. LIVINGSTON NORTH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0058	MUIR HOMES / MUIR HOMES	Alan Farningham, KCC Consulting Ltd	The Stables, Deer Park, Livingston	Livingston	Residential use (site area 0.72Ha)	3. LIVINGSTON NORTH
EOI-0059	MUIR HOMES/ MUIR HOMES	Alan Farningham, KCC Consulting Ltd	Central Park, Deer Park, Livingston	Livingston	Residential use (site area 1.36Ha)	3. LIVINGSTON NORTH
EOI-0060	MUIR HOMES/ / MUIR HOMES	Alan Farningham, KCC Consulting Ltd	Dechmont Law - Proposed Residential Use	Livingston	Residential use (site area 7.23Ha)	3. LIVINGSTON NORTH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0061	LISA DRINNAN & JUDITH McDERMID / WLC	n/a	Polbeth Market garden site, (Parkhead Farm)	West Calder	Community Garden (site area not known)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0062	MACTAGGART & MICKEL HOMES / MACTAGGART & MICKEL HOMES	Maura McCormack, PPCA Ltd	Site at Edinburgh Road, Linlithgow	Linlithgow	Residential use (site area 0.64Ha) circa 60 units	1. LINLITHGOW
EOI-0063	MANORLANE IN ADMINISTRATION (KPMG) / MANORLANE IN ADMINISTRATION (KPMG)	Ged Hainey, Ryden	Site to the south of Craiginn Terrace, Blackridge	Blackridge	Residential use, mixed use and retail (neighbourhood centre)	9. ARMADALE AND BLACKRIDGE
EOI-0064	SCOTYRE / SCOTYRE	Fiona Clandillon, Ryden	Greendykes House, Greendykes Road, Broxburn	Broxburn	Residential / retail use (1Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0065	MR TOM WILSON / MR TOM WILSON	John Handley, DPP LLP	Land at Bridgend Farm, Bridgend	Bridgend	residential use (site area 2.7Ha) circa 30-40 units	1. LINLITHGOW
EOI-0066	MR HUGH KELLY / MR HUGH KELLY	Fiona Clandillon, Ryden	50 Hartwood Road, West Calder	West Calder	Residential use (site area 0.95Ha)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0067	AITHRIE ESTATES / AITHRIE ESTATES	Robin Matthew, PPCA Ltd	Site at Binns Mill, by East Philipstoun	East Philipstoun	Leisure Uses (site area 0.95Ha)	1. LINLITHGOW
EOI-0068	AITHRIE ESTATES/ ROSEBERY ESTATES	Robin Matthew, PPCA Ltd	Land at east of Woodside Place, Bridgend	Bridgend	Residential (including mixed use) site area circa 5Ha	1. LINLITHGOW
EOI-0069	HOPETOUN ESTATE TRUST / AITHRIE ESTATES	Robin Matthew, PPCA Ltd	Land to south east of East Philipstoun at Craigton Quarry and Fawns Park	East Philipstoun	Rural Leisure / holiday accommodation, (site area 60 Ha)	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0070	TRUSTEES OF CHURCH OF SCOTLAND / TRUSTEES OF CHURCH OF SCOTLAND	Robin Matthew, PPCA Ltd	Land east of B8046, Ecclesmachan	Ecclesmachan	Residential use (site area circa >1Ha) approximately 5 units	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0071	HOPETOUN ESTATE TRUST / AITHRIE ESTATES	Robin Matthew, PPCA Ltd	Site west of Newton at Whitequarries	Newton	Mixed use / business / retail / leisure / tourism uses (site area circa 0.7Ha)	1. LINLITHGOW
EOI-0072	HOPETOUN DISCRETIONARY TRUST / HOPETOUN DISCRETIONARY TRUST	Robin Matthew, PPCA Ltd	Land at Gallow Hill, south of Newton	Newton	Residential / mixed use (site area 9Ha) circa 150-200 units)	1. LINLITHGOW
EOI-0073	HOPETOUN ESTATE TRUST/ HOPETOUN ESTATE TRUST	Robin Matthew, PPCA Ltd	Philpstoun North Bing	Philpstoun	Quarry use then leisure uses (site area 11Ha)	1. LINLITHGOW
EOI-0074	AITHRIE ESTATES / AITHRIE ESTATES	Robin Matthew, PPCA Ltd	Land north of Fairmehill, Philpstoun	Philpstoun	Residential / mixed use / leisure (site area 7.6Ha) circa 100 units	1. LINLITHGOW
EOI-0075	AITHRIE ESTATES / AITHRIE ESTATES	Robin Matthew, PPCA Ltd	Land at Redhouse Cottages, Threemiletown	Threemiletown	Residential / mixed use (site area 20 Ha) circa 400-500 units	1. LINLITHGOW
EOI-0076	SCOTTISH WAR BLINDED / Scottish War Blinded	Debbie MacKay, Smiths Gore	Land designated for residential development under site HWk1 in the adopted West Lothian Local Plan 2009, Wilkieston	Wilkieston	Residential use (site area circa 4.5Ha) circa 50 units i.e. Continued allocation of WLLP site HWk1	5. EAST LIVINGSTON AND EAST CALDER
EOI-0077	SCOTTISH WAR BLINDED / Scottish War Blinded	Debbie MacKay, Smiths Gore	Land at Site 1, Scottish War Blinded, Wilkieston	Wilkieston	Residential use (site area 3Ha) circa 50 units	5. EAST LIVINGSTON AND EAST CALDER

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0078	SCOTTISH WAR BLINDED/ Scottish War Blinded	Debbie MacKay, Smiths Gore	Land at Site 2, Scottish War Blinded, Wilkieston	Wilkieston	Residential use /mixed use (site area 4Ha) circa 75 units	5. EAST LIVINGSTON AND EAST CALDER
EOI-0079	SCOTTISH WAR BLINDED/ Scottish War Blinded	Debbie MacKay, Smiths Gore	Land at Site 3, Scottish War Blinded, Wilkieston	Wilkieston	Residential use / mixed use (site area 11Ha) circa 50 units	5. EAST LIVINGSTON AND EAST CALDER
EOI-0080	CALA MANAGEMENT LTD (LEGAL AGREEMENT WITH LANDOWNER MR MALCOLM HILL) / M T Hill and E A Hill, and Trustees for the Firm of G A T Hill and E C Hill (per Messrs Turcan Connell, Edinburgh	Ellen Coates, WYG Planning and Design	Land extending north from Drumcross Road to Bughtknowes Farm, Bathgate	Bathgate	Residential use (site area 7.8Ha) circa 135 units	8. BATHGATE
EOI-0081	CALA MANAGEMENT LTD (LEGAL AGREEMENT WITH LANDOWNER MR MALCOLM HILL) / M T Hill and E A Hill, and Trustees for the Firm of G A T Hill and E C Hill (per Messrs Turcan Connell, Edinburgh	Ellen Coates, WYG Planning and Design	Land extending east from Torphichen Road to the south of Ballencrieff Toll, Bughtknowes Farm, Bathgate	Bathgate	Residential use (site area 5.9Ha) circa 90 units	8. BATHGATE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0082	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Barnes Green, Knightsridge, Livingston	Livingston	Residential use (site area 0.838Ha) 31 units	3. LIVINGSTON NORTH
EOI-0083	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Blaeberryhill Road, Whitburn	Whitburn	Residential use (site area 4.122Ha) circa 152 units	7. WHITBURN AND BLACKBURN
EOI-0084	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Foulshiels Road, North of Beechwood Park Football Ground, Stoneyburn	Stoneyburn	Residential use (Total 4.422 hectares (2.088 hectares in Council ownership)) circa 163 units	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0085	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Hillview Avenue, Broxburn	Broxburn	Residential use (site area 1.231 Ha) circa 45 units	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0086	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Kirkhill North 1 (North of Kirkhill Primary School) Broxburn	Broxburn	Residential use (site area 3.222Ha) circa 119 units	2. BROXBURN, UPHALL AND WINCHBURGH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0087	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Kirkhill North 2 (North of Kirkhill Primary School), Broxburn	Broxburn	Residential use (site area 6.604Ha) circa 244 units	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0088	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Sutherland Way, Knightsridge, Livingston	Livingston	Residential use (site area 0.845Ha) circa 31 units	3. LIVINGSTON NORTH
EOI-0089	CALA PROPERTIES (HOLDINGS) LTD / CALA PROPERTIES (HOLDINGS) LTD	Peter Carus, GVA Grimley	Land at Almondvale Business Park, Livingston	Livingston	Mixed use developments (site area 2.648Ha) existing employment allocations ELv66 and ELv67 in the WLLP	4. LIVINGSTON SOUTH
EOI-0090	MASTER HOUSES / MASTER HOUSES	Richard Heggie, Urban Animation	Housing site HKn10 in the adopted West Lothian Local Plan 2009 at Station Road, in Kirknewton	Kirknewton	Residential use (site area circa 1.2Ha) continued allocation of housing site HKn10 in WLLP sought.	5. EAST LIVINGSTON AND EAST CALDER
EOI-0091	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Land at Belvedere Wood (north of Hillhouse Avenue), Bathgate	Bathgate	Residential use (site area 0.88Ha) circa 40 units	8. BATHGATE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0092	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Crosshill Drive (east) (north of Marchwood crescent), Bathgate	Bathgate	Residential use (0.96Ha) circa 45 units	8. BATHGATE
EOI-0093	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Veteran's Cottage, (off Wallace Road), Bathgate	Bathgate	Residential use (site area 0.68Ha) circa 25 units	8. BATHGATE
EOI-0094	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	WLC Grounds Maintenance Depot, Waverley Street, Bathgate	Bathgate	Residential use (site area 0.31Ha) circa 15 units	8. BATHGATE
EOI-0095	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Land at Redhouse West (WLLP housing site HBb5), Blackburn	Blackburn	Residential use (site area 3.41Ha) circa 125 units, continued allocation sought of site HBb5 in the WLLP	7. WHITBURN AND BLACKBURN
EOI-0096	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Land at Harrysmuir Gardens (east), Pumpherston.	Pumpherston	Residential use (site area 0.62Ha) circa 25 units	5. EAST LIVINGSTON AND EAST CALDER

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0097	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Former Polbeth Market Garden, Polbeth	Polbeth	Business and Industry (Classes 4, 5 and 6). Primarily for small business units as a possible replacement for West Calder Workspace	6. FAULHOUSE AND THE BREICH VALLEY
EOI-0098	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Site north of Teviot Drive, Murieston Valley, Livingston	Livingston	Housing; possibly residential institutions (Class 9) - potentially Local Centre uses (Classes 1, 2, 3, 4, 10 & 11) (site area 0.577Ha)	4. LIVINGSTON SOUTH
EOI-0099	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Linhouse, Livingston (existing employment allocation ELv54 in the WLLP)	Livingston	Mixed use (residential, local centre, employment and education) (site area 51Ha developable) existing employment site ELv54 of national importance in the WLLP	4. LIVINGSTON SOUTH
EOI-0100	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Existing WLLP Housing allocation HLv94, Murieston Valley, Livingston	Livingston	Residential use (site area 1.904Ha) circa 70 units	4. LIVINGSTON SOUTH
EOI-0101	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Livingston South Station, Local Centre, Livingston	Livingston	Local centre uses, primarily commercial (Classes 1, 2, 3 and 4); potentially non- residential institutions Class 10, and leisure (Class 11) (site area 0.977Ha)	4. LIVINGSTON SOUTH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0102	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	West Calder Workspace, Society Place, West Calder.	West Calder	Residential use	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0103	WALLACE LAND INVESTMENT AND MANAGEMENT / Mr Robin Braes R & R Braes Burnshot Farm & Mr A Kennedy Grougfoot Farm & West Lothian Council & Transport Scotland	Bob Salter, Geddes Consulting	Land known as Burghmuir, Linlithgow	Linlithgow	Mixed use development including housing, hotel, care homes and greenspace plus associated infrastructure works including west facing slip onto M9 (site area 48Ha) circa 600 homes	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0104	FEDS (Facilities Engineering and Design Solutions Ltd) / FEDS (Facilities Engineering and Design Solutions Ltd)	Richard Heggie, Urban Animation	Land at Oakbank Village, East Calder	East Calder	Mix of housing and other appropriate uses such as business, leisure, community etc which are compatible with the regeneration of Oakbank Village. Also an opportunity to expand the Country Park, provide enhanced path and cycle routes, woodland and open space, car parking for football pitch etc. All to be led through an Oakbank Regeneration Master Plan.	5. EAST LIVINGSTON AND EAST CALDER
EOI-0105	BSW TIMBER / BSW TIMBER	Ged Hainey, Ryden	Land at Falkirk Road, Linlithgow	Linlithgow	Residential use (site area 0.679Ha)	1. LINLITHGOW
EOI-0106	LAND SECURITIES PLC / LAND SECURITIES PLC	Ally Campbell, Montagu Evans LLP	Car Park 2, Almondvale Road, Livingston	Livingston	Retail use (site area 0.8Ha)	4. LIVINGSTON SOUTH
EOI-0107	LAND SECURITIES PLC / LAND SECURITIES PLC	Ally Campbell, Montagu Evans LLP	The Centre, Livingston	Livingston	TOWN CENTRE / RETAIL, BUSINESS AND LEISURE DEVELOPMENT	4. LIVINGSTON SOUTH
EOI-0108	DAVID BRADLEY / DAVID BRADLEY	Ged Hainey, Ryden	Polkemmet Business Centre, Dixon Terrace, Whitburn	Whitburn	Residential use (site area 0.35Ha)	7. WHITBURN AND BLACKBURN

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0109	LAND SECURITIES PLC / LAND SECURITIES PLC	Ally Campbell, Montagu Evans LLP	Land of Former West Lothian House, Almondvale Boulevard, Livingston	Livingston	THE SITE OFFERS THE OPPORTUNITY FOR DEVELOPMENT COMPRISING A VARIETY OF TOWN CENTRE USES.	4. LIVINGSTON SOUTH
EOI-0110	MR HARRY RUSSELL / MR HARRY RUSSELL	Rick Finc, RFA Development Planning,	Murieston Castle Farm, Livingston	Livingston	Housing and mixed residential development with associated community and leisure facilities. Potential for employment and commercial development subject to further assessment. (site area circa 85Ha)	4. LIVINGSTON SOUTH
EOI-0111	MR GEORGE DUNCAN / MR GEORGE DUNCAN	Rick Finc, RFA Development Planning,	Balgreen Farm, Livingston	Livingston	Residential use and mixed use development (site area 29.5Ha), number of units: To be determined subject to a masterplan Anticipate a range of possible densities @ approximately 22 - 25 per hectare	4. LIVINGSTON SOUTH
EOI-0112	K HAGERT / K HAGERT	Rick Finc, RFA Development Planning,	Land adjacent to Roman Camp Cottages, Uphall Station	Uphall Station	Residential use (site area 8.8Ha)	5. EAST LIVINGSTON AND EAST CALDER

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0113	S IRVINE / S IRVINE	Rick Finc, RFA Development Planning,	Land adjacent to Langton Road, East Calder	East Calder	Residential and mixed use development (site area circa 5.3Ha) to be determined subject to a masterplan Anticipate a range of possible densities @ approximately 22 - 25 per hectare	5. EAST LIVINGSTON AND EAST CALDER
EOI-0114	MR JOHN KERR, JOHN KERR LTD / MR JOHN KERR, JOHN KERR LTD	Rick Finc, RFA Development Planning,	Wilcoxholm Farm, Edinburgh Road, Linlithgow	Linlithgow	The site would predominantly be used for residential purposes and a mix of housing and open space. Existing business uses could be retained and operate in conjunction with adjoining housing development. There may also be potential for leisure use in association with the Canal and small scale commercial development serving adjoining housing if necessary (site area 20Ha). Number of units: Not known -dependant on the allocation and the masterplan. A range of densities are anticipated potentially approximately 22- 25 to the hectare	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0115	CADZOW ESTATE / CADZOW ESTATE	Andrew Miller, Davidson & Robertson Rural	Cadzow Estate, Land at Kilpunt, Broxburn	Broxburn	Residential / retail / employment / community uses (site area circa 89Ha) circa 1200 units	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0116	CADZOW ESTATE / CADZOW ESTATE	Andrew Miller, Davidson & Robertson Rural	Cadzow Estate, Land at Muirend, Broxburn	Broxburn	Residential use (single house), tourism, leisure, employment (site area 4.5Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0117	ELDERHEYS LTD / ELDERHEYS LTD	Richard Moffat, Lambert Smith Hampton.	Kirkton Business Centre, Kirkton North Road, Livingston	Livingston	Residential use (site area 1.78Ha) circa 90 units	3. LIVINGSTON NORTH
EOI-0118	GLENEAGLES PARTNERSHIP / GLENEAGLES PARTNERSHIP	Colin Hardie, Hardie Associates Ltd	Land North of Bentswood Inn, Bents, Stoneyburn	Stoneyburn	Residential use (site area 8.09Ha) circa 120 units	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0119	GLENEAGLES PARTNERSHIP / GLENEAGLES PARTNERSHIP	Colin Hardie, Hardie Associates Ltd	Land South of Lighton Terrace, Stoneyburn	Stoneyburn	Residential use (site area 2.04Ha) circa 30 units	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0120	GLENEAGLES PARTNERSHIP / D & D LAMBIE	Colin Hardie, Hardie Associates Ltd	Land at Back O Moss/Main Street, Longridge	Longridge	Residential use (site area circa 2.5Ha) circa 20 units	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0121	MR JOHN SLATTERY / MR JOHN SLATTERY	Douglas Davidson, DMT Davidson Associates	Former Golf Course, Bridgecastle Road, Armadale	Armadale	Mixed use development (circa 23Ha)	9. ARMADALE AND BLACKRIDGE
EOI-0122	MR & MRS DAVID WOLFE / MR & MRS DAVID WOLFE	Douglas Davidson, DMT Davidson Associates	Site adjacent to Fir Park /Craigs Court, Westfield Road, Torphichen, Bathgate	Torphichen	Residential use (site area 0.27Ha) 2 or 3 housing units	9. ARMADALE AND BLACKRIDGE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0123	CALA MANAGEMENT LTD / CALA MANAGEMENT LTD has legal agreement with landowner	Ian Logan, Optimised Environments Ltd	Site south of Blaeberryhill Road, Whitburn	Whitburn	Residential use (site area 82.91Ha) circa 1000 units	7. WHITBURN AND BLACKBURN
EOI-0124	WARJO PROPERTY INVESTMENT AND DEVELOPMENT LTD / WARJO PROPERTY INVESTMENT AND DEVELOPMENT LTD	Gayle Hume, Turley Associates	Land on the north eastern boundary of Fauldhouse	Fauldhouse	Residential use, associated amenity space, local shopping facilities and allotments (site area 15.4Ha)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0125	TURPIE & CO SOLICITORS / Kayclaire LLP	Richard Heggie, Urban Animation	Land north east of Sunnyside Cottage, Ballencrieff Toll, Bathgate	Bathgate	Residential use (site area 1.2Ha)	8. BATHGATE
EOI-0126	TAYLOR WIMPEY AND BARRATT DEVELOPMENTS / Orr family, Dykeside Farm, Bathgate & Walker family, Easton Farm, Bathgate	Lynsey Fraser, Keppie Planning & Development (for Taylor Wimpey and Barratt Developments)	Dykeside Farm, Bathgate	Bathgate	residential and ancillary uses (site area 62Ha) 500-800 units	8. BATHGATE
EOI-0127	HALLAM LAND MANAGEMENT LTD / David Dalling	John Paton, Turley Associates.	Sites to east and west of A801, west of Bathgate	Bathgate	Site 1 - Majority of the site is used for agricultural purposes. There is also an existing steading to the south east as well as two other areas containing redundant buildings for which the former use is unknown. Site 2 - contains fields and scrubland with some trees sporadically located throughout. There is also an existing electricity pylon in the eastern section of the site. Both sites together in excess of 1000	8. BATHGATE & 9. ARMADALE AND BLACKRIDGE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
					units	
EOI-0128	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Braehead, Linlithgow	Linlithgow	Mixed use development (site area 0.1819Ha)	1. LINLITHGOW
EOI-0129	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Doomsdales, Linlithgow Bridge Primary School	Linlithgow	Residential use (site area 2.622Ha)	1. LINLITHGOW
EOI-0130	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Greendykes North, Broxburn	Broxburn	Residential use (site area 9.72Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0131	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Mill Road, Linlithgow	Linlithgow	Residential use (site area 1.6Ha)	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0132	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Stankards Road, Uphall	Uphall	Residential use (site area 1.44Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0133	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Greendykes West, Broxburn	Broxburn	Residential use (site area 10.75Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0134	FORKNEUK FARMING PARTNERSHIP / FORKNEUK FARMING PARTNERSHIP	Mike Andrews, Dundas Estates & Development Company	Land at Drumshoreland, Uphall Station	Uphall Station	Residential use (site area 2.83Ha) circa 45 units	5. EAST LIVINGSTON AND EAST CALDER
EOI-0135	OGILVIE HOMES LTD / Ogilvie Homes Ltd	Jamie Hamilton, Barton Willmore	Land at Hens Nest Road, East Whitburn	East Whitburn	Residential use (site area 21Ha) circa 250 units	7. WHITBURN AND BLACKBURN
EOI-0136	HALLAM LAND MANAGEMENT LTD / Mr John Findlay Redhouse Farm	John Handley, DPP LLP	Land at Redhouse, Blackburn	Blackburn	Residential (site area 54ha in total (northern site is 37ha and southern site is 17ha)) Circa 450 units to north, 250 units to south (Phased)	7. WHITBURN AND BLACKBURN

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0137	WJ FORD / WJ FORD	John Warren, Warren Consultants	Land at Sheephousehill, Fauldhouse	Fauldhouse	Residential use (POLICY ENV21 IMPLEMENTATION INCLUDING ENVIRONMENTAL AND BIODIVERSITY ENHANCEMENT, PUBLIC ACCESS, OUTDOOR RECREATION - AS AGREED WITH THE COUNCIL AND CROSS- SUBSIDISED FROM HOUSING SITE ADJACENT TO EXISTING STRATCHLYDE HOMES HOUSING SITE.) Circa 43 units	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0138	ASHDALE LAND AND PROPERTY CO LTD / Ashdale Land and Property Company Ltd	Jamie Hamilton, Barton Willmore	Land at Strathbrock Estate, East Broxburn	Broxburn	Residential use / mixed use (circa 1100 units)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0139	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Drove Road, Armadale	Armadale	Residential use (site area 7.62Ha)	9. ARMADALE AND BLACKRIDGE
EOI-0140	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Beechwood Road, Blackburn	Blackburn	Residential use (Site area 1.6Ha)	7. WHITBURN AND BLACKBURN

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0141	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Crosshill Drive, Bathgate (southern section)	Bathgate	Residential use (site area 8.6Ha)	8. BATHGATE
EOI-0142	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Crosshill Drive, Bathgate - entire site (A & B on attached plan)	Bathgate	Residential use (site area 16.7Ha)	8. BATHGATE
EOI-0143	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Kirkhill North, Broxburn	Broxburn	Residential use (site area 9.99Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0144	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Kirkhill North (sites 1 and 2 on plan, Broxburn)	Broxburn	Residential use (site area 30.32Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0145	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Stankards Road, Uphall	Uphall	Residential use (site area 1.65Ha)	2. BROXBURN, UPHALL AND WINCHBURGH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0146	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Former Travelling Persons site, Hardhill Road, Bathgate	Bathgate	Residential use (site area 1.83Ha)	8. BATHGATE
EOI-0147	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	North of Hermand, West Calder	West Calder	Residential use (site area 14.7Ha)	6. FAULDHUSE AND THE BREICH VALLEY
EOI-0148	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Blaeberry, Whitburn	Whitburn	Residential use (site area 7.47Ha)	7. WHITBURN AND BLACKBURN
EOI-0149	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Dunn Place, Winchburgh	Winchburgh	Residential use (site area 0.45Ha)	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0150	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Former Travelling Persons site and adjacent council owned land, Hardhill Road, Bathgate	Bathgate	Residential use (site area 4.72Ha)	8. BATHGATE

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0151	HOUSING, CONSTRUCTION AND BUILDING SERVICES, WEST LOTHIAN COUNCIL / WLC	Jim McEwan	Hunter Grove, Whitburn	Whitburn	Residential use (site area 1.57Ha)	7. WHITBURN AND BLACKBURN
EOI-0152	Stewarts Printing & County Properties Group / Stewarts Printing & County Properties Group	Ged Hainey	Lister Road/Kirkton South, Livingston	Livingston	Residential use (site area 4.3Ha)	4. LIVINGSTON SOUTH
EOI-0153	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Guildiehaugh Depot, Bathgate	Bathgate	Mixed use development embracing some Class 2 (Financial, professional and other services), Class 4 (business), Class 7 (hotel), Class 11 (assembly and leisure) and certain other compatible urban uses falling out-with the specified use classes and defined as non-classified Sui Generis (site area 4.4Ha)	8. BATHGATE
EOI-0154	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Land at entrance to Guildiehaugh Depot (opposite Tesco), Edinburgh Road, Bathgate	Bathgate	Advertising Hoarding (site area 0.2Ha)	8. BATHGATE
EOI-0155	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Crofthead Centre, Craigshill, Livingston	Livingston	Residential use (site area 0.67Ha)	4. LIVINGSTON SOUTH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0156	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Craigsfarm, Craigshill, Livingston (SITE A)	Livingston	Residential use (site area 0.77Ha) circa 28-30 units	5. EAST LIVINGSTON AND EAST CALDER
EOI-0157	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Woodland Car Park, west of Civic Centre, Livingston	Livingston	Residential use (1Ha) circa 37-40 units	4. LIVINGSTON SOUTH
EOI-0158	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Junction site, east of Howden South Road, Livingston	Livingston	Residential use (site area 1.26Ha) circa 50-60 units	4. LIVINGSTON SOUTH
EOI-0159	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Site west of Manitoba Avenue and Nelson Avenue, Howden South Road, Livingston	Livingston	Residential use (4.2 Ha (developable likely to be around 1.4 Ha) 35-42 Units (depending upon density)	4. LIVINGSTON SOUTH
EOI-0160	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Paul Furbank	Craigsfarm, Craigshill, Livingston (SITE B)	Livingston	Residential use (site area 0.7Ha), circa 28-30 units	5. EAST LIVINGSTON AND EAST CALDER
EOI-0161	AW LAND PURCHASERS LTD / AW LAND PURCHASERS LTD	Ailsa Matons, Muir Smith Evans	Freeport Outlet Centre, Westwood, West Calder	West Calder	Residential use, leisure, retail, crèche, food and drink (site area 23Ha)	6. FAULDHOUSE AND THE BREICH VALLEY

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0162	WB PROPERTY LTD / WB PROPERTY LTD	Ailsa Matons, Muir Smith Evans	Meadowpark, 13- 15 Glasgow Road, Bathgate	Bathgate	Residential use (site area 2.2Ha)	8. BATHGATE
EOI-0163	T M LAND PURCHASES LTD / T M LAND PURCHASES LTD	Ailsa Matons, Muir Smith Evans	Land at Napier Avenue, Bathgate (previous allocation HBg24)	Bathgate	Residential use (site area 3.2Ha), circa 10 units	8. BATHGATE
EOI-0164	J J LAND PURCHASES LTD / J J LAND PURCHASES LTD	Ailsa Matons, Muir Smith Evans	Five Sisters Business Park, Westwood, West Calder	West Calder	Class 4, 5 and 6 and hotel, leisure, crèche, food and drink	7. WHITBURN AND BLACKBURN
EOI-0165	BELLAIR PROPERTY INVESTMENTS LTD / Bellair (Scotland) Ltd.	Andrew Munnis, Montagu Evans LLP	Land at Kingsfield, Linlithgow	Linlithgow	PART OF A WIDER EXPANSION OF THE SETTLEMENT BOUNDARY TO THE EAST OF LINLITHGOW. (site area 19.4Ha) TO INCULDE A MIXED USE DEVELOPMENT, INCLUDING PREDOMINATLY RESIDENTIAL.	1. LINLITHGOW
EOI-0166	John MacFarlane and Colin MacFarlane / John MacFarlane and Colin MacFarlane	Antony Duthie, Clarendon Planning and Development Ltd	Land at Main Street, Dechmont	Dechmont	Residential / mixed use (site area 5.5Ha) circa 100 units , density 20 houses per hectare	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0167	VION AGRICULTURE LTD / VION AGRICULTURE LTD	Fiona Clandillon, Ryden	Land at Clapperton, east of Pumpherston	Pumpherston	Residential led mixed use development (site area 95Ha)	5. EAST LIVINGSTON AND EAST CALDER
EOI-0168	MR W AITKEN / MR W AITKEN	Ally Campbell, Montagu Evans LLP	Land at Preston Farm, Linlithgow	Linlithgow	Residential use (site area 10Ha)	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0169	SHEENA BORTHWICK- TOOMEY / SHEENA BORTHWICK- TOOMEY	n/a	Land adjacent to Pumpherston Road, Mid Calder	Mid Calder	Residential use - Low density passive housing utilising the most up to date renewable energy sources ensuring individual units produce more energy than individual consumption. This low density development will be combined with the potential to promote working from home employment and a self sustainable lifestyle as far as possible. Provision of upgraded public foot and cycle path together with environmental upgrading of the riverbank, regeneration and management of the woodland surrounding the site.	5. EAST LIVINGSTON AND EAST CALDER
EOI-0170	STIRLING DEVELOPMENTS LTD / Neil and Marjorie Miller	n/a	East Coxydene Farm, Wilkieston	Wilkieston	Residential use (site area 6Ha)	5. EAST LIVINGSTON AND EAST CALDER
EOI-0170A	STIRLING DEVELOPMENTS LTD / The Blain Family (David & Campbell)	n/a	Coxydene	Wilkieston	Residential use (Site area 18Ha) approximately 330 houses)	5. EAST LIVINGSTON AND EAST CALDER
EOI-0171	STIRLING DEVELOPMENTS LTD / STIRLING DEVELOPMENTS LTD	n/a	Milrig Holdings, Kirknewton	Kirknewton	Residential use (site area 4.2Ha)	5. EAST LIVINGSTON AND EAST CALDER

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0172	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LoTHIAN COUNCIL) / WLC	Paul Furbank	Lammermuir-Owen Square, Livingston	Livingston	Residential / mixed use / town centre uses (tbc) (site area 2.284Ha)	4. LIVINGSTON SOUTH
EOI-0173	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LoTHIAN COUNCIL) / WLC	Paul Furbank	Toll Roundabout, Livingston	Livingston	Residential use / business use (site area 15.611 ha)	3. LIVINGSTON NORTH
EOI-0174	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LoTHIAN COUNCIL) / WLC	Paul Furbank	Bankton Playing Fields, Murieston West, Livingston	Livingston	Residential use (site area 3.3Ha) circa 119 units	4. LIVINGSTON SOUTH
EOI-0175	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LoTHIAN COUNCIL) / WLC	Graeme Carracher	Carledubs, Uphall	Uphall	Residential use (site area 3.247Ha) circa 117 units	2. BROXBURN, UPHALL AND WINCHBURGH
EOI-0176	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LoTHIAN COUNCIL) / WLC	Graeme Carracher	Site East of Glen Road Junction, Nelburn, Deans, Livingston	Livingston	Residential use (site area 0.77Ha) circa 28 units	3. LIVINGSTON NORTH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0177	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Graeme Carracher	Field east of former Travelling Peoples Site, Hardhill Road, Bathgate	Bathgate	Residential use (site area 2Ha) circa 72 units	8. BATHGATE
EOI-0178	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Graeme Carracher	Former Travelling Peoples Site, Hardhill Road, Bathgate	Bathgate	Residential use (site area 1Ha) circa 36 units	8. BATHGATE
EOI-0179	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Graeme Carracher	Site north of Deans Community High School, Deans, Livingston	Livingston	Residential use (site area 6.6Ha) circa 237 units	3. LIVINGSTON NORTH
EOI-0180	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Graeme Carracher	Rear of New Deans House, Glen Road, Deans, Livingston	Livingston	Residential use (site area 0.32Ha) circa 11 units	3. LIVINGSTON NORTH
EOI-0181	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Graeme Carracher	Rosebank, Kirkton Campus, Livingston	Livingston	To permit class 2 uses (as well as the established class 4 use) from the adopted WLLP allocation ELv39. site area 7.3Ha.	4. LIVINGSTON SOUTH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0182	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Graeme Carracher	Wester Inch, Bathgate	Bathgate	Residential use (site area 3.4Ha) circa 122 units	8. BATHGATE
EOI-0183	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Tracey Thomson	Beechwood Road, Blackburn	Blackburn	Residential use (site area 1.538Ha) circa 45 units	7. WHITBURN AND BLACKBURN
EOI-0184	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Tracey Thomson	Clarendon House, 30 Manse Road, Linlithgow	Linlithgow	Residential (subject to constraints), day centre, nursing home, education, function suite, hotel, restaurant, offices (site area 2.578Ha) circa 9-12 units	1. LINLITHGOW
EOI-0185	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Tracey Thomson	Community Centre & site of former filling station, Ash Grove, Blackburn	Blackburn	Residential and local centre uses (site area 0.778Ha) circa 28 units	7. WHITBURN AND BLACKBURN
EOI-0186	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Tracey Thomson	Parkhead, West Calder	West Calder	Residential and local centre uses (site area 8.827Ha), circa 303 units	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0187	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Tracey Thomson	Trindleyknowe, Whitehill Road, Blackburn	Blackburn	Residential use (site area 0.364Ha) circa 14 units	7. WHITBURN AND BLACKBURN

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0188	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Tracey Thomson	24 Royal Terrace, Linlithgow	Linlithgow	Residential use (one unit) (site area 0.090Ha)	1. LINLITHGOW
EOI-0189	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	Tracey Thomson	Almondvale Stadium, Alderstone Road, Livingston	Livingston	Town centre uses including retail, leisure, offices, business, recreational, an high density housing (site area 9.439Ha) circa 200 units	4. LIVINGSTON SOUTH
EOI-0190	WOODMUIR ESTATES / WOODMUIR ESTATES	Derek Blair, WD Blair Associates	Land surrounding Breich, south of the A71	Breich	HOUSING AND ANY ANCILLARY SERVICES (site area SITE 1: 21.9866 Hectares ; SITE 2 : 31.3840 Hectares)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0191	MESSRS KIRKWOOD / Messrs A & W Kirkwood	Derek Blair, WD Blair Associates	Land north of Blackridge, Heights Road, Blackridge	Blackridge	Residential use (site area 3.2Ha), circa 70 units	9. ARMADALE AND BLACKRIDGE
EOI-0192	ARDCRAIG DEVELOPMENTS LTD / ARDCRAIG DEVELOPMENTS LTD	Douglas Flett, Douglas G J Flett	Site at Wyndford Brae, Philpstoun	Philpstoun	Residential use - and amend settlement envelopes at Wyndford Brae, Philpstoun	1. LINLITHGOW
EOI-0193	AITHRIE ESTATES / Trinlaymire Farm, Aithrie Estates	Peter Allan, PPCA Ltd	Site west of Glendevon and south of Lampinsdub, west of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 22.7Ha) circa 409 units	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0194	AITHRIE ESTATES / Trinlaymire Farm, Aithrie Estates	Peter Allan, PPCA Ltd	Site east of Waterstone Farm and west of Glendevon, west of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 11.5Ha) circa 207 units	1. LINLITHGOW
EOI-0195	AITHRIE ESTATES / Trinlaymire Farm, Aithrie Estates	Peter Allan, PPCA Ltd	Site at Trinlaymire Farm, east of Threemiletown	Threemiletown	Mixed use - housing dominant (site area 16.4Ha) circa 295 units	1. LINLITHGOW
EOI-0196	HOPETOUN ESTATE / REGENCO WINCHBURGH LTD & AITHRIE ESTATES	Peter Allan, PPCA Ltd	Site at Fawnsparke, north west of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 16.3Ha) circa 293 units	1. LINLITHGOW
EOI-0197	AITHRIE ESTATES / DUNTARVIE & GALLOWSIDE, AITHRIE ESTATES	Peter Allan, PPCA Ltd	Site south of M9 motorway, south of Duntarvie Castle and north of Winchburgh	Winchburgh	Mixed use - housing or employment (site area 10.5Ha) circa 189 units	1. LINLITHGOW
EOI-0198	WINCHBURGH TRUST / NIDDRY MAINS & WINCHBURGH TRUST	Peter Allan, PPCA Ltd	Site west of Ross's Plantation, east of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 10.3Ha) circa 185 units	1. LINLITHGOW
EOI-0199	REGENCO, WINCHBURGH LTD / Niddry Castle Golf	Peter Allan, PPCA Ltd	Land at Niddry Mains Golf Club, south east of	Winchburgh	Mixed use - housing dominant (site area 31.2Ha) circa 562 units	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
	Club & Regent Partners and Regenco Winchburgh Ltd		Winchburgh			
EOI-0200	WINCHBURGH TRUST / Niddry Castle Bing & Winchburgh Trust Ltd	Peter Allan, PPCA Ltd	Site at Niddry Mains Bing, east of Winchburgh	Winchburgh	Mixed use - housing or employment (site area 30Ha) circa 540 units	1. LINLITHGOW
EOI-0201	WINCHBURGH TRUST / AITHRIE ESTATES	Peter Allan, PPCA Ltd	Site north of Niddry Castle, south of Winchburgh	Winchburgh	Mixed use - housing and employment (site area 9.4Ha) circa 169 units	1. LINLITHGOW
EOI-0202	AITHRIE ESTATES / Niddry Farm, Aithrie Estates	Peter Allan, PPCA Ltd	Site at Sewage Works, south of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 7.2Ha) circa 130 units	1. LINLITHGOW
EOI-0203	AITHRIE ESTATES / Niddry Farm, Aithrie Estates	Peter Allan, PPCA Ltd	Site North of Niddry Farm Cottages, south of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 7.9Ha) circa 142 units	1. LINLITHGOW
EOI-0204	AITHRIE ESTATES / Niddry Farm, Aithrie Estates	Peter Allan, PPCA Ltd	Site South of Niddry Farm Cottages, south of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 8.5Ha) circa 153 units	1. LINLITHGOW
EOI-0205	WINCHBURGH TRUST / Faucheldean & Winchburgh Trust	Peter Allan, PPCA Ltd	Site south of Faucheldean, south west of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 2.3Ha) circa 41 units	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0206	AITHRIE ESTATES / 12 Mile Lodge Field & Aithrie Estates	Peter Allan, PPCA Ltd	Site south of the Den, west of Winchburgh	Winchburgh	Mixed use - housing dominant (site area 8.4Ha) circa 151 units	1. LINLITHGOW
EOI-0207	REGENCO, WINCHBURGH LTD / Auldcathie Regenco Winchburgh Ltd	Peter Allan, PPCA Ltd	Site at Auldcathie Landfill Site, west of Winchburgh	Winchburgh	Golf course as restoration after-use for auldcathie landfill site (site area 75Ha)	1. LINLITHGOW
EOI-0208	MANOR FORREST LTD / MANOR FORREST LTD	n/a	Buchanan House, Kirkton North Road, Livingston (retail with possibility of a mixed use scheme) - site is within existing employment area boundary in adopted WLLP	Livingston	Retail with possibility of a mixed use scheme (site area 3.9Ha)	3. LIVINGSTON NORTH
EOI-0209	MANOR FORREST LTD / MANOR FORREST LTD	n/a	Buchanan House, Kirkton North Road, Livingston (housing) - site is within existing employment area boundary in adopted WLLP	Livingston	Residential (site area 3.9Ha) circa 90 units	3. LIVINGSTON NORTH
EOI-0210	MANOR FORREST LTD / MANOR FORREST LTD	n/a	Clarendon Farm, south of Linlithgow	Linlithgow	Residential (site area 26Ha) circa 60 units	1. LINLITHGOW

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0211	MR ROY HENDERSON / MR ROY HENDERSON	n/a	Land at Rhana Cottage, Armadale	Armadale	Amendment to settlement envelope requested on west side of Armadale for extended domestic garden (site area 0.40Ha)	9. ARMADALE AND BLACKRIDGE
EOI-0212	MR DANDY / unconfirmed	Annie Russell, Persimmon Homes East Scotland,	Site North or Almondell Terrace, East Calder	East Calder	Residential/mixed use tbc	5. EAST LIVINGSTON AND EAST CALDER
EOI-0213	MR DANDY / unconfirmed	Annie Russell, Persimmon Homes East Scotland,	Site east of Almond Grove, East Calder	East Calder	Residential/mixed use tbc	5. EAST LIVINGSTON AND EAST CALDER
EOI-0214	ALISTAIR MORRISON / unconfirmed (district wide issue)	n/a	Issues relating to cycling routes in West Lothian	District Wide	Enhancing of cycling routes throughout West Lothian, including specific proposals for development.	DISTRICT WIDE ISSUE
EOI-0215	MR DAVID A TOD / MR DAVID A TOD	n/a	Land at Blackhill Farm, west of Breich	Breich	Residential use (site area 21.41Ha)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0216	UPHALL ESTATES LTD / UPHALL ESTATES LTD	Mr JS MacGarvie, James Barr Ltd	Land at Uphall Industrial Estate, south of A89	Uphall	MIXED USE COMPRISING RETAIL, FOOD/DRINK, HOTEL, BUSINESS/EMPLOYMENT GENERATION AND RESIDENTIAL (Site Area circa 32 Ha, 150-200 units)	2. BROXBURN, UPHALL AND WINCHBURGH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
EOI-0217	MORAG CADZOW / unconfirmed	Morag Cadzow	Muirend Moorings	Uphall	Provision of Canal based moorings at Muirend south of Uphall	5. EAST LIVINGSTON AND EAST CALDER
EOI-0218	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	n/a	Recreation Park, to the Rear of Woodmuir Place, Breich	Breich	Residential (2.526 Ha 90-100 units)	6. FAULDHOUSE AND THE BREICH VALLEY
E01-0219	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	n/a	Rashiehill Terrace, Breich (site A)	Breich	Residential (2.07 Ha, 70 units)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0220	PROPERTY MANAGEMENT AND DEVELOPMENT (WEST LOTHIAN COUNCIL) / WLC	n/a	Rashiehill Terrace, Breich (site B)	Breich	Residential (1.315 Ha, 20 units)	6. FAULDHOUSE AND THE BREICH VALLEY
EOI-0221	SCOTTISH ENTERPRISE / SCOTTISH ENTERPRISE	Colliers International	Existing adopted WLLP site ELv24	Livingston	Residential (5.78Ha number of units tbc)	3. LIVINGSTON NORTH
EOI-0222	SCOTTISH ENTERPRISE / SCOTTISH ENTERPRISE	Colliers International	Existing adopted WLLP site ELv25	Livingston	Remove single user status and replace with general employment uses (Site area 12.9Ha)	3. LIVINGSTON NORTH
EOI-0223	SCOTTISH ENTERPRISE / SCOTTISH	Colliers International	Existing adopted WLLP site ELv26	Livingston	Wider range of uses should be identified, including class 6 storage and distribution (Site area 5.75Ha)	3. LIVINGSTON NORTH

WLC SUBMISSION REF	PROPOSER / SITE OWNER	PROPOSERS AGENT	LOCATION OF SITE	SETTLEMENT	SUMMARY OF SUBMISSION	COUNCIL WARD
	ENTERPRISE					
EOI-0224	SCOTTISH ENTERPRISE / SCOTTISH ENTERPRISE	Colliers International	Land north of allocation ELv27 in the adopted WLLP	Livingston	Wider range of uses should be identified, including class 6 storage and distribution (Site area circa 1Ha)	3. LIVINGSTON NORTH
EOI-0225	Mr Roy Orr / Mr Roy Orr	ABW Consultants	Wester Torrance Farm, south of Blackridge	Blackridge	Potential transportation, employment land and housing (Site area 31Ha, no number of units proposed)	9. ARMADALE AND BLACKRIDGE

COUNCIL EXECUTIVE 28.06.11



West Lothian
Council

COUNCIL EXECUTIVE

CLARENDON HOUSE ,30 MANSE ROAD, LINLITHGOW
PROPOSED LEASE OF LAND AND OUTBUILDINGS.

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To seek approval for the proposed lease to Linlithgow Town Management Group an area of land and out buildings in the grounds of Clarendon House, Manse Road, Linlithgow.

B. RECOMMENDATION

Council Executive is recommended to approve the lease of the land and outbuildings at Clarendon House, Manse Road, Linlithgow, to Linlithgow Town Management Group for a period of twenty years at an initial rental of £100 per annum and subject to the other terms and conditions contained in this report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Making best use of our resources.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Disposal of property governed by S74(2) of the Local Government (Scotland) Act 1973
III Resources - (Financial, Staffing and Property)	<p>The council will receive a rental of £100 per annum commencing from the date of entry with rent review every five years in line with RPI.</p> <p>All works associated with the proposal are being undertaken within existing resources.</p>
IV Consultations	Local Members have been provided a copy of the report for information.

D. TERMS OF REPORT

The land and buildings form part of the grounds of Clarendon House Manse Road, Linlithgow which is now closed and is to be disposed of in due course.

Linlithgow Town Management Group (Burgh Beautiful) have been looking for a new long term home for the project and part of the grounds of Clarendon House has been identified as suitable for their needs.

The proposed lease terms to Linlithgow Town Management Group (Burgh Beautiful) are as follows:

Subjects: An area of land of Circa 550 sqm and the outbuildings thereon are outlined in red on the plan - Appendix 1

Date of Entry: To be agreed between the parties

Term of Lease: Twenty Years

Rent and rent reviews: Rental of £100 per annum from date of entry with five yearly rent reviews increased by RPI.

Use: for the propagation and growing out of plants, trees and shrubs and their storage and that of related equipment and for no other purpose without the consent of the Landlord. The Premises shall not be open to the public for the retail sale of said plants etc at any time.

Termination of the Lease: - Can be earlier than 10 years if the tenant defaults in payment of rent or insurance, or any breach of obligation occurs or if the group becomes in any way insolvent etc

Repairing Standard: - In no worse a condition than shown in the Photographic Schedule which is to be completed.

Statutory Compliance: - The tenant is required to comply with all current and future Acts of parliament, and other laws and regulations including obtaining any planning permission or building warrant that may be required in order to use the land and buildings.

Outgoings: - The tenant is to pay any and all outgoing and where necessary to reimburse the council so items such as insurance.

Cost: - each part is to be responsible for their own costs in relation to the granting of the lease.

E. CONCLUSION

Council Executive approval of the proposed lease to Linlithgow Town Management Group is sought to facilitate the continuation of the groups work.

F. BACKGROUND REFERENCES

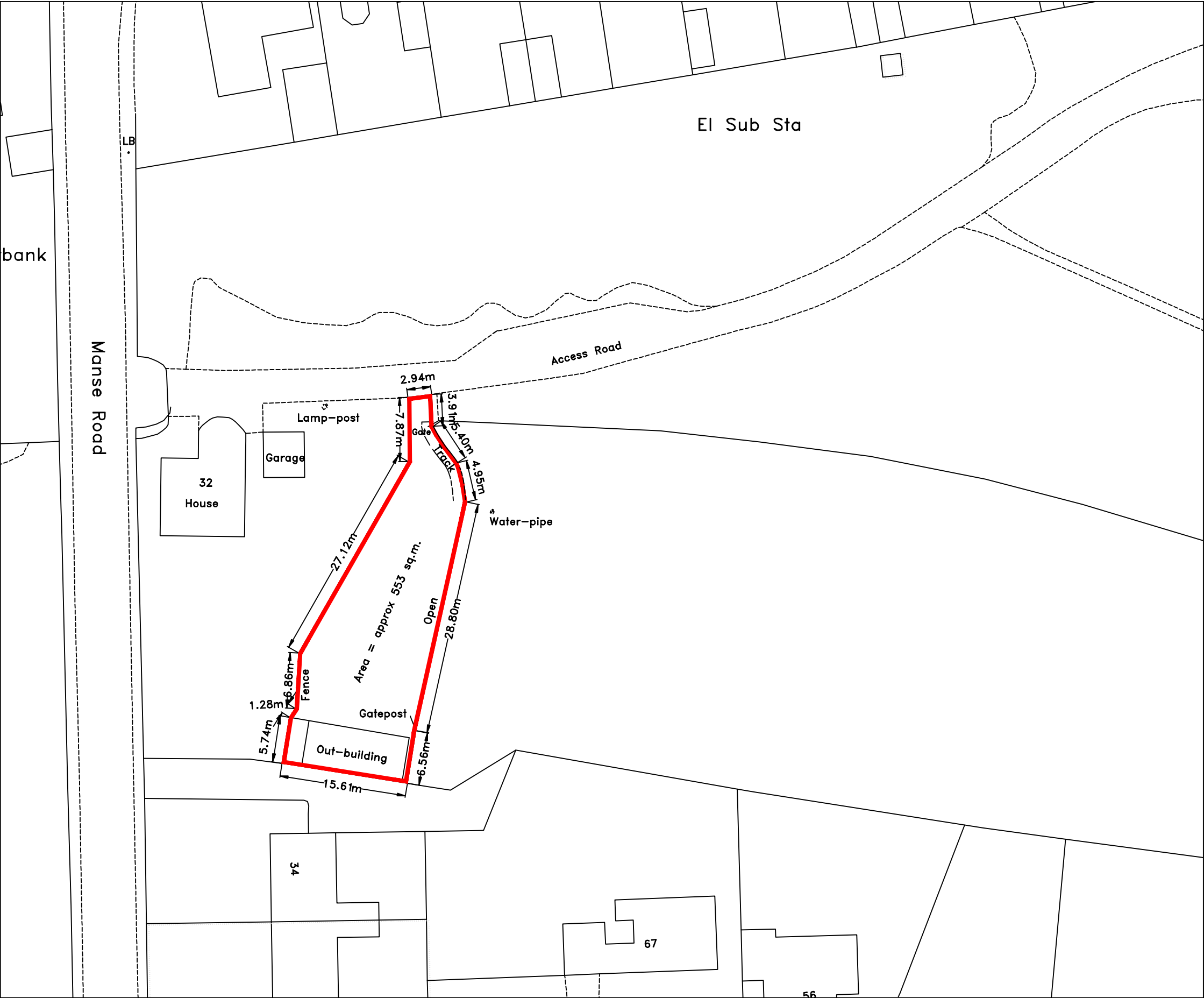
None

Appendices/Attachments: Appendix 1 – Draft plan of the grounds and outbuildings referred to in the report at Clarendon House, Linlithgow

Contact Person: Jack Orr or Tracey Thomson, Finance and Estates Services (01506) 281834
e-mail: - tracey.thomson@westlothian.gov.uk

Donald Forrest, Head of Finance and Estates

Date: 15 June 2011



Notes

All dimensions deemed to include the phrase "or thereby".
All dimensions to be checked on site.
Do not scale from drawings.

PROPERTY MANAGEMENT
WEST LoTHIAN COUNCIL
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

Job Title
Entrance to Clarendon House, Linlithgow

Drawing Title
Boundary plan

Scale 1/500	Date Surveyed 16 June 11	Job No.	Drawn by W.M.W.
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North arrow pointing up.

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West Lothian
Council

COUNCIL EXECUTIVE

ALMOND VALLEY HERITAGE TRUST – LAND FOR ADDITIONAL PARKING

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To seek approval for the extension of the existing leased area at Almond Valley Heritage Trust to allow proposed additional parking provision at the site.

B. RECOMMENDATION

Council Executive is asked to:

- a) approve the lease of an additional area of 960sq.m. or thereby at Millfield, Livingston Village, Livingston as shown hatched on the attached plan to the Almond Valley Heritage Trust, to be incorporated in the existing lease with no further changes save for the extent of the subjects of let,
- b) consider entering into a separate lease with the Trust in relation to the remainder of the adjoining development site (HLv106) to allow it to be used for overflow car parking until 2017, or such time as it is brought forward for development, and,
- c) instruct officers to examine the existing car parking resources to see what alternatives, if any, can be brought forward to increase existing parking resources.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Making best use of our resources Working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Requirement to formally alter the current lease agreement
III	Resources - (Financial, Staffing and Property)	Reduction in size of the adjoining residential development site
IV	Consultations	Almond Valley Heritage Trust Transportation Livingston North Local Area Committee

D. TERMS OF REPORT

Background

The current lease to the AVHT dates from 1991. Following discussions between the Trust and Council Officers, the area of lease was extended in early 2010. The purpose of the extension was twofold – to include an additional area for the operation of the miniature railway, and to facilitate a significant expansion of the current car park.

Since that time, the Trust has developed their car parking plans further resulting in a different layout. This layout means that some additional land out with the extent of the current lease will be required to facilitate the new car park. This will result in the loss of a small part of the adjoining residential development site HLv106.

In order to try and avoid the loss of additional land from the development site, officers have looked at various alternative layouts. However, none have been able to provide the desired number of spaces without any loss of and from the development site.

Current Position

As it has not been possible to provide an alternative to the current proposals which would avoid the loss of some land from the adjoining development site, the only course of action is to proceed with the current scheme as developed by the AVHT.

In order to provide the necessary parking an alteration to the previously altered lease will be required to extend the current boundary northwards to the extent shown cross hatched on the attached plan.

Apart from the slight increase to the total area being leased to the Trust, all other terms and conditions contained in the current agreement will remain unaltered.

Livingston North Local Area Committee

The extension of the lease as proposed above was considered by the Livingston North Local Area Committee on 16th June when concerns were expressed by members relating to the likely date of disposal of the development site at HLv106, and also the ongoing issue of car parking capacity at the Almond Valley Heritage Centre. It has since been confirmed that due to current education constraints, the site will not be available for disposal until 2017.

E. CONCLUSION

Given the lack of any alternative car parking layout which would avoid the loss of land from HLv106, it is in the best interests of the council and the Trust to proceed as outlined above.

F. BACKGROUND REFERENCES

Minute of variation and extension of lease between West Lothian Council and Almond Valley Heritage Trust registered 15th January 2010.

Report to Livingston North Local Area Committee – 16th June 2011

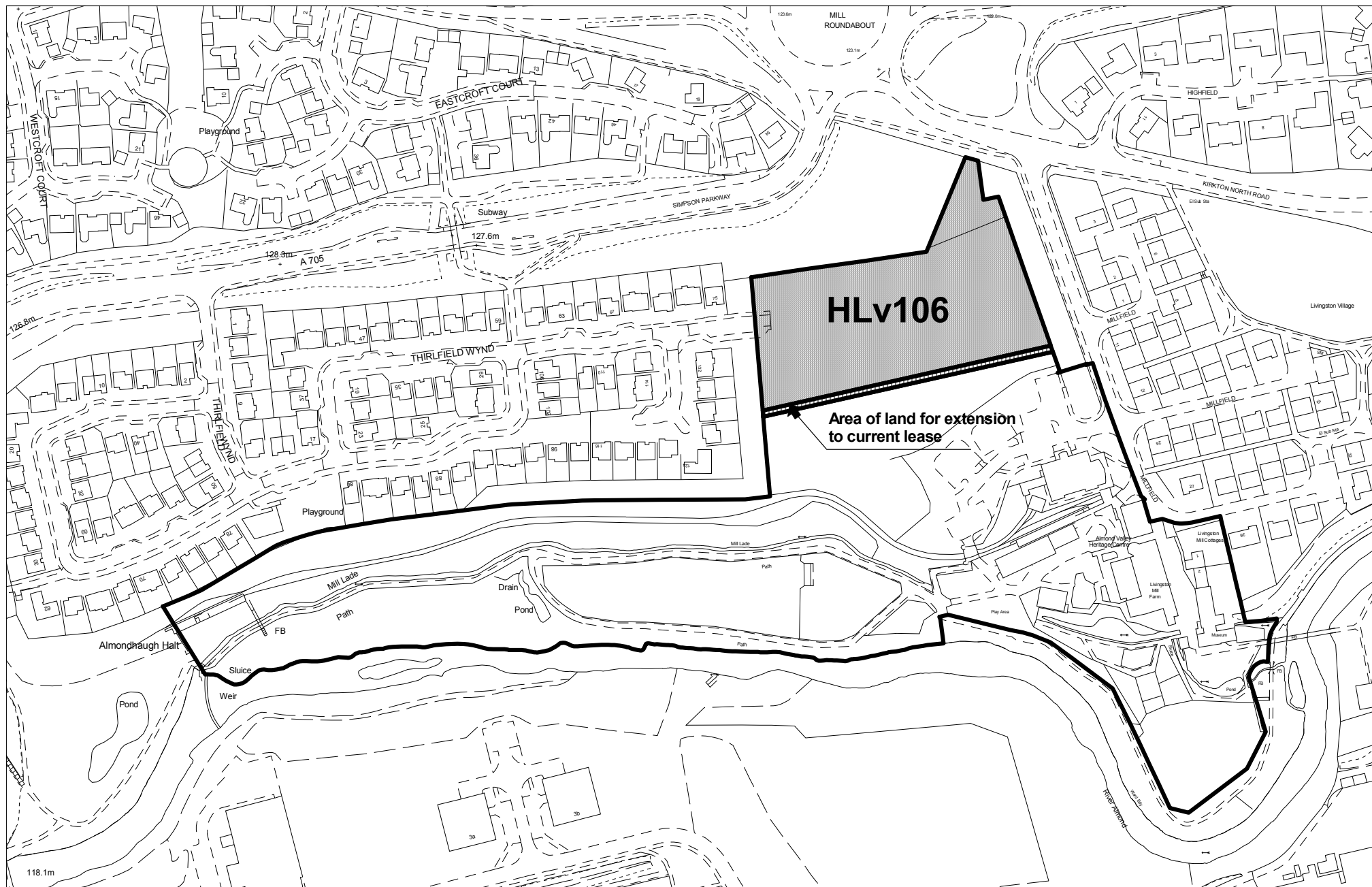
Appendices/Attachments: Plan showing proposed lease extension area
Plan from Almond Valley Heritage Trust showing proposed car park extension

Contact Person: Jack Orr, Estates Manager – Tel. 01506 281829

Email jack.orr@westlothian.gov.uk

DONALD FORREST, HEAD OF FINANCE AND ESTATES

Date: 22 June 2011



	Almond Valley Heritage Centre, Livingston Property Management & Development, Civic Centre, Livingston, West Lothian, EH54 6FF.	1:2500 11:32 23/06/2011	
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Scale 1:500





COUNCIL EXECUTIVE

FORMER WHITDALE ANNEXE & GROUNDS, EAST MAIN STREET, WHITBURN
PROPOSED SALE TO ALMOND HOUSING ASSOCIATION

REPORT BY THE HEAD OF FINANCE & ESTATES

A. PURPOSE OF REPORT

To obtain Executive approval for the disposal of the former Whitdale Primary School Annexe building and its associated grounds on East Main Street, Whitburn in accordance with the details outlined below.

B. RECOMMENDATION

Council Executive is recommended to:

- a) Approve the sale of the former Whitdale Primary School Annexe building and its associated grounds extending to 1.29 hectares on East Main Street, Whitburn to Almond Housing Association for the sum of £460,000 subject to the main terms and conditions set out below, and,
- b) Authorise the Head of Finance & Estates to carry out any further negotiations with the purchaser in respect of the sale of the site, including any required alteration of the purchase price, due to the discovery of abnormal costs, or the loss of developable units at the detailed planning stage, but only on the basis that any amended purchase price still represents the best capital receipt for the Council.

C. SUMMARY OF IMPLICATIONS

I Council Values	Making the best use of our resources.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Sale of property governed by S74(2) of the Local Government (Scotland) Act 1973.
III Resources - (Financial, Staffing and Property)	A capital receipt of £460,000 should be received from the sale of the premises during the financial year 2011/12. This receipt is included in the budgeted receipts target for the 2011/12 financial year.
IV Consultations	The elected members for the ward have been consulted on the contents of this report.

D. TERMS OF REPORT

Enterprise and Development Committee at its meeting on 8th November 2005 approved a report by the Head of Property Services for the sale of the former Whitdale Primary School Annexe building and its associated grounds to Almond Valley Homes Limited (AVHL). Formal missives of sale were concluded in December 2006 under which the site was to be developed for speculative private housing. The purchase price agreed under those missives was £1,246,000.

Those missives contained various suspensive conditions which had to be purified before the transaction would have concluded. Unfortunately, this coincided with the credit crunch and the extreme downturn in the UK residential property market. Despite Council officer's best efforts to settle the transaction, it finally collapsed in 2010 when the purchaser repeatedly failed to agree the terms of a Section 75 agreement and planning permission was formally refused.

The property was subsequently remarketed and two offers to purchase were received at a new closing date in November 2010, the higher of which came from Edinburgh Health Studio (No.2) Limited for a sum of £475,000. However, the company failed to follow up its interest and the offer was subsequently disregarded. The Council then contacted the only other bidder, which was Almond Housing Association.

Almond Housing Association offered £460,000 to purchase the property and their proposals would see the site redeveloped for social housing. The former annexe building would be converted into 10 flats and 36 new residential units would be built in the former school grounds. The local Planning Officer has indicated that the proposed scheme is in keeping with the terms of the current planning brief.

Previous experience in the sale of residential development sites has shown that all offers are heavily qualified in respect of what developer's term "abnormal costs". By their nature these costs are only identified once detailed site investigations and design works have been carried out after a legally binding agreement to sell the property to the developer has been entered into. Because of these unknown factors, there are occasions when developers seek to renegotiate the price payable due to increased cost factors that were unknown at the time of their original offer.

It is recommended therefore that delegated powers be granted to the Head of Finance and Estates to conclude any further negotiations that may be required with the purchaser, including any required amendment to the purchase price, provided always that the amended purchase price would still represent the best capital receipt for the Council.

E. CONCLUSION

It is considered to be in the Council's best interests to conclude a sale to Almond Housing Association for the sum of £460,000.

F. BACKGROUND REFERENCES

Paper to Enterprise & Development Committee of 8th November 2005: Former

Whitdale Primary School Annexe & Associate Grounds, East Main Street, Whitburn –
Report by Head of Property Services.

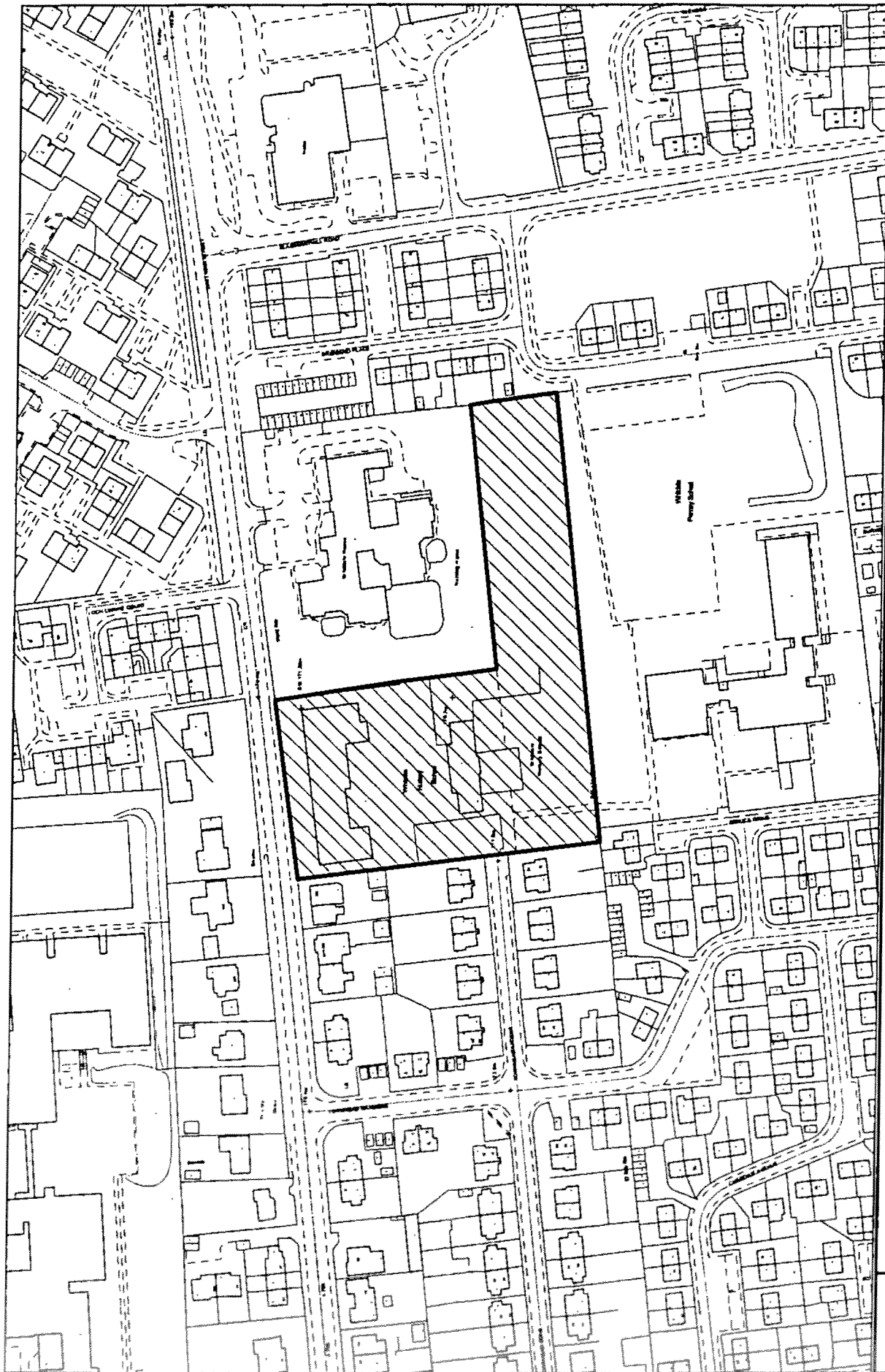
Appendices/Attachments: Location Plan

Contact Person: Scott Hughes (Tel. 01506 281825)

scott.hughes@westlothian.gov.uk

Donald Forrest, Head of Finance & Estates

Date: 14th June 2011



FORMER WHITDALE ANNEXE

Property Management, Lammermuir House, Livingston, West Lothian, EH54 6PW

1:2000

15:59 27/10/2005

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COUNCIL EXECUTIVE

2010/11 OUTTURN AND STATEMENT OF ACCOUNTS

REPORT BY HEAD OF FINANCE AND ESTATES SERVICES

A. PURPOSE OF REPORT

To advise the Council Executive of the 2010/11 budget outturn and the arrangements to make the 2010/11 Statement of Accounts available to members.

B. RECOMMENDATION

It is recommended that the Council Executive:

- Notes the 2010/11 budget outturn as at 31 March 2011;
- Notes the arrangements for making the 2010/11 Statement of Accounts available to members;
- Notes the Insurance Fund surplus of £2.5 million, arising from a fund revaluation, and agrees that this is transferred to the capital fund to be used as funding towards planned capital expenditure
- Notes the resulting uncommitted general fund balance of £3.322 million set out in this report, as at 31 March 2011

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable. Making best use of our resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The Local Government Accounts (Scotland) Regulations require the 2010/11 Statement of Accounts to be submitted to the authority and Controller of Audit by 30 June 2011</p> <p>This requirement has been fulfilled through lodgement of the Accounts with the Chief Executive in his role as Clerk to the Council, on 22 June 2011.</p>
III	Resources - (Financial, Staffing and Property)	The 2010/11 outturn position as set out in this report, will result in an uncommitted general fund balance of £3.322 million as at 31 March 2011.
IV	Consultations	The council's external auditor was consulted in relation to the requirements of the Local Government Accounts (Scotland) Regulations.

D. TERMS OF REPORT

1. Introduction

This report sets out the overall financial performance of the General Fund Revenue Budget for 2010/11 and provides information on how the outturn position has been arrived at for inclusion in the council's Statement of Accounts.

The Local Government Accounts (Scotland) Regulations require the unaudited 2010/11 Statement of Accounts to be submitted to the authority and to the Controller of Audit, by 30 June 2011. It was agreed with the external auditor that in fulfilment of this requirement, copies would be lodged with the Chief Executive, in his role as Clerk to the Council, and will be made available on request to the Head of Finance and Estates.

2. 2010/11 General Fund Outturn Position

The table below summarises the position in relation to the 2010/11 General Fund outturn. A brief narrative on the outturn position for each area is also provided.

	2010/11 Budget	2010/11 Actual	Variance
Service Expenditure	£'000	£'000	£'000
Education, Planning & Area			
Schools, Education Support	142,968	142,046	(922)
Area Services	29,915	29,920	5
Planning & Economic Development	8,394	8,139	(255)
 Corporate, Operational & Housing			
Operational Services	61,710	63,455	1,745
Housing, Construction & Building	5,525	4,918	(607)
Corporate Services	14,316	14,097	(219)
 WLCHCP & Social Policy	78,572	77,861	(711)
 Chief Executive, Finance & Estates	39,180	38,880	(300)
Joint Boards	21,048	21,002	(46)
Service Expenditure - Total	401,628	400,318	(1,310)
 Non Service Expenditure	11,264	6,823	(4,441)
 *Year End Accounting Entries to Reserves	(37,971)	(37,971)	0
 TOTAL EXPENDITURE	374,921	369,170	(5,751)
 Funded by			
Revenue Support Grant	(307,246)	(307,246)	0
Council Tax	(67,645)	(67,814)	(169)
Community Charge	(30)	(73)	(43)
TOTAL FUNDING	(374,921)	(375,133)	(212)
 TOTAL VARIANCE (GENERAL FUND UNDERSPEND)			(5,963)

* Relates to capital financing and pension reserve accounting entries that under the Code of Practice on Local Authority Accounting need to be included in the council's revenue outturn.

3. Summary of Service Expenditure Outturn Position

3.1 Education, Planning & Area Services

Schools with Education Support

The most significant element of the £922,000 underspend in this area relates to an increase of £708,000 in school carry forward balances. This brings the accumulated Devolved Schools Management (DSM) Reserves balance to £1.685 million. This was higher than anticipated but given the challenging financial position ahead, schools have looked to maximise savings available and preserve these so that these may be utilised in future years. In addition, savings totalling £215,000 were achieved across a number of non devolved budget areas and support services.

Area Services (including Arts and Sports & Outdoor Education)

The final position for Area Services was an overspend of £5,000. Cost pressures related mainly to Howden Park Centre but these were largely offset by staffing underspends.

Planning & Economic Development

The 2010/11 budget was underspent by £255,000 as a result of staff savings. The outturn position takes account of £196,000 of accelerated building warrant fee income carried forward for developments which are still to commence.

3.2 Community Health & Care Partnership and Social Policy

The Social Policy outturn is a £711,000 underspend, of which £163,000 relates to an underspend on the Senior Peoples Challenge Fund which will be carried forward to 2011/12. Demand led pressures remain a significant risk across client groups but the outturn position reflects material one off savings resulting from staff vacancies identified and part year savings arising from the Norvell Lodge Sheltered Housing Unit and the Forrest Walk Disability Unit, both of which will have full year costs in 2011/12.

3.3 Corporate, Operational and Housing Services

Corporate Services

The underspend of £219,000 in this area related mainly to the savings generated from the new telephone contract, the budget for which has been consolidated under Corporate Services. Additional savings were realised from staff vacancies.

Operational Services

Operational Services was overspent by £1.745 million in 2010/11. As previously reported, the main cause of this was the exceptional costs associated with winter maintenance which exceeded the budget by £3.310 million. An overspend also resulted from a shortfall in Countryside income. This overall overspend was partially offset across other areas of the service including reduced roads maintenance and NETs and Land services spend, as staff were deployed on winter maintenance work. Staff vacancies and one off income from the sale of vehicles also assisted in mitigating the total overspend.

Housing, Construction & Building Services

The budget for Housing, Construction and Building Services was underspent by £607,000. Staffing vacancies across the service were the main reason for the saving along with a saving against Homelessness strategy funding and furnishing costs. These savings were partially offset by an overspend on Private Sector Housing Grant costs, a pressure that has been funded in the 2011/12 budget.

3.4 Chief Executive, Finance & Estates Services

The underspend of £300,000 in Finance & Estates Services was mainly a result of one off staff savings and property cost savings, particularly electricity where the council received a one off refund of £170,000 from the utility provider.

3.5 Joint Boards

The underspend of £46,000 within Joint Boards relates to the council's confirmed share of an underspend on the 2009/10 Joint Valuation Board budget. A break even position was achieved on the Joint Board budgets for 2011/12.

4. Non Service Expenditure

There was an underspend of £4.441 million against the budget for Non Service Expenditure which includes housing and council tax benefits administration, the staffing change fund, insurance and pension costs.

Of this underspend value, £2.5 million relates to the Insurance Fund, arising from a fund revaluation, which it is proposed will be transferred to the capital fund, to help fund future capital investment. A further £1.916 million relates to an underspend against the ringfenced Staffing Change Fund and will be carried forward to 2011/12 to help allow progress of the council's financial strategy and assist in the objective of delivering future staff reductions in a planned and voluntary manner.

5. Funding in 2010/11

Within funding, there was an over-recovery of £212,000 which related to a slightly better position than anticipated on council tax and community charge collection. This was due to an increase in prior year debt collection which resulted in a lower than anticipated bad debt write-off at the financial year end.

6. General Fund Balance

As noted above, the 2010/11 General Fund outturn was an underspend of £5.963 million. The table below shows the resulting movements in the General Fund Balance.

2010/11 Revenue Budget Outturn - Movement in General Fund Reserves			
Description	Balance 1/4/2010 (£'000)	Movement for Year (£'000)	Balance 31/3/2011 (£'000)
Education – Delegated Schemes	977	708	1,685
Energy Efficiency Fund	483	(16)	467
Development Plan Project Team	160	0	160
Staffing Change Fund	5,896	1,916	7,812
Senior Peoples Challenge Fund	0	163	163
Capital Resources (Insurance surplus)	0	2,500	2,500
Earmarked Balances	7,516	5,271	12,787
Uncommitted Balance	2,630	692	3,322
Total General Fund Balance	10,146	5,963	16,109

Taking account of the above, there remains a net underspend of £692,000. Adding this sum to the uncommitted General Fund Balance would result in an uncommitted General Fund balance of £3.322 million as at 31 March 2011. The council's target minimum figure is £2.5 million.

7. General Services Capital

The General Services Capital outturn in 2010/11 is £46.740 million against a budget, after over programming, of £55.179 million. This represents an underspend of £8.439 million which is attributed to slippage in the programme. The slippage has been carried forward and incorporated in the general services capital budget, which is being reported separately at this meeting.

8. Housing Accounts

The Housing revenue Account reported a breakeven position for 2010/11. The previously carried forward HRA balance of £926,000 is therefore unchanged and is available to meet unforeseen costs in future years.

The Housing Capital outturn for 2010/11 was £19.996 million against a budget of £22.599 million, resulting in an underspend of £2.603 million for the year. The underspend relates to project slippage which will now be delivered in 2011/12, with the relevant budgets rolling forward to 2011/12.

The outturn position for both these areas is covered in more detail in separate reports to this meeting.

E. CONCLUSION

The unaudited Statement of Accounts was completed in June 2011 and was submitted to the Clerk of the Council on 22 June 2011. Copies are available to all elected members on request to the Head of Finance and Estates. A copy of the Statement of Accounts has been submitted to the Controller of Audit.

Contact Person: patrick.welsh@westlothian.gov.uk - Tel No. 01506 281320

Donald Forrest

Head of Finance and Estates Services

Date: 23 June 2011



COUNCIL EXECUTIVE

GENERAL SERVICES CAPITAL BUDGET

REPORT BY HEAD OF FINANCE AND ESTATES SERVICES

A. PURPOSE OF REPORT

To enable the Council Executive to agree an updated general services capital budget for 2011/12 to 2017/18, following consultation with Local Area Committees.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Approves the capital budgets for 2011/12 to 2017/18, as set out in the report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on customers' needs, being honest, open and accountable, making best use of resources, working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Capital spending by local authorities is governed by the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code). The Code provides flexibility in determining capital investment strategies, on the basis that plans are affordable, prudent and sustainable.
III Resources - (Financial, Staffing and Property)	Capital budgets for the seven years 2011/12 to 2017/18 total £208.962 million. The capital budget in 2011/12 is £49.570 million.
IV Consultations	<p>The nine Local Area Committees (LAC's) were consulted on the proposed capital investment for their ward area. In addition, following identification of additional resources of £6.8 million, additional capital investment is proposed and is outlined in appendix 3. Consultation has taken place with the asset lead officers.</p> <p>Asset Lead Officers will provide asset performance management reports to relevant Policy Development and Scrutiny Panels.</p>

D. TERMS OF REPORT

1. Background

The Council Executive, on 20 November 2007, approved a ten year capital investment and asset management strategy for 2008/09 to 2017/18. This was a culmination of an exercise involving business cases for investment and a corporate prioritisation process. To enhance reporting, it was agreed that annual updates would be provided to each Local Area Committee to inform members of the progress in their ward.

In response to a number of material underspends within the programme and identification of other one off funding options, officers have proposed additional capital investment for the financial year 2011/12 and beyond.

2. 2010/11 General Services Capital Programme Outturn

The final outturn position shows expenditure in 2010/11 of £46.740 million. The summarised final outturn position is shown in the table below, with a more detailed analysis provided in appendix 1:

<u>Asset Category</u>	Updated Budget £'000	Spend to 31 March 2010 £'000	Actual Variance £'000
ICT Assets	4,256	3,104	(1,152)
Open Space Assets	6,366	5,481	(885)
Property Assets	32,962	26,514	(6,447)
Roads Assets	11,096	8,252	(2,845)
Other Assets	4,678	3,389	(1,289)
Overprogramming	(4,000)	N/A	4,000
Total Expenditure	55,358	46,740	(8,618)

The outturn for 2010/11 is a net slippage position, after over programming, of £8.618 million, largely as a result of the adverse weather conditions experienced during the winter which impacted upon access and ground conditions. A variety of projects were effected including Pumpherston and Uphall Primary School, Meldrum Primary School, Disability Discrimination Act Compliance investments along with the parks, cemeteries and road programmes.

In addition, net slippage of £1.058 million occurred within the 2010/11 property planned improvements programme as a consequence of factors including asbestos, school access and programming issues.

In terms of delivery, actual spend of £46.740 million demonstrates continued progress in delivering the council's capital investment plans. Officers have reviewed the detailed 2010/11 outturn and provided updated budgets for 2011/12, incorporating carry forwards from 2010/11

3. LAC Consultation

As part of the agreed annual consultation process, the LACs were consulted at the start of June. Members were asked to consider the content of the budgets and the scheduling of individual projects over the next two years. The comments received during the consultation exercise have been considered and incorporated in the updated plan. A summary of the main points is included in appendix 2 for information.

4. Additional Capital Investment

As monitoring of the 2010/11 capital programme progressed towards the end of the financial year, it became apparent that there were a number of material underspends in the programme. In addition some other one off funding options have also been identified by officers.

Asset Lead Officers were asked to identify priority areas for capital investment, including potential spend to save schemes. Strategic Outline Business Cases were drafted for a number of asset areas and were discussed at the Capital Working Group (CWG) to identify priority schemes for investment. The proposed capital investment arising from the CWG's discussions is attached in appendix 3. The expenditure budget requirements identified by the CWG total £6.808 million.

These proposed changes to the capital programme are all identified by the CWG as contributing to the continued best use of the council's assets for the wider community and to service delivery in West Lothian.

The funding for the proposed changes to the programme comes from three key sources. Firstly a net capital programme saving of £2.508 million has been identified during the course of 2010/11 budget monitoring. The saving relates to four projects, namely ICT Worksmart, Pumpherston & Uphall Station Primary School new build, Meldrum Primary School upgrade and Woodmuir Primary.

Secondly the council's insurance fund was revalued at the start of this financial year by HJC Actuarial Consulting Ltd. It was determined the actual value of the council's fund was in excess of the actuarial value required. A sum of £2.5 million is therefore available for other spending priorities, such as capital projects.

Finally an exercise has been undertaken by Finance & Estates Services to review the outstanding loans fund debt inherited by the council at reorganisation. The review allowed historic debt to be combined into one advance with a repayment period of 30 years ensuring that all historic debt is treated consistently. This change identified one off treasury savings of £1.8 million and this sum is available to fund other spending priorities.

There is also additional investment in green improvements to boiler systems noted in appendix 3 which will help deliver longer term savings for the council. This spend to save investment can be funded through the application of revenue savings to allow prudential borrowing, which will deliver a net saving for the revenue budget and reduce energy consumption and carbon emissions.

5. Updated Capital Plan

An extensive exercise was completed with asset lead officers to ensure that project phasing within the plan is realistic and achievable. Total proposed investment for the period 2011/12 to 2017/18 is £209.962 million, a detailed breakdown is provided in appendix 4. The investment by asset category is:

Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000
ICT	4,975	3,558	2,100	1,615	2,209	2,230	2,202	18,889
Open Space	4,159	2,782	2,195	1,449	1,403	1,453	1,506	14,947
Property	26,071	20,296	21,895	12,030	8,725	7,131	6,546	102,694
Roads	12,047	11,446	9,834	6,975	7,651	7,442	6,893	62,288
Other	2,318	2,490	1,031	1,049	1,067	1,086	1,103	10,144
Total Investment	49,570	40,572	37,055	23,118	21,055	19,342	18,250	208,962

6. Capital Resources

To fund the general services capital investment there are various sources of projected funding identified as follows:

Projected Resources – 2011/12 to 2017/18

Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000
Government Grants	13,006	3,000	3,000	3,000	3,000	3,000	3,000	31,006
Capital Receipts	1,500	11,797	10,236	2,105	3,884	1,758	2,706	33,986
Capital Fund	0	25,047	0	0	0	0	0	25,047
Other Contributions	6,619	355	1,916	1,550	1,754	1,000	1,000	14,194
Borrowing	24,445	373	21,903	16,463	12,417	13,584	11,544	100,729
Overprogramming	4,000	0	0	0	0	0	0	4,000
Total Investment	49,570	40,572	37,055	23,118	21,055	19,342	18,250	208,962

In overall terms, I would assess that the revised resource projections are achievable, however I would stress that implementation remains heavily dependent on substantial capital receipts in 2012 to 2014, against which there are considerable risks. Capital receipts have been adjusted in 2011/12 to reflect a realistic assessment of what can be achieved, however officers will review the achievability of future budgeted capital receipts in 2011 and provide an update to elected members in due course. Contingency strategies have been identified to mitigate the impact of any delay in generating capital receipts.

At this stage, the nature and type of future government support for local authorities is to be clarified and there are ongoing discussions between COSLA and the Scottish Government on this issue. Further information will be available following spending review announcements later this year.

In the Treasury Management Strategy for 2011/12 it was planned to utilise £25 million of the capital fund for the general services capital programme in that year. Following a review of capital resources and the interest rate environment, it is proposed that use of the capital fund is deferred until 2012/13. This proposal has been discussed with the council's treasury advisors, Sector, and is deemed appropriate as interest rates are set to rise in the near future. Rephasing will ensure that borrowing required for the capital programme is secured at a beneficial rate to the council, ensuring best value in treasury management.

The capital budget for 2011/12 includes £4 million of overprogramming. Given the risks inherent within a budget made up of a great volume of projects, this level of overprogramming is considered realistic. Resources will continue to be carefully monitored and updates provided in line with reporting requirements.

7. Corporate Asset Management

The Corporate Asset Management Plan agreed by the Council Executive in November 2007 includes a number of asset management objectives which outline the council's vision for effective management of assets. To be able to demonstrate best value, management of performance in relation to agreed asset objectives is necessary. Asset lead officers have therefore identified a range of initiatives and indicators for each asset objective, with performance data being held within the Covalent performance management system and reported on an annual basis to elected members.

8. Other Factors to be taken into Account

The Prudential Code requires the council to take account of a number of factors when agreeing capital spending plans. In overall terms I would assess that the capital plan remains affordable. The revenue implications are incorporated within agreed revenue budgets and loan charge projections continue to indicate plans are prudent, affordable and sustainable. All aspects of the programme are geared to securing Best Value however it may be necessary, on occasion, to rephase budgets for operational reasons or to ensure best value.

The capital working group continues to coordinate the longer term integrated approach to capital planning and asset management. Officers continue to manage risk and uncertainties with ongoing monitoring and control arrangements. This ensures focus is on delivery of the capital programme within approved budgets and timescales.

E. CONCLUSION

This report sets out the detailed capital investment programme for seven years 2011/12 to 2017/18. Progress is being made on implementing the original ten year capital investment strategy and officer proposals presented in this note will ensure that the detailed five year programme reported in April 2008 can be delivered.

Approval of the revised programme will allow the ongoing implementation of the capital plan to proceed resulting in significant improvements to services provided by the council and to the overall asset infrastructure throughout West Lothian.

F. BACKGROUND REFERENCES

General Services Capital Budget 2010/11 to 2012/13 – report by Head of Finance and Estates to Council Executive 29 June 2010

Treasury Management Strategy for 2011/12 – report by Head of Finance and Estates to West Lothian Council on 8 March 2011

Appendices/Attachments:

Appendix 1 – General Services Capital Outturn 2010/11

Appendix 2 – Local Area Committees Consultation Matters Arising June 2011

Appendix 3 – General Services Revisions to the Programme & Prudential Borrowing

Appendix 4 – General Services Capital Plan 2011/12 to 2017/18

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Date: 20 June 2011

	ANNUAL BUDGET 2010/11 £'000	TOTAL KNOWN COMMITMENT TO YEAR END £'000	PROJECTED VARIANCE 2010/11 £'000	Variance Analysis
ICT ASSETS				
Corporate IT Projects	2,415	2,167	(248)	Slippage
Civic Centre Projects	696	182	(514)	Slippage
Education Projects	855	486	(369)	Slippage
Modernisation / Worksmart Projects	290	269	(21)	Slippage
TOTAL ICT ASSET EXPENDITURE	4,256	3,104	(1,152)	
OPEN SPACE ASSETS				
<u>Open Space and Sports Facility Projects and Strategy</u>	3,230	2,669	(561)	Slippage
<u>Open Space Parks Drainage</u>	320	272	(48)	Slippage
<u>Land Decontamination</u>	163	30	(133)	Saving
<u>Children's Play Areas</u>				
Beecraigs Country Park Play Area	200	196	(4)	Saving
Other	550	757	207	Accelerated
Total Children's Play Areas	750	953	203	
<u>Synthetic Turf Pitches</u>				
Armadale Academy 3G Surfaces	100	100	0	On Budget
Balbardie Park & Bankton Mains	259	236	(23)	Slippage
Other	49	53	4	Overspend
Total Synthetic Turf Pitches	408	389	(19)	
<u>Cemeteries</u>				
Cemetery Provision	1,430	1,099	(331)	Slippage
Memorial Safety Works	65	69	4	Overspend
Total Cemeteries	1,495	1,168	(327)	
TOTAL OPEN SPACE ASSET EXPENDITURE	6,366	5,481	(885)	
PROPERTY ASSETS				
<u>Planned Improvements</u>				
Arts Venues	162	132	(30)	Slippage
Community Centres & Halls	414	277	(137)	Slippage
Country Parks	185	115	(70)	Slippage
Football Pavilions	188	130	(58)	Slippage
Libraries	104	50	(54)	Slippage
Operational Offices	489	388	(101)	Slippage
Primary Schools	1,982	1,513	(469)	Slippage
Residential Care Accommodation	163	226	63	Overspend
Secondary Schools	633	600	(33)	Slippage
Miscellaneous Planned Improvements	1,035	866	(169)	Slippage
Total Planned Improvements	5,355	4,297	(1,058)	
<u>Property Projects</u>				
Civic Centre	184	171	(13)	Slippage
Bathgate Partnership Centre	2,632	2,830	198	Accelerated
Blackburn Partnership Centre	0	4	4	Accelerated
Fauldhouse Partnership Centre	158	897	739	Overspend
<u>Education General Projects</u>				
Inverlmond Community High School Major Refurbishment	755	751	(4)	Saving
James Young High School Major Refurbishment	501	888	387	Overspend
Linlithgow Academy School Capacity	810	264	(546)	Slippage
Meldrum Primary School Major Refurbishment	805	343	(462)	Slippage
Pinewood School - 5 Class Base Extension/Remove Swimming Pool	440	366	(74)	Slippage
Pumpherstons and Uphall Station Primary School	2,194	1,262	(932)	Slippage
St Kentigern's Academy Major Refurbishment	538	140	(398)	Saving
St Margaret's Academy Extension Phase 2	1,761	1,331	(430)	Slippage
St Mary's Primary School Bathgate	264	30	(234)	Slippage
Upgrade of Machinery in CTD Departments	149	93	(56)	Saving
Upgrades to School Kitchens	160	151	(9)	Saving
Miscellaneous School Projects	799	1,116	317	Overspend
	9,176	6,735	(2,441)	
<u>Education Class Size Reductions</u>				
Blackridge Primary School - Single Class Base Extension	273	232	(41)	Slippage
Class Size Reduction Adaptations in Primary Schools	83	33	(50)	Slippage
Longridge Primary School Hall and CSR	1,487	1,234	(253)	Saving
Miscellaneous Class Size Reductions	40	3	(37)	Slippage
	1,883	1,502	(381)	

	ANNUAL BUDGET 2010/11 £'000	TOTAL KNOWN COMMITMENT TO YEAR END £'000	PROJECTED VARIANCE 2010/11 £'000	Variance Analysis
<u>Cultural Services General Projects</u>				
Armadale Community Centre	72	22	(50)	Slippage
Bathgate Swimming Pool - new facility	901	466	(435)	Slippage
Burgh Halls - renovation	1,326	1,377	51	Accelerated
Burgh Halls IT, Fit Out Costs	163	101	(62)	Slippage
Craigshill Community Facilities - enhancement	500	7	(493)	Slippage
Crofthead Community Education Centre	50	0	(50)	Slippage
Forestbank Community Centre/ Heatherbank Drop In Facility	378	383	5	Overspend
Howden Park Centre - furniture	37	39	2	Overspend
Howden Park Centre - improvements	290	196	(94)	Slippage
Livingston Station Community Centre - new centre	1,210	918	(292)	Slippage
Mid Calder Pavilion	328	34	(294)	Slippage
Outdoor Changing Pavilions - Armadale	470	413	(57)	Slippage
WLL Transfer of Assets	179	0	(179)	Slippage
	5,904	3,956	(1,948)	
<u>Social Policy Projects</u>				
Broxburn Family Support Unit	7	4	(3)	Saving
Broxburn OAP Building - refurbishment	95	90	(5)	Slippage
Housing with Care Scheme	217	0	(217)	Slippage
Learning Disability Care Support Campus	2,771	3,020	249	Accelerated
Respite Care Unit for Adults	317	586	269	Accelerated
	3,407	3,700	293	
Miscellaneous Projects	2,182	810	(1,372)	Slippage
Total Property Projects	25,526	20,601	(4,925)	
<u>Statutory Compliance</u>				
General Statutory Compliance	734	607	(127)	Slippage
Disability Discrimination Act Compliance	1,113	854	(259)	Slippage
Control of Legionella	234	156	(78)	Slippage
Total Statutory Compliance	2,081	1,617	(464)	
TOTAL PROPERTY ASSET EXPENDITURE	32,962	26,514	(6,447)	
ROADS ASSETS				
<u>Roads and Footpaths</u>				
<u>Roads</u>				
A Class Roads	293	317	24	Overspend
B Class Roads	218	137	(81)	Slippage
C Class Roads	455	426	(29)	Slippage
U Class Roads	744	703	(41)	Slippage
Non Adopted Roads	280	193	(87)	Slippage
General Roads Projects	778	619	(159)	Slippage
	2,768	2,395	(373)	
<u>Footways</u>				
Adopted Footways	664	487	(177)	Slippage
Non Adopted Footways	86	24	(62)	Slippage
	750	511	(239)	
<u>Flood Prevention and Drainage</u>				
Flood Prevention and Drainage	175	101	(74)	Slippage
Broxburn Flood Prevention Scheme	1,527	420	(1,107)	Slippage
	1,702	521	(1,181)	
Total Roads and Footpaths Projects	5,220	3,428	(1,793)	
Road Lighting	1,190	1,044	(146)	Accelerated
<u>Structures and Transportation</u>				
<u>Road Safety</u>				
Road Casualty Reduction Scheme	235	125	(110)	Slippage
Speed Limits Review and Implementation	57	4	(53)	Slippage
Cycling, Walking and Safer Streets Grant	443	246	(197)	Slippage
Cousland Road/Peel House Footpath	114	129	15	Overspend
	849	504	(345)	
<u>Traffic Management</u>				
A71/U28 Linburn - bus priority traffic signals	160	200	40	Overspend
Blackridge Station	1,522	1,460	(62)	Slippage
Disabled Parking Act Implementation	80	82	2	Overspend
Linlithgow Parking Strategy	461	422	(39)	Slippage
Solar Powered Bus Shelters	20	0	(20)	Slippage
Other	144	173	29	Overspend
	2,387	2,337	(50)	

	ANNUAL BUDGET 2010/11 £'000	TOTAL KNOWN COMMITMENT TO YEAR END £'000	PROJECTED VARIANCE 2010/11 £'000	Variance Analysis
<u>Structures</u>				
Adopted Bridges - Assessment and Strengthening of Weak Bridges	1,018	613	(405)	Slippage
Adopted and Non Adopted Bridges - Backlog and Lifecycle Investment	432	326	(106)	Slippage
	1,450	939	(511)	
Total Structures and Transportation Projects	4,686	3,780	(906)	
TOTAL ROADS ASSET EXPENDITURE	11,096	8,252	(2,845)	
OTHER ASSETS				
Traditional Town Centres	3,276	2,580	(696)	Slippage
<u>Miscellaneous Other Assets</u>				
Air Quality Monitoring	5	0	(5)	Slippage
Library Book Fund	438	418	(20)	Slippage
Waste Capital Projects	430	296	(134)	Slippage
Other	529	95	(434)	Slippage
Total Miscellaneous Other Assets	1,402	809	(593)	
TOTAL OTHER ASSET EXPENDITURE	4,678	3,389	(1,289)	
Overprogramming	(4,000)		4,000	
TOTAL - ALL ASSETS	55,358	46,740	(8,619)	

APPENDIX 2 – Local Area Committee Consultation Points (June 2011)

LAC Meeting and Date	Point Raised	Action Taken / Response
Livingston South 3 June 2011	Mosswood Community Centre and Livingston Village Play Area were wrongly included in the budget information for Livingston South	Records updated to show budgets against correct ward
Livingston South 3 June 2011	Spend on Bankton Mains project in 2010/11 to be confirmed as project is split between two wards.	Spend in 2010/11 was for Balbardie and relates to an outstanding payment as the contractor entered administration soon after project completion of in August 2010. The Bankton project was finished in December 2009 and was included in spend for 2009/10.
Armadale & Blackridge 3 June 2011	Update to be provided on progress of Ochilview Square (both town centre and HRA elements)	<p><u>Town Centre Works</u> Final plans are being prepared. Anticipated tender date August with start on site late September 2011.</p> <p><u>HRA Works</u> Draft plans have been agreed with residents and final plans are being prepared. Anticipated tender date late July with start on site September 2011. Economic Development and Housing are in discussions to establish whether both projects can be combined into one contract. The LAC will be kept informed of progress.</p>
Armadale & Blackridge 3 June 2011	Confirmation required on the location and type of improvements to the B718 Westcraigs Bridge	Westcraigs Bridge lies approximately 200 metres south of the A89/Craiginn Terrace/Heights Road/Westcraigs Road junction in Blackridge. It carries the B718 single carriageway over Barbauchlaw Burn. The proposed works will involve the replacement of sub-standard steel bridge deck elements carrying the western footway and eastern verge with precast concrete beams and steel parapets. Currently at detailed design stage liaising with Utility Undertakers in order to assess the best means of replacement.

LAC Meeting and Date	Point Raised	Action Taken / Response
Armadale & Blackridge 3 June 2011	Will the capital programme improve the percentage allocation of capital investment to Armadale & Blackridge ward?	Capital investment is allocated to wards on the basis of need. Budget is allocated in line with the condition and suitability of assets and the required work to address these. This approach ensures that the council can maintain its assets for service delivery. The allocation of block budgets for the five year period 2013/14 to 2017/18 will be based on asset condition surveys.
Armadale & Blackridge 3 June 2011	Further information requested on the works planned/undertaken at Craignn Community Centre including plans for access & opening hours	Works proposed are minor in nature and relate primarily to disabled access improvements. Consultation with the building manager will take place on these and the timing of works. It is envisaged that these will not be detrimental to public access or opening hours.
Armadale & Blackridge 3 June 2011	Roof leak at Armadale Community Centre & Library needs to be addressed	Community centre roof recoating has been tendered with a contractor to be appointed. Works to commence as soon as contractor is appointed.
Armadale & Blackridge 3 June 2011	Request made that the benches at the CIS office in Armadale be made level.	A report was provided to members showing that it is possible to re-align the benches using one of two methods. Both methods would involve a cost and the benches would be out of commission for a minimum of four weeks. It is our advice that the benches are within the current guidance and to re-align them would not be aesthetically pleasing nor lend to a comfortable sitting experience.
Armadale & Blackridge 3 June 2011	Confirmation of works planned for B8028 Avonbridge to Westfield Section 3	This scheme will consist of the provision of a new road surface over a section of the B8028. The benefits will deliver a better running surface with improved skid resistance together with new road markings. These works will be delivered during 2012/13.

LAC Meeting and Date	Point Raised	Action Taken / Response
Whitburn & Blackburn 6 June 2011	Information to be provided regarding detail of non adopted roads and footpaths work to be undertaken in 2011/12	Schemes for the non adopted network within the ward have not yet been identified. The concentration of design resource is currently being directed to the larger schemes associated with the classified areas of our network. Consultation with members will commence to identify any areas of concern they may wish to address. It is estimated that a final programme will be established within the next two months.
Whitburn & Blackburn 6 June 2011	Request for improved fencing security measures at St Joseph's Primary School	A building warrant application is being made for the erection of a new security fence. This will be funded from existing budgets.
Whitburn & Blackburn 6 June 2011	Information to be provided on costs incurred in 2010/11 for extension of Pavilion at Whitburn Academy	The costs incurred in 2010/11 were staffing costs relating to feasibility and draft proposals for the change from a pavilion to a pitch. The budget has now been transferred from property to open space in line with asset classifications.
Whitburn & Blackburn 6 June 2011	Confirmation required on the estimated costs anticipated for Murraysgate Hall roof improvements.	Cost includes works that are based on the existing fit out and may be reduced. Officers are currently working on the proposed costs and ways to accommodate project within the approved budget.
Linlithgow 7 June 2011	Will the remaining budget for Linlithgow Parking Strategy be used for St Ninians?	Proposed project is to provide coach parking off St Ninians Way. It is currently in design and feasibility stage so there may be some amendments to the scheme.
Linlithgow 7 June 2011	Confirmation required on what the planned improvement budget for Rivaldsgrreen will be used for as it was thought that this building was to be demolished.	This budget is to cover the costs of demolition. There will be no other planned maintenance works at this site.

LAC Meeting and Date	Point Raised	Action Taken / Response
Broxburn, Uphall & Winchburgh 9 June 2011	Further information required on the proposed works involved in the Uphall KGV pavilion minor refurbishment project for 2011/12	The Uphall KGV play area budget is for the improvement/ replacement of an existing play park. Officers are currently consulting with service users regarding play park provision and will install suitable new equipment following the consultation.
Broxburn, Uphall & Winchburgh 9 June 2011	Update required on what proposals are in place for Dechmont Park upgrade	Upgrade will consist of improved drainage, planting and minor works. The community will be consulted on the proposals.
Broxburn, Uphall & Winchburgh 9 June 2011	An update to be provided on improvement works planned at Strathbrock Partnership Centre, in particular sign posting and entry/access to services	Officers have recently initiated a review of customer services with one of the early proposals being the improvement of orientation and signposting for visitors to Strathbrock. Members will be updated on this once the review is complete.
Broxburn, Uphall & Winchburgh 9 June 2011	Confirmation required on funding available for St Nicholas' Primary School	Funding is allocated for heating improvements and minor works in 2012/13 as part of the primary schools planned improvements programme.
Broxburn, Uphall & Winchburgh 9 June 2011	To provide clarification on the expenditure available from Broxburn/Uphall Town Centre Regeneration Fund (TCRF) project works	Outstanding commitments from the TCRF work includes shop front improvements, streetscape improvements including repairing paving and public art. Members will be consulted on plans for the allocation of future year budgets once they have been formalised.
Bathgate 13 June 2011	Details to be provided on improved access project at Windyknowe Primary School	This budget will provide vehicular access to Windyknowe from Glasgow Road. This project was approved by the Council Executive on 22 March 2011. Officers will consult on detailed project design and layout in due course.
Bathgate 13 June 2011	When will work commence on the Boghall Pavilion project?	This project is currently under review with a proposal for a community wing extension to Boghall primary, incorporating changing facilities, being presented to the Council Executive for approval on 28 June. Initial designs are being prepared and will be consulted upon in due course. Construction of the community wing project is hoped to commence Spring 2012.

LAC Meeting and Date	Point Raised	Action Taken / Response
Fauldhouse & the Breich Valley 14 June 2011	Confirmation required on Breich Hall and Woodmuir planned improvement budgets to ensure that these budgets are only to keep the buildings operational until the new primary school is complete.	Budget provision has been retained to complete statutory compliance and any emergency/ ad-hoc maintenance required until the new school is complete.
Fauldhouse & the Breich Valley 14 June 2011	Confirmation required on what the remaining Longridge Primary School budget will be used for as the extension is now operational	Remaining budget is allocated for energy management system and improvements to the hot water and security systems.
Fauldhouse & the Breich Valley 14 June 2011	There is capital budget for Old Limefield House Bridge however it was elected members understanding that it was the responsibility of developers to bring this bridge to adoptable standards. Details required on planned works and why it is included in the capital programme?	It has been agreed that responsibility for undertaking masonry repairs and re-pointing the structure lies with the Developer. However, due to ongoing vandalism, budget is required to deal with cope replacement and damaged stonework to the parapet.
East Livingston & East Calder 15 June 2011	No points raised	N/A
Livingston North 16 June 2011	Clarification of the planned improvement works for Carmondean, Knightsridge, Meldrum and St John Ogilvie Primary Schools in 2014/15.	Planned capital improvements are at this stage are as follows: <ul style="list-style-type: none"> • Carmondean – Roof, Windows and Minor Works • Knightsridge – Re-roof three entrances • Meldrum – Expenditure is proposed to be brought forward to support the refurbishment when required • St John Ogilvies – External render and insulation
Livingston North 16 June 2011	With Kiln House now closed, information to be provided on what comprises the £29,000 spend in 2010/11.	Boiler was replaced and new bathroom fitted as well as other minor works. All works were undertaken prior to the decision to dispose.

Appendix 3 – Revisions to Capital Programme

Expenditure Budget Requirements						
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary
Elderly Care in the Community						
Housing With Care – Rosemount Court Total proposed budget for Bathgate Campus - £5.645 million using existing capital budget of £1.689 million for Day Care provision & £2.856 million for Dementia Care Centre	Property	0	1,100	0	1,100	This project is part of the Bathgate Campus project to provide a range of services for older people in and around the Bathgate community. This budget would go towards the council developing a new housing with care complex to add to the existing sheltered housing in Rosemount Court. Further design work specifically on dementia provision and community facilities is ongoing. Further consultation will also be necessary. The rise in population of those aged 60-74 in West Lothian by 2016 is estimated to be the second largest in Scotland. As such it is anticipated that a range of service responses will be required to meet the significant increase in the older people's population. The Bathgate Campus is one way in which the council hopes to meet this requirement.
Protection of our Green Environment and Energy Reduction Schemes						
Tree & Woodland Management	Open Space	140	0	0	140	The objective of this project is to bring all of West Lothian Council owned woods into regular planned management. This will include the preparation of long-term management plans for all woodlands, assisted by a suitable resource mapping and management system. Well planned sustainable forest management is essential to the continuation of a safe, varied and cost effective environment, which can be enjoyed by all. Without development of a planned management system, the council risks prosecution from the Forestry Commission and will be ineligible for future woodland management grants from the Scottish Government. A mapping system, with forest planning and an individual amenity tree management software package, would be purchased. Council registered woodland includes Beecraigs, Polkemmet, Almondell & Calderwood, Witch Craig, Ravenraig, Desert Wood, Knowes Colliery Wood, Loganlea, Seafield Law/Easter Inch Moss, Cousland Woods, Eliburn Old Wood and Oakbank.

Expenditure Budget Requirements								
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary		
Protection of our Green Environment and Energy Reduction Schemes (continued)								
Kirkton Church Yard	Open Space	85	0	0	85	Severe winters have left the structure and walls needing urgent attention to safeguard this important historical location from being severely restricted to public access because of safety. The church yard is currently closed to public access for health & safety, therefore this investment will allow the community to continuing exploring and enjoying the true history of this site.		
Improved Learning & Working Environments	Property	195	280	150	625	Building management systems control the heating in buildings. This project aims to upgrade BMS systems to allow remote access, enabling systems to be controlled centrally, and therefore achieve more efficient energy use. This will also help ensure that schools and other buildings have appropriate temperatures for effective learning and working. At present to change heat settings a control has to be altered on site creating a time lag in adjusting temperatures, which is especially problematic in schools where extreme temperatures impact on pupils’ ability to learn effectively. In addition, a centralised system minimises energy wastage out of hours and identifies maintenance items. It is estimated that the capital cost will result in revenue savings of £1.218 million over a 15 year period. The simple payback period is calculated as 7.6 years. In addition, the project will assist the council in meeting Government targets in reducing CO2 emissions. The properties are:		
						Armadale PS	Bankton PS	Bathgate Early Years Centre
						Bridgend PS	Dedridge PS	Carmondean PS
						East Calder PS	Fallahill PS	Howden St Andrews RC PS
						Greenrigg PS	Kirkhill PS	St Mary's RC PS, Bathgate
						Murrayfield PS	Letham PS	St John the Baptist RC PS
						Riverside PS	Peel PS	St Joseph RC PS, Whitburn
						St Nicholas RC PS	Polkemmet PS	St Kentigerns RC Academy
						Williamston PS	Whitdale PS	St Margarets RC Academy
						Windyknowe PS	Winchburgh PS	The James Young High School
						Inveralmond CHS	Linlithgow Academy	Winchburgh Community Centre
						West Calder High	West Lothian Civic Centre	Beatlie Special School
						County Buildings	Howden Park Centre	West Calder Community Centre

Expenditure Budget Requirements						
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary
Protection of our Green Environment and Energy Reduction Schemes (continued)						
Energy Related Improvements to Building Fabric	Property	110	0	0	110	<div>The targeted benefit of this project is to reduce energy consumption, carbon emissions and achieve cost savings through a cavity wall insulation programme at 19 properties. It is estimated that the capital cost of £110,000 will result in revenue savings of £526,000 over a fifteen year period. The simple payback period is calculated as 2.6 years. In addition, the project will assist the council in meeting the UK and Scottish Government's targets in reducing CO2 emissions. The properties that will receive these improvements are:</div> <div><div>Blackburn PS</div><div>Croftmalloch PS</div><div>East Calder PS</div><div>Kirknewton PS</div><div>St John Ogilvie PS</div><div>Beatlie School</div><div>Ogilvie School</div><div>Dedridge PS</div><div>Deans PS</div><div>Eastertoun PS</div><div>Polkemmet PS</div><div>Toronto PS</div><div>Cedarbank</div><div>Stoneyburn Community Centre</div><div>Whitdale House Care Home</div><div>Howden St Andrews PS</div><div>Our Lady of Lourdes PS</div><div>St John the Baptist PS</div><div>Winchburgh/Holy Family PS</div></div>
Improvements to Mechanical & Electrical Works for Energy Purposes	Property	170	0	0	170	<div>The targeted benefit of this project is to reduce energy consumption, carbon emissions and achieve cost savings through lighting improvements and voltage optimisation with 13 sites being fitted with this energy saving technology. It is estimated that the capital cost of £170,000 will result in revenue savings of £225,000 over a ten year period. The simple payback period is calculated as 4.1 years. In addition, the project will assist the council in meeting the UK and Scottish Government's targets in reducing CO2 emissions. The properties that will receive these improvements are:</div> <div><div>Balbardie PS</div><div>Carmondean PS</div><div>East Calder PS</div><div>Beatlie School</div><div>Blackburn PS</div><div>Croftmalloch PS</div><div>St John Ogilvie PS</div><div>Cedarbank</div><div>Broxburn PS</div><div>Deans PS</div><div>Williamston PS</div><div>West Calder High School</div></div>

Expenditure Budget Requirements						
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary
Leisure, Sport & Community Provision						
Public Leisure Centre Car Parks Upgrade	Roads	130	0	0	130	West Lothian Council has responsibility of the maintenance of the car parks at Broxburn Sports Centre, Bathgate and Linlithgow Leisure Centres, East Calder Sports Centre, Broxburn Pool, Craigswood Sports Centre, Livingston Leisure Centre (Bubbles) and Whitburn Pool. Car parks at these facilities form an important part of the customer journey, meaning customer impressions of facilities is strongly influenced by the quality and availability of car parking provision. West Lothian Leisure has recorded a number of complaints from customers regarding car parking provision at various sites, and following a succession of severe winters, surfacing issues have heightened. A number of car parks also suffer from inadequate or no lighting which influence perceptions of safety. Condition surveys have been undertaken and have identified that a figure of £254,000 would be required to bring all car park surfaces and lighting to a maintainable standard. This would enable the transfer of assets to WLC roads and street lighting respectively. West Lothian Leisure is willing to contribute 50% of the project costs required to cover this essential work.
Murrayfield Park	Open Space	0	450	0	450	There is already a capital budget in the programme to build a new traditional brick built changing pavilion at Murrayfield Park alongside a funding application to Sportscotland for a sports facilities fund grant. The additional allocation will deliver the proposed new community pavilion as well as providing a 7 a side 3G synthetic area for training and competitive 7 a side games. This will contribute significantly to the recommended supply of sports pitches in the local area, as detailed in the council's Outdoor Sports Facilities Strategy, assisting an increase in participation rates especially during periods of inclement weather. The 3G synthetic pitch will also act as a multi use games area (MUGA) as a community youth space of which there is currently no similar facility in Blackburn. This will support council initiatives such as midnight football and street football/rugby. It is proposed that the facilities be managed by the Community Club on a self management arrangement thereby reducing the ongoing revenue implication for the council, as well as meeting the principles of community ownership which fit with the priorities of West Lothian Council and the Scottish Government.

Expenditure Budget Requirements						
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary
Leisure, Sport & Community Provision (continued)						
Boghall Community Wing	Property	307	613	0	920	This project will improve community facilities for Boghall within the grounds of the Primary School. It will co-locate the existing Boghall Drop – In and Resource Centre, the “Big Hut” Community meeting space and a two changing room facility within one community wing. The previously agreed funding of £160,000 for a new pavilion will be redirected to this project to help create a community hub at the heart of one the most deprived data zones. This proposal is consistent with the council’s co – location strategy.
Millgate Park Winchburgh Improvements	Open Space	50	0	0	50	This investment would help improve the sports provision within Winchburgh with a new drainage system being installed in the pitch at Millgate Park and improvements made to the pavilion. Proposed works to improve the pavilion include internal decoration, repairs to the roof, fascias & guttering, damp proofing, repairs to internal ceilings and additional security fittings.
Polkemmet & Beecraigs Country Parks Essential Improvements	Property	110	0	0	110	Improvements required include: <ul style="list-style-type: none"> • Relocation and construction of a new works yard at Polkemmet County Park (£49,000). The current site of the yard will soon be home to the Scottish Owl Centre. A works yard is still required and, to avoid loss of this new tourist attraction, a new location must be developed. • Improvements to the ground drainage at Polkemmet Golf Range (£40,000). The range requires a major overhaul. Revenue spending has kept the issues at bay until now but, this is no longer an option as even small rain showers disrupt service. Improvements will protect the ranges’ annual income of £52,000 and provide a better service to the customers. • Erect an additional storage shed at Beecraigs Animal Attraction (£21,000). This would house more deer calves over a winter and would be beneficial to the visitor attraction allowing for more public interaction under cover.
Blackburn Skatepark	Open Space	40	0	0	40	This will contribute towards the provision of a new skatepark in Blackburn. This budget will provide match funding towards a LEADER funding application.
Mosswood Community Centre Changing Accommodation	Property	0	0	0	0	Project will provide additional changing accommodation, to achieve 4 changing rooms, at Mosswood Community Centre, which will be available for community use at all times. This will be delivered by an additional modular, pre-fabricated 2 room unit. There is an outstanding grant application with SportsScotland and Knightsridge Sports Association is also providing funding for this project. West Lothian Council will provide an in kind land and rental contribution.

Expenditure Budget Requirements						
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary
Leisure, Sport & Community Provision (continued)						
Uphall KGV Two Team Changing Unit	Property	60	0	0	60	The existing changing unit at Uphall KGV has been assessed by West Lothian Council Maintenance section and identified as in need of replacement. The facility has reached and passed its expected lifespan and suffers from insulation and water ingress issues. An audit of sports pitches across West Lothian demonstrates that an adequate changing pavilion is still required at Uphall KGV. This budget would allow for installation of a ready-made changing unit at the site. This represents an efficient and effective solution with an estimated minimum life span of 25 years. The replacement of the pavilion would provide good public perception of the service, satisfies the requirement for the council to provide adequate sports facilities and secures a significant boost to community sports clubs in this locality.
Murraysgate Hall, Whitburn	Property	100	0	0	100	Officers are currently investigating letting the old Burgh Band Hall instead of selling the hall to realise the capital receipt required to undertake planned work at Murraysgate. To ensure that the essential roof works are undertaken at Murraysgate an additional £100,000 has been added to the £50,000 budget approved in January 2011.
Flood Prevention & Protection						
Flood Risk Management	Roads	130	150	150	430	<p>Heavy rain during February 2011 resulted in extensive flooding throughout West Lothian, which resulted in infrastructure being affected. The proposed investment will reduce the risk of flooding in the noted areas and help protect the integrity of our essential road infrastructure, maintain the value of assets, maintain public safety, protect heritage and reduce negligence and damage claims. Areas to receive investment are:</p> <ul style="list-style-type: none"> • Addiewell, Station Road – Replace Collapsed Drain • Fauldhouse, Eldrick Avenue – Excavation & Changes to Topography • Linlithgow, Rosemount Park, Rockville Grove – Replace Park Drainage • Livingston, Howden Park – Replacement Culvert • Mid Calder, Spottiswoode Gardens – New Land Drainage System • Uphall, Thomson Grove – Investigation into Mine Water Run Off • Uphall, King George V Park – Improve Park Drainage • Livingston, Dedridge Burn Greenway – Regeneration of Section of Burn. <p>Please note that this project has already been discussed at the Livingston South LAC.</p>

Expenditure Budget Requirements						
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary
Flood Prevention & Protection (continued)						
Flood Risk Management Broxburn (Post Flood Review)	Roads	0	225	0	225	Following appraisal of the areas affected by the August 2008 flood event in Broxburn, it has been determined that it is economically feasible to provide an 85m long, reinforced embankment at West Main Street. Investment in this scheme will result in revenue savings associated with not having to respond to emergencies, provide emergency shelters, clean-up operations and will respond to the communities wishes to be protected from future flood events.
Roads Infrastructure & Access for Communities						
Strathbrock Service Development – Parking & Garden	Roads	500	0	0	500	The existing car park at Strathbrock Partnership Centre is too small to meet present demands, as confirmed by a recent survey. Following on from the introduction of pool vehicles as part of the green travel plan, pressure has increased further on parking provision around the centre. The provision of additional parking spaces in the vicinity of the centre will help to relieve current and future parking pressures. The budget will allow for an additional 130 car parking spaces for all users of the partnership centre, allowing full utilisation of the building by staff and the general public. In addition the works will include a therapeutic garden with growing frames, greenhouses and spaces to grow plants and vegetables.
Priority Road Maintenance in C Class Roads	Roads	500	500	0	1,000	The road network supports the national and local economy and contributes to the character and environment of the area it serves. It therefore requires a planned long-term programme of investment. C class roads are mainly rural, inter-connecting roads and local secondary distributor roads, which generally carry volumes of local traffic. West Lothian's C class network has a poor ranking nationally, coming twenty seventh out of thirty two authorities, with regards to condition. The associated performance indicator for these roads is currently 46.45% but Roads Services anticipate that this additional investment should improve the performance indicator by 13 percentage points. This project proposes investment in C class roads to improve surface conditions. A well managed capital investment programme, such as the one proposed, helps ensure that revenue funding is utilised to improve the network and not only to react to emergency situations. In addition, the council will reduce energy costs through reductions in fuel usage, improve road safety and improve public journey ambience.

Expenditure Budget Requirements						
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary
Modernisation of Council Services						
Self Issue Terminals in Libraries	IT	45	45	183	273	This project will see self issue terminals installed in 12 libraries across West Lothian. The terminals allow customers to issue and return stock without the need to queue to be served by a member of staff. The new terminals will be the main way that customers issue and return books with the library counter being regarding as an enquiry desk only. This will allow staff to focus on delivering other essential public services. This improves customer satisfaction and will become increasingly important as staff become generic, delivering a range of customer services, and as staffing levels decrease, in line with the future strategy of customer services. The technology also enables easy stock checking without the requirement to close facilities.
IT Infrastructure Modernisation (Post Worksmart)	IT	200	190	0	390	This will pick up where the 'Worksmart' project finished. It will allow IT services to fully deliver council-wide solutions to enable all staff to take advantage of mobile and flexible working by providing remote access council information systems. This investment will support the management of IT assets whilst making systems available to a wider user group. It will also allow power and energy consumption reductions, energy efficiencies, reduction in staff travel requirements and thus, contribute to the overall reduction of the council's carbon footprint. The investment will deliver: <ul style="list-style-type: none"> • Remote access to allow log in to council systems from a number of locations • Upgrade to cooling management system for the data centre to protect servers and the information held on them (disaster recover protection) • Network management of ICT assets allowing remote access to fix problems
Total Additional Expenditure		2,772	3,553	483	6,808	

Prudential Borrowing Funded Projects						
SOBC Title	Asset Category	2011/12 £'000	2012/13 £'000	2013/14 £'000	Total £'000	Project Summary
Green Improvements to Boiler Systems	Property	25	2,307	2,307	4,638	As part of the Climate Change Act, there is now a legal obligation to reduce carbon emissions from all of West Lothian Council's activities. Four projects are being proposed to help the council achieve its targets, including the Biomass Boiler Programme. The programme will see installation of biomass boilers in eight sites. These sites are Williamston Primary School, Inveralmond Community High, St Kentigern's Academy, James Young High, West Calder High, Whitburn Academy, Strathbrock Partnership centre and West Lothian Civic Centre. In addition to positive environmental impacts, it is estimated that a capital investment will result in revenue savings of £9.9 million over a period of 20 years. There will be savings in excess of the value required to fund the prudential borrowing, therefore creating a general saving for the revenue budget. The simple payback period is calculated as 8.6 years.
Total Funded by Prudential Borrowing		25	2,307	2,307	4,638	

GENERAL SERVICES CAPITAL PLAN - 2011/12 to 2017/18

Asset Type	Budget 2011/12 £'000	Budget 2012/13 £'000	Budget 2013/14 £'000	Budget 2014/15 £'000	Budget 2015/16 £'000	Budget 2016/17 £'000	Budget 2017/18 £'000	Total £'000
<u>ICT Assets</u>								
Corporate Projects	3,883	2,734	1,917	1,615	2,209	2,190	2,202	16,750
Education Projects	468	85	183	0	0	40	0	776
Modernisation/Worksmart Projects	624	739	0	0	0	0	0	1,363
ICT Assets - Total	4,975	3,558	2,100	1,615	2,209	2,230	2,202	18,889
<u>Open Space Assets</u>								
Open Space and Sports Facility Projects	1,322	487	214	221	230	236	245	2,955
Open Space and Sports Facility Strategy	1,454	997	749	421	436	453	470	4,980
Open Space Parks Drainage	191	0	132	136	141	146	151	897
Children's Play Areas	364	336	409	423	437	452	467	2,888
Synthetic Turf Pitches	97	119	544	100	105	110	116	1,191
Cemeteries	521	755	51	53	54	56	57	1,547
Land Decontamination	210	88	96	95	0	0	0	489
Open Space Assets - Total	4,159	2,782	2,195	1,449	1,403	1,453	1,506	14,947
<u>Property Assets</u>								
Planned Improvements	3,728	2,460	6,915	5,527	4,149	4,045	4,049	30,873
Property Projects	21,226	17,117	13,957	5,820	3,892	2,400	1,810	66,222
Statutory Compliance	1,117	719	1,023	683	684	686	687	5,599
Property Assets - Total	26,071	20,296	21,895	12,030	8,725	7,131	6,546	102,694
<u>Roads, Structures, Lighting and Water Related Infrastructure Assets</u>								
Roads and Footways	7,341	7,708	5,638	4,032	4,143	4,260	4,382	37,504
Road Lighting	1,074	1,454	2,166	2,036	2,130	1,765	1,055	11,680
Structures and Transportation	3,632	2,284	2,030	907	1,378	1,417	1,456	13,104
Roads, Structures, Lighting and Water Related Assets - Total	12,047	11,446	9,834	6,975	7,651	7,442	6,893	62,288
<u>Other Assets</u>								
Town Centres	1,154	526	465	480	494	509	524	4,152
Miscellaneous Other Assets	1,164	1,964	566	569	573	577	579	5,992
Other Assets - Total	2,318	2,490	1,031	1,049	1,067	1,086	1,103	10,144
CAPITAL PLAN - TOTAL	49,570	40,572	37,055	23,118	21,055	19,342	18,250	208,962

ICT ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Corporate Projects									
Anti Virus Upgrade	60100	63	0	101	0	110	0	0	274
Business Application and Central Server Refresh	60101	313	198	204	210	217	224	231	1,597
Central Firewall Upgrade and Management	60102	0	0	47	0	0	0	0	47
Council Wide Electronic Storage	60119	85	0	0	0	0	0	0	85
Desktop Replacement	60103	1,289	1,306	1,345	1,385	1,426	1,460	1,514	9,725
Development of Windows Network Services	60104	40	55	0	0	0	0	0	95
Elections Electronic System	60128	0	100	0	0	0	0	0	100
Government Secure eXtranet Network	60107	60	10	20	20	20	20	20	170
IT Future Technology Developments	60108	0	0	0	0	249	249	250	748
Local Area Network Infrastructure	60118	513	247	0	0	0	0	0	760
Microsoft Office Upgrade	60109	217	0	0	0	187	187	187	778
Office Rationalisation Strategy ICT	60126	267	39	0	0	0	0	0	306
Replacement IT Data Centre for Lindsay House	60111	4	0	0	0	0	0	0	4
Web Based Work Sites - Windows 2003	60113	13	50	0	0	0	50	0	113
Replacement of Featurenet	60112	767	600	200	0	0	0	0	1,567
Telephone Upgrade/Call Centre	new	252	129	0	0	0	0	0	381
Corporate Projects - Total		3,883	2,734	1,917	1,615	2,209	2,190	2,202	16,750
Education Projects									
Anytime, Anywhere Learning Implementation	79517	145	0	0	0	0	0	0	145
Education Management System (EMS) Refresh	60106	0	40	0	0	0	40	0	80
Libraries - Purchase of IT Assets	73609	14	0	0	0	0	0	0	14
School Content Engines	60117	224	0	0	0	0	0	0	224
Self Issue Terminals in Libraries	new	45	45	183	0	0	0	0	273
Teachers Essential IT Upgrade	new	40	0	0	0	0	0	0	40
Education Projects - Total		468	85	183	0	0	40	0	776

ICT ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
Modernisation/Worksmart Projects									
Desk Management System	60131	8	0	0	0	0	0	0	8
Desktop & Laptop Computers	60129	78	0	0	0	0	0	0	78
ICT Modernisation	new	200	190	0	0	0	0	0	390
Intranet Development	60132	0	85	0	0	0	0	0	85
Lone Worker Solution	60138	130	0	0	0	0	0	0	130
Operating System	60140	0	252	0	0	0	0	0	252
Optitime & Cognito	60142	0	136	0	0	0	0	0	136
VOIP Softphone	60141	38	0	0	0	0	0	0	38
Windows CAL	60139	170	76	0	0	0	0	0	246
Modernisation/Worksmart Projects - Total		624	739	0	0	0	0	0	1,363
TOTAL ICT ALLOCATION		4,975	3,558	2,100	1,615	2,209	2,230	2,202	18,889

OPEN SPACE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Open Space and Sports Facility Projects									
Blackburn Skatepark	new	40	0	0	0	0	0	0	40
Central Scotland Forrest Initiative	74100	2	0	0	0	0	0	0	2
Country Parks - Core Pathways/Internal Roadways	60203	32	32	35	36	38	39	42	254
Country Parks - Car Parking Provision	60202	19	19	21	21	22	22	23	147
Craigwood Run Track	60217	267	0	0	0	0	0	0	267
Go Ape Beecraigs	60212	7	0	0	0	0	0	0	7
Greenways Boardwalks	60204	20	0	0	0	0	0	0	20
Kettilstoun Mains Project	60218	100	290	0	0	0	0	0	390
Kirkton Church Yard	new	85	0	0	0	0	0	0	85
Livingston Kick Pitch	60211	49	0	0	0	0	0	0	49
Millgate Park Winchburgh Improvements	new	50	0	0	0	0	0	0	50
Non Adopted Hard Landscape Areas	60205	33	10	10	11	11	11	12	98
Outdoor Access Projects Programme	60206	6	50	51	53	54	56	57	327
Peel Primary School MUGA	60216	8	0	0	0	0	0	0	8
Replacement Fencing	60207	4	3	3	3	4	4	4	25
Rural Paths	60208	0	20	29	30	32	33	34	178
Sustainable Woodlands Management	60209	71	63	65	67	69	71	73	479
Tree & Woodland Management	new	140	0	0	0	0	0	0	140
Whitburn Academy - All Weather Pitch	new	389	0	0	0	0	0	0	389
Open Space and Sports Facility Projects - Total		1,322	487	214	221	230	236	245	2,955
Open Space and Sports Facility Strategy									
Almond Park, Livingston	78827	106	0	0	0	0	0	0	106
Avondale Park, Armadale	78828	159	0	0	0	0	0	0	159
Bedlormie Park, Blackridge	78825	41	0	0	0	0	0	0	41
Blaeberry Park Central, Whitburn	78817	2	0	0	0	0	0	0	2
Boghall Playing Field	78814	20	0	0	0	0	0	0	20
Bridgend Green Park Upgrade	60300	104	0	0	0	0	0	0	104
Dechmont Park Upgrade	60301	0	71	0	0	0	0	0	71
Drove Road Park Upgrade	60302	0	0	80	0	0	0	0	80
Drumshoreland Park Upgrade	60303	100	0	0	0	0	0	0	100
East Calder Park Upgrade	60304	0	163	0	0	0	0	0	163
Eliburn Park	78810	39	0	0	0	0	0	0	39
Elizabeth Gardens Upgrade	60305	0	40	0	0	0	0	0	40
Glenview Crescent Park Upgrade	60306	0	163	0	0	0	0	0	163
King George V Park Whitburn Upgrade	60308	0	0	174	0	0	0	0	174
Kirknewton Park	78821	13	0	0	0	0	0	0	13
Lanthorn South, Dedridge	78819	17	0	0	0	0	0	0	17

OPEN SPACE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Letham Park Upgrade	60310	0	0	65	0	0	0	0	65
Meadowhead Crescent, Addiewell	78815	10	0	0	0	0	0	0	10
Murrayfield Park Sports Facility, Blackburn	78832	600	460	25	0	0	0	0	1,085
Murrayfield Park, Blackburn	78816	12	0	0	0	0	0	0	12
Parkhead Recreational Ground Upgrade	60313	20	0	0	0	0	0	0	20
Redcraigs Open Space, East Calder	78822	5	0	0	0	0	0	0	5
Stewartfield Park Upgrade	60315	173	0	0	0	0	0	0	173
Westcraigs Park Upgrade	60316	33	0	0	0	0	0	0	33
Westfield Central Park Upgrade	60317	0	100	0	0	0	0	0	100
To be allocated		0	0	405	421	436	453	470	2,185
Open Space and Sports Facility Strategy - Total		1,454	997	749	421	436	453	470	4,980
Open Space Parks Drainage									
Bankton Mains Livingston	60501	122	0	0	0	0	0	0	122
Murrayfield Park Blackburn	60502	69	0	0	0	0	0	0	69
To be allocated		0	0	132	136	141	146	151	706
Open Space Parks Drainage - Total		191	0	132	136	141	146	151	897
Children's Play Areas									
Almond Park, Craigshill	60600	0	50	0	0	0	0	0	50
Almondell Country Park Play Area	60601	0	40	0	0	0	0	0	40
Beeccraigs Country Park Play Area	60602	10	0	0	0	0	0	0	10
Bridgend Park	60604	0	50	0	0	0	0	0	50
Broxburn Sports Centre	60605	0	50	0	0	0	0	0	50
Church Place, Fauldhouse	60609	50	0	0	0	0	0	0	50
Deanburn, Linlithgow	60613	0	50	0	0	0	0	0	50
Glenwood Drive, Armadale	60619	0	50	0	0	0	0	0	50
Hermant Park/Harburn Road, West Calder	60621	50	0	0	0	0	0	0	50
King George V Park Uphall	60626	50	0	0	0	0	0	0	50
King George V Whitburn	60627	50	0	0	0	0	0	0	50
Livingston Village (adjacent school)	60632	50	0	0	0	0	0	0	50
Longridge Youth Shelter	60652	54	0	0	0	0	0	0	54
Spottiswoode Gardens, Mid Calder	60644	0	46	0	0	0	0	0	46
Stoneyburn Main Street	60647	50	0	0	0	0	0	0	50
To be allocated		0	0	409	423	437	452	467	2,188
Children's Play Areas - Total		364	336	409	423	437	452	467	2,888

OPEN SPACE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12 £'000	Budget 2012/13 £'000	Budget 2013/14 £'000	Budget 2014/15 £'000	Budget 2015/16 £'000	Budget 2016/17 £'000	Budget 2017/18 £'000	Total £'000
Synthetic Turf Pitches									
Balbardie Park & Bankton Mains	60800	23	0	0	0	0	0	0	23
Broxburn Academy	60801	0	0	515	0	0	0	0	515
Synthetic Kick Pitch Rejuvenation Programme (Non Schools)	60804	74	51	29	31	33	35	39	292
Synthetic Kick Pitch Rejuvenation Programme (Schools)	60805	0	68	0	0	0	0	0	68
To be allocated		0	0	0	69	72	75	77	293
Synthetic Turf Pitches - Total		97	119	544	100	105	110	116	1,191
Cemeteries									
Cemetery Provision - Armadale	78709	92	0	0	0	0	0	0	92
Cemetery Provision - East Calder	60901	50	705	0	0	0	0	0	755
Cemetery Provision - Fauldhouse	78708	20	0	0	0	0	0	0	20
Cemetery Provision - West Calder	78706	316	0	0	0	0	0	0	316
Memorial Safety Works	60902	43	50	51	53	54	56	57	364
Cemeteries - Total		521	755	51	53	54	56	57	1,547
Land Decontamination									
Land Decontamination - various works	74250	50	88	96	95	0	0	0	329
Eastfield	74255	37	0	0	0	0	0	0	37
South Couston	60950	48	0	0	0	0	0	0	48
Boghall Quarry	60951	75	0	0	0	0	0	0	75
Land Decontamination - Total		210	88	96	95	0	0	0	489
TOTAL OPEN SPACE ALLOCATION		4,159	2,782	2,195	1,449	1,403	1,453	1,506	14,947

		Budget 2011/12 £'000	Budget 2012/13 £'000	Budget 2013/14 £'000	Budget 2014/15 £'000	Budget 2015/16 £'000	Budget 2016/17 £'000	Budget 2017/18 £'000	Total £'000
<u>Planned Improvements</u>									
Ability Centres Planned Improvements									
Carmondean Ability Centre - Heating Plant Replacement	61000	7	10	0	0	0	0	0	17
To be allocated		0	0	13	14	15	15	15	72
Ability Centres Planned Improvements - Total		7	10	13	14	15	15	15	89
Adult Training Centres Planned Improvements									
Braid House - Heating, Emergency Lighting and Intruder System	61050	16	22	0	0	0	0	0	38
Elburn Resource Centre - Heating, Fencing and Internal Works	61051	17	20	0	0	0	0	0	37
Fauldhouse Training Minor Refurbishment	61052	0	12	0	0	0	0	0	12
Rivaldsgreen Centre - Demolition	61053	25	0	0	0	0	0	0	25
To be allocated		0	0	50	50	50	50	50	250
Adult Training Centres Planned Improvements - Total		58	54	50	50	50	50	50	362
Arts Venues Planned Improvements									
Regal Theatre - Roofing, Windows, Doors and Dampness	61110	30	0	0	0	0	0	0	30
To be allocated		0	0	34	34	34	34	34	170
Arts Venues Planned Improvements - Total		30	0	34	34	34	34	34	200
Bowling Pavilions Planned Improvements									
Limefield Bowling Pavilion Minor Refurbishment	61151	12	0	0	0	0	0	0	12
To be allocated		0	0	14	14	14	14	14	70
Bowling Pavilions Planned Improvements - Total		12	0	14	14	14	14	14	82
Cemeteries Planned Improvements									
Adambrae Depot Electrics	61200	3	0	0	0	0	0	0	3
Blaeberry Waiting Room Windows, Doors and Electrics	61201	0	3	0	0	0	0	0	3
Boghead Bothy Roof and Windows	61202	5	0	0	0	0	0	0	5
General Boundary Wall Repairs	61203	20	5	0	0	0	0	0	25
Mains Road Waiting Windows	61206	9	0	0	0	0	0	0	9
Winchburgh Bothy Roof and Dampness	61208	5	0	0	0	0	0	0	5
To be allocated		0	0	10	10	10	10	10	50
Cemeteries Planned Improvements - Total		42	8	10	10	10	10	10	100
Children's Centres Planned Improvements									
Livingston Children's Centre - Fascia, Boilers, Pumps and Valves	61250	10	8	0	0	0	0	0	18
To be allocated		0	0	9	9	9	9	9	45
Children's Centres Planned Improvements - Total		10	8	9	9	9	9	9	63

		Budget 2011/12 £'000	Budget 2012/13 £'000	Budget 2013/14 £'000	Budget 2014/15 £'000	Budget 2015/16 £'000	Budget 2016/17 £'000	Budget 2017/18 £'000	Total £'000
Civic Amenity Sites Planned Improvements									
Civic Amenity Sites Planned Improvements	61301	4	4	0	0	0	0	0	8
Depot Management & Improvements	61302	31	0	0	68	0	0	0	99
Civic Amenity Sites & Transfer Station Surfaces	new	85	0	0	0	0	0	0	85
To be allocated		0	0	5	5	5	5	5	25
Civic Amenity Sites Planned Improvements - Total		120	4	5	73	5	5	5	217
Community Centre & Halls Planned Improvements									
Addiewell Community Centre Roof and Insulation Upgrade	61350	71	0	0	0	0	0	0	71
Blackridge Community Wing Toilets	61353	2	0	0	0	0	0	0	2
Briech Hall - Windows, Water Service & Fire Alarm	61354	18	0	0	0	0	0	0	18
Chalmers Hall - Roof, Rewire and Windows	61356	0	11	0	0	0	0	0	11
Craig inn Community Centre Internal Repairs and Roof	61357	9	0	0	0	0	0	0	9
Craigspark Hall Door Access	61358	0	10	0	0	0	0	0	10
East Whitburn Community Centre - Windows, Doors and Roofs	61360	0	29	0	0	0	0	0	29
Internal Improvements - Community Centres	61361	23	25	0	0	0	0	0	48
Lanthorn Community Centre Heating System Upgrade	61363	0	0	101	0	0	0	0	101
Mosswood Community Centre - Roof, Windows, Doors and Toilets	61367	6	0	0	0	0	0	0	6
Newton Community Centre Roof	61369	25	0	0	0	0	0	0	25
Philipstoun Community Centre Heating and Roofs	61370	0	50	0	0	0	0	0	50
Seafeld Community Centre - Roof, Toilets, Render and Floors	61372	32	0	136	0	0	0	0	168
Springfield Community Wing Internal Repairs	61373	20	0	0	0	0	0	0	20
Stoneyburn Community Centre - Windows	61374	5	0	0	0	0	0	0	5
Uphall Station Institute - rewire & improvements	61383	60	0	0	0	0	0	0	60
To be allocated		0	0	300	300	300	300	300	1,500
Community Centre & Halls Planned Improvements - Total		271	125	537	300	300	300	300	2,133
Country Parks Planned Improvements									
Almondell Visitor Centre Rewire and Roof	61452	72	0	0	0	0	0	0	72
Polkemmet Country Park Yard Wall Repairs	61461	30	0	0	0	0	0	0	30
Polkemmet Country Park Visitor centre Rewire, Heating and Roof	61459	17	0	0	0	0	0	0	17
Property Improvements at Polkemmet/Beecraigs	new	110	0	0	0	0	0	0	110
To be allocated		0	0	40	40	40	40	40	200
Country Parks Planned Improvements - Total		229	0	40	40	40	40	40	429
Football Pavilions Planned Improvements									
Livingston Utd Changing Facilities	61514	20	0	0	0	0	0	0	20
Standhill Football Pavilion Minor Refurbishment	61510	5	0	0	0	0	0	0	5
Station Road Football Pavilion	61511	15	0	0	0	0	0	0	15
Uphall King George V Football Pavilion Minor Refurbishment	61512	0	10	0	0	0	0	0	10
To be allocated		0	0	24	24	24	24	24	120
Football Pavilions Planned Improvements - Total		40	10	24	24	24	24	24	170

		Budget 2011/12 £'000	Budget 2012/13 £'000	Budget 2013/14 £'000	Budget 2014/15 £'000	Budget 2015/16 £'000	Budget 2016/17 £'000	Budget 2017/18 £'000	Total £'000
Libraries Planned Improvements									
Linlithgow Library	61554	67	0	0	0	0	0	0	67
Libraries Planned Improvements - Total		67	0	0	0	0	0	0	67
Nursery Schools Planned Improvements									
Bonnytoun Nursery - Upgrade Fire Alarm and Rewire	61602	30	0	0	0	0	0	0	30
Carmondean Nursery School Lighting	61603	0	12	0	0	0	0	0	12
Hopefield Nursery School Rewire	61607	0	18	0	0	0	0	0	18
Internal Improvements - Nursery Schools	61608	19	5	0	0	0	0	0	24
Polbeth Nursery School Rewire	61611	0	30	0	0	0	0	0	30
Woodlands Nursery School - Heating	61612	18	0	0	0	0	0	0	18
To be allocated		0	0	78	78	78	79	79	392
Nursery Schools Planned Improvements - Total		67	65	78	78	78	79	79	524
Operational Offices Planned Improvements									
Civic Centre Reconfiguration	61669	4	0	0	0	0	0	0	4
Civic Centre - Worksmart	61663	101	10	0	0	0	0	0	111
County Buildings	61662	80	78	0	0	0	0	0	158
County Buildings - Data Cabling	61668	139	0	0	0	0	0	0	139
St David House - Dilapidations	61657	0	0	0	0	109	0	0	109
Strathbrock Partnership Centre - Roofing, Heating and Electrics	61658	0	39	0	0	0	0	0	39
To be allocated		0	0	230	230	230	230	230	1,150
Operational Offices Planned Improvements - Total		324	127	230	230	339	230	230	1,710
Primary Schools Planned Improvements									
Armada Primary School - Rewire, Upgrade Undercroft, Controls & Toilets	61701	0	0	90	0	0	0	0	90
Bellsquarry Primary School - Upgrade Heating, Door Access & Stone Repairs	61704	0	0	0	105	0	0	0	105
Blackburn Primary School - Heating, External Cladding, Roof and Door Access	61705	46	0	100	0	0	0	0	146
Blackridge Primary School - External Cladding, Roof and Render	61706	0	0	0	100	0	0	0	100
Bridgend Primary School - Upgrade CCTV and Internal Alterations	61708	0	0	0	20	0	0	0	20
Broxburn Primary School - Upgrade CCTV, Heating and Electrical	61709	25	0	80	0	0	0	0	105
Carmondean Primary School - Heating Upgrade and Roof	61710	0	0	0	100	0	0	0	100
Croftmalloch Primary School - Upgrade Heating and Roof	61711	0	50	0	0	0	0	0	50
Dechmont Infant School - Essential Maintenance & Roof	61713	33	0	0	0	0	0	0	33
Deedridge Primary School - Rewire, Upgrade Cills and Roof Repairs	61714	5	0	0	0	0	0	0	5
East Calder Primary School - Renew Windows, Upgrade Craft Area & Render	61715	30	0	0	100	0	0	0	130
Eastertoun Primary School - Upgrade CCTV, Heating and External Works	61716	35	40	60	0	0	0	0	135
Greenrigg Primary School - Investigate Damp Wall and Roof Repairs	61718	10	50	0	0	0	0	0	60
Harrismuir Primary School - Upgrade CCTV, Heating and Roof	61719	0	0	70	0	0	0	0	70
Internal Improvements - Primary Schools	61721	142	85	100	155	0	0	0	482
Kirkhill Primary School - Upgrade CCTV and Roof Repairs	61722	7	0	0	46	0	0	0	53
Kirknewton Primary School - Roof Light, Ceiling, Rewire and Asbestos Removal	61723	0	110	250	0	0	0	0	360
Knightsridge Primary School - Investigate Damp Internal Walls & Renew Windows	61724	0	0	0	75	0	0	0	75
Letham Primary School - Rewire Community Wing, Heatings and Ceilings	61725	0	0	100	0	0	0	0	100
Meldrum Primary School - Upgrade CCTV, Roof Repairs and Heating	61728	0	0	0	50	0	0	0	50

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Mid Calder Primary School - Nursery Windows and Lights	61729	0	0	40	0	0	0	0	40
Murrayfield Primary School - Renew Windows, CCTV, Heating and Ceilings	61730	18	0	0	33	0	0	0	51
Our Lady of Lourdes Primary School - Upgrade Heating and Renew Windows	61731	0	0	380	0	0	0	0	380
Our Lady's Primary School, Stoneyburn - Windows	61732	20	20	150	0	0	0	0	190
Parkhead Primary School - Heating Upgrade	61733	0	0	50	0	0	0	0	50
Polkemmet Primary School - Electrical Works, Roofs, Internal Walls and Ceilings	61735	0	0	50	0	0	0	0	50
Riverside Primary School - Roof	61736	0	0	0	75	0	0	0	75
Seafield Primary School - Repair Walls, Roof and Windows	61737	50	0	0	25	0	0	0	75
Springfield Primary School - Renew Windows and Rewire	61738	0	0	200	0	0	0	0	200
St Columba's RC Primary School - Windows & Fence	61740	136	0	25	0	0	0	0	161
St John Ogilvie Primary School - Domestic Hot Water, CCTV and Fire Alarm	61741	0	0	0	85	0	0	0	85
St John the Baptist Primary School - Toilet Upgrade and Windows	61742	82	0	0	0	0	0	0	82
St Joseph's Primary School, Linlithgow - Renew Windows and Dinning Hall	61743	50	20	0	0	0	0	0	70
St Joseph's Primary School, Whitburn - Roof Repairs, Ceilings and Heating Upgrade	61744	40	0	70	30	0	0	0	140
St Mary's Primary School, Polbeth - Renew Windows, Doors, External Lights and Roof	61745	45	80	0	0	0	0	0	125
St Nicholas Primary School - Renew Windows, Render and Entrance Screen	61747	0	50	0	50	0	0	0	100
St Ninian's Primary School - CCTV, Roofs and External Lighting	61748	0	0	100	0	0	0	0	100
Stoneyburn Primary School - Ventilation, Roof and Windows	61750	50	0	0	0	0	0	0	50
Toronto Primary School - Roof, External Lights and Boiler	61751	40	0	70	0	0	0	0	110
Uphall Primary School - Windows	61753	80	0	0	96	0	0	0	176
Westfield Primary School - Rewire	61754	0	199	0	0	0	0	0	199
Williamston Primary School - CCTV and External Lights	61756	0	0	125	0	0	0	0	125
Winchburgh/Holy Family Primary School - CCTV, Roof, Rewire and Lighting	61757	0	0	275	0	0	0	0	275
Windyknowe Primary School Heating - External Lobbies	61758	37	0	0	0	0	0	0	37
Woodmuir Primary School - Roof Repairs & Heating	61759	18	0	0	0	0	0	0	18
To be allocated		0	0	2,174	2,174	2,174	2,174	2,174	10,870
Primary Schools Planned Improvements - Total		999	704	4,559	3,319	2,174	2,174	2,174	16,103
Residential Care Accommodation Planned Improvements									
Decoration & Floor Coverings - Residential Homes	61850	10	40	0	0	0	0	0	50
Limecroft Old Peoples Home Heating, Ventilation, Lift and Wet Rooms	61852	8	25	0	0	0	0	0	33
Whitdale House Old Peoples Home - Heating, Ventilation, Fire Alarm, Doors & Wet Room	61853	0	50	0	0	0	0	0	50
Whitrigg House Roof	61854	34	0	0	0	0	0	0	34
To be allocated		0	0	150	150	150	150	150	750
Residential Care Accommodation Planned Improvements - Total		52	115	150	150	150	150	150	917
Secondary Schools Planned Improvements									
Internal Improvements - Secondary Schools	61900	47	43	0	0	0	0	0	90
Linlithgow Academy - Roof	61901	191	94	0	0	0	0	0	285
St Margaret's Academy - Toilets	61902	65	100	0	278	0	0	0	443
West Calder High School - Windows	61903	181	183	62	0	0	0	0	426
To be allocated		0	0	500	500	500	500	500	2,500
Secondary Schools Planned Improvements - Total		484	420	562	778	500	500	500	3,744

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Special Schools Planned Improvements									
Beattie School - Windows	61950	50	0	0	0	0	0	0	50
Burnhouse School - Electric	61951	30	54	0	0	0	0	0	84
Cedarbank School - Upgrade CCTV and Boilers	61952	40	50	0	0	0	0	0	90
Internal Improvements - Special Schools	61953	8	7	0	0	0	0	0	15
Ogilvie School - Upgrade CCTV and Windows	61954	0	37	0	0	0	0	0	37
To be allocated		0	0	112	112	112	112	113	561
Special Schools Planned Improvements - Total		128	148	112	112	112	112	113	837
Miscellaneous Planned Improvements									
Archive Unit Roof	61997	0	40	0	0	0	0	0	40
Chimney Safety Inspections & Lightning Protection	71753	75	0	0	0	0	0	0	75
Commercial Properties	71654	142	48	200	0	0	0	0	390
Controls Upgrades	61990	91	100	0	0	0	0	0	191
General Office Carpeting & Painting	61992	40	40	0	0	0	0	0	80
Museums General Improvements & Repairs to Artworks	61998	10	15	0	0	0	0	0	25
Painterwork	61993	150	250	100	100	100	100	100	900
Landlord Maintenance at Service Leased Properties (WLL)	61994	95	99	101	104	107	111	114	731
Minor Works	61995	185	70	87	88	88	88	88	694
Miscellaneous Planned Improvements - Total		788	662	488	292	295	299	302	3,126
Planned Improvements Total		3,728	2,460	6,915	5,527	4,149	4,045	4,049	30,873
Property Projects									
Civic Centre	75600	406	0	0	0	0	0	0	406
Bathgate Centre	62050	2,703	0	0	0	0	0	0	2,703
Blackburn Partnership Centre	62100	0	0	953	930	0	0	0	1,883
East Calder Partnership Centre	62150	0	0	0	1,329	1,368	0	0	2,697
Fauldhouse Partnership Centre	79069	356	0	0	0	0	0	0	356
Winchburgh Partnership Centre	62250	0	0	1,113	1,146	0	0	0	2,259

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Education General Projects									
Additional Learning Needs Investment - Education DDA	62325	0	336	0	0	0	0	0	336
Armada Nursery Playground Equipment	62327	10	0	0	0	0	0	0	10
Armada Transport Modular Unit - Mobile Family Unit	62330	48	0	0	0	0	0	0	48
Balbaird PS Extension	new	0	1,648	0	0	0	0	0	1,648
Bathgate Academy School Capacity	62310	0	0	0	0	1,340	0	0	1,340
Boghall PS Extension	new	0	0	0	0	754	0	0	754
Design - Parkhead PS	new	39	0	0	0	0	0	0	39
Design - St Nicholas' PS	new	75	0	0	0	0	0	0	75
Design - St Pauls' PS	new	73	0	0	0	0	0	0	73
Harrysmuir Primary - Retention	70570	14	0	0	0	0	0	0	14
Inveralmond Community High School - Full Refurbishment	72284	15	0	0	0	0	0	0	15
Linlithgow Academy School Capacity	62311	1,196	0	0	0	0	0	0	1,196
Meldrum Primary School	62300	2,573	0	0	0	0	0	0	2,573
Pinewood School - 5 Class Base Extension/Remove Swimming Pool	62301	10	64	0	0	0	0	0	74
Primary Schools Curricular Suitability	72566	11	0	0	0	0	0	0	11
Pumphreston and Uphall Station Primary School - New Build	72568	4,339	0	0	0	0	0	0	4,339
Pumphreston PS - Old School Maintenance	70625	32	0	0	0	0	0	0	32
Secondary School Furniture - Deans & Armada	60319	7	0	0	0	0	0	0	7
Simpson PS Fit Out	new	570	0	0	0	0	0	0	570
St Anthony's PS Extension	new	0	0	126	0	0	0	0	126
St Kentigern's Academy - Full Refurbishment	72286	20	0	0	0	0	0	0	20
St Margaret's Academy School Capacity	62309	900	1,730	0	0	0	1,814	1,350	5,794
St Margaret's Academy School Capacity - Equipment & Fit Out	new	70	0	0	0	0	0	0	70
St Mary's Primary School Bathgate	62324	300	0	0	0	0	0	0	300
St Mary's Primary School Bathgate - Extension	new	330	0	0	0	0	0	0	330
Upgrade of Machinery in Craft, Design & Technology Departments	62303	141	127	132	136	140	144	149	969
Upgrade to School Kitchens	62304	0	202	101	104	109	110	115	741
Windyknowe MUGA & Improved Access	new	0	0	366	0	0	0	0	366
Woodmuir Primary School, Breich - Suitability Issues	62306	200	1,314	0	0	0	0	0	1,514
Education General Projects - Total		10,973	5,421	725	240	2,343	2,068	1,614	23,384
Education Class Size Reduction Projects									
Blackridge Primary School - Single class base extension & medical room	70955	41	0	0	0	0	0	0	41
Class Size Reduction Adaptations in Primary Schools	62800	50	0	0	0	0	0	0	50
Longridge Primary School - hall and single class base extension	70953	253	0	0	0	0	0	0	253
Longridge Primary School Equipment & Fit Out	62801	25	0	0	0	0	0	0	25
Education Class Size Reduction Projects - Total		369	0	0	0	0	0	0	369

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Cultural Services Projects									
Armadale Community Centre	63300	75	0	0	0	0	0	0	75
Bathgate Swimming Pool - new facility	73426	300	0	0	0	0	0	0	300
Boghall Community Wing	63309	100	820	0	0	0	0	0	920
Burgh Halls - renovation	73005	300	0	0	0	0	0	0	300
Burgh Halls IT, Fit Out Costs	60076	62	0	0	0	0	0	0	62
Craigshill Community Facilities - Maintenance & Alterations	63301	800	450	0	0	0	0	0	1,250
Crofthead Community Education Centre - Heating	73242	0	121	0	0	0	0	0	121
Howden Park Centre - Improvements	73007	94	0	0	0	0	0	0	94
Livingston Station Community Centre - new centre - plus MUGA	73225	175	122	0	0	0	0	0	297
Mid Calder Pavilion	63305	294	0	0	0	0	0	0	294
Murraysgate Hall, Whitburn - Roof	63308	150	0	0	0	0	0	0	150
Outdoor Changing Pavilions - Armadale	63303	549	428	0	0	0	0	0	977
Uphall KGV Changing Pavilion new		60	0	0	0	0	0	0	60
Cultural Services Projects - Total		2,959	1,941	0	0	0	0	0	4,900
Social Policy Projects									
Broxburn OAP Building - Refurbishment	63400	5	0	0	0	0	0	0	5
Day Care Centre for Older People	63401	0	546	563	580	0	0	0	1,689
Dementia Care & Support Centre	63402	0	0	1,407	1,449	0	0	0	2,856
Housing for the Elderly, Broxburn	63406	300	2,000	700	0	0	0	0	3,000
Respite Care Unit for Adults	79060	219	0	0	0	0	0	0	219
Rosemount Court new		0	1,100	0	0	0	0	0	1,100
Social Policy Projects - Total		524	3,646	2,670	2,029	0	0	0	8,869
Miscellaneous Projects									
Asset Management Plan	75236	82	0	0	0	0	0	0	82
Beebraigs Visitor Centre	63500	0	609	0	0	0	0	0	609
Buchan Park Bowling Club Pavilion, Broxburn	63515	25	0	0	0	0	0	0	25
Building Management System Centralisation new		195	280	150	0	0	0	0	625
Corporate Risk Management	63501	0	145	146	146	146	146	146	875
Development Plan Fees	75309	29	0	0	0	0	0	0	29
Dilapidation Works - Property Portfolio	63504	93	0	0	0	0	0	0	93
Energy Audit Building Fabric Works new		110	0	0	0	0	0	0	110
Energy Audit Mechanical & Electrical Works new		170	0	0	0	0	0	0	170
Energy & Property Improvements	63405	98	0	0	0	0	0	0	98
Leased Properties - Dilapidation Works	63502	100	72	0	0	0	0	0	172
Local Infrastructure Fund	62302	0	563	681	0	0	186	0	1,430
New Service Centre	63503	650	4,440	7,519	0	0	0	0	12,609
Office Rationalisation Reconfiguration	63510	933	0	0	0	35	0	50	1,018
Old Uphall Station PS LAC	63506	23	0	0	0	0	0	0	23
Site Preparation	75311	71	0	0	0	0	0	0	71
Tenanted Non Residential Property Portfolio new		325	0	0	0	0	0	0	325
Travelling Persons Site	63513	32	0	0	0	0	0	0	32
Miscellaneous Projects - Total		2,936	6,109	8,496	146	181	332	196	18,396
Property Projects Total		21,226	17,117	13,957	5,820	3,892	2,400	1,810	66,222

		Budget 2011/12 £'000	Budget 2012/13 £'000	Budget 2013/14 £'000	Budget 2014/15 £'000	Budget 2015/16 £'000	Budget 2016/17 £'000	Budget 2017/18 £'000	Total £'000
<u>Statutory Compliance</u>									
General Statutory Compliance									
Asbestos Management	63600	83	50	51	53	54	56	57	404
Control of Legionella	63800	147	69	69	70	70	70	70	565
Disability Discrimination Act Compliance	63700	600	500	344	0	0	0	0	1,444
Fire Precautions	63601	175	100	100	100	100	100	100	775
Fire Precautions	63602	92	0	0	0	0	0	0	92
School Accessibility	63604	0	0	459	460	460	460	460	2,299
Water Hydrant	63605	20	0	0	0	0	0	0	20
Statutory Compliance Total		1,117	719	1,023	683	684	686	687	5,599
TOTAL PROPERTY ALLOCATION		26,071	20,296	21,895	12,030	8,725	7,131	6,546	102,694

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<u>Roads & Footpaths</u>									
Roads									
A Class Roads - Backlog and Lifecycle Investment									
A705 Cousland Road	63900	0	165	0	0	0	0	0	165
A706 Easter Carriber	63903	0	230	0	0	0	0	0	230
A706 Linlithgow to Bo'ness	63904	167	0	0	0	0	0	0	167
A706 Woodcockdale	63905	272	0	0	0	0	0	0	272
A801 Boghead to Westfield Roundabout	63907	0	71	0	0	0	0	0	71
A89 Blackridge Main Street	63908	0	204	0	0	0	0	0	204
A89 East of Deans	63909	0	72	0	0	0	0	0	72
To be allocated		0	0	499	514	529	545	562	2,649
A Class Roads - Total		439	742	499	514	529	545	562	3,830
B Class Roads - Backlog and Lifecycle Investment									
B7002 Whitburn Road, Bathgate	64200	52	0	0	0	0	0	0	52
B7015 From the Junction with C26 to Rosebank	64202	148	0	0	0	0	0	0	148
B7066	64203	63	0	0	0	0	0	0	63
B8028 Avonbridge to Westfield Section 3	64205	0	153	0	0	0	0	0	153
B8029 Mill Road South, Linlithgow	64206	92	0	0	0	0	0	0	92
B8046 Uphall Station	64211	0	164	0	0	0	0	0	164
To be allocated		0	0	294	303	312	321	331	1,561
B Class Roads - Total		355	317	294	303	312	321	331	2,233
C Class Roads - Backlog and Lifecycle Investment									
C24 Phase 3 C24 to Brucefield Industrial Estate	64503	11	0	0	0	0	0	0	11
C3 Fauldhouse to Harthill Phase 1	64504	132	0	0	0	0	0	0	132
C6 Philipstoun Phase 3	64507	21	0	0	0	0	0	0	21
C6 Philipstoun Phase 4	64508	95	0	0	0	0	0	0	95
To be allocated		500	500	219	227	233	240	248	2,167
C Class Roads - Total		759	500	219	227	233	240	248	2,426

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
U Class Roads - Backlog and Lifecycle Investment									
Linlithgow	64824	63	97	43	0	0	0	0	203
Broxburn, Uphall & Winchburgh	64825	93	174	5	0	0	0	0	272
Livingston North	64826	113	174	110	0	0	0	0	397
Livingston South	64827	29	95	56	0	0	0	0	180
East Livingston & East Calder	64828	105	163	93	0	0	0	0	361
Fauldhouse & Breich Valley	64829	94	145	91	0	0	0	0	330
Whitburn & Blackburn	64830	64	168	0	0	0	0	0	232
Bathgate	64831	77	125	0	0	0	0	0	202
Armadale & Blackridge	64832	40	79	38	0	0	0	0	157
To be allocated		0	0	1,134	952	984	1,016	1,049	5,135
U Class Roads - Total		678	1,220	1,570	952	984	1,016	1,049	7,469
Non Adopted Roads									
Linlithgow	65124	24	19	0	0	0	0	0	43
Broxburn, Uphall & Winchburgh	65125	45	39	0	0	0	0	0	84
Livingston North	65126	34	54	36	0	0	0	0	124
Livingston South	65127	33	66	9	0	0	0	0	108
East Livingston & East Calder	65128	22	35	20	0	0	0	0	77
Fauldhouse & Breich Valley	65129	58	25	28	0	0	0	0	111
Whitburn & Blackburn	65130	49	77	16	0	0	0	0	142
Bathgate	65131	58	94	93	0	0	0	0	245
Armadale & Blackridge	65132	14	10	0	0	0	0	0	24
To be allocated		0	0	428	342	351	362	374	1,857
Non Adopted Roads - Total		337	419	630	342	351	362	374	2,815
Roads Projects									
Beecraigs Emergency Roads (Country Parks)	65511	3	0	0	0	0	0	0	3
Car Park Tarmac (Country Parks)	65512	2	0	0	0	0	0	0	2
Car Parks	65500	11	6	11	6	7	7	7	55
Carriageways - Pedestrian Guardrails	65501	26	12	13	13	14	14	14	106
Carriageways - Safety Fences	65502	145	249	253	249	249	249	250	1,644
Maintaining Traffic Calming Measures & Textured Surfaces	65508	105	55	74	60	62	64	65	485
Leisure Centre Car Parks	new	130	0	0	0	0	0	0	130
Retaining Walls - Backlog/Lifecycle Investment	65505	61	123	123	123	123	124	124	801
Structures Public Art	new	14	0	0	0	0	0	0	14
Snow Damage	65513	318	0	0	0	0	0	0	318
Strathbrock Car Park	new	500	0	0	0	0	0	0	500

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Roads Projects - Total		1,315	445	474	451	455	458	460	4,058
Previous Year Budgets Carried Forward									
Minor Works	65506	67	0	0	0	0	0	0	67
Previous Year Budgets Carried Forward - Total		67	0	0	0	0	0	0	67
Private Roads Schemes	65400	41	0	93	93	93	93	94	507
Roads Total		3,991	3,643	3,779	2,882	2,957	3,035	3,118	23,405
<u>Footways</u>									
Adopted Footways - Backlog and Lifecycle Investment									
Linlithgow	65625	46	49	11	0	0	0	0	106
Broxburn, Uphall & Winchburgh	65626	124	97	15	0	0	0	0	236
Livingston North	65627	237	318	99	0	0	0	0	654
Livingston South	65628	4	63	22	0	0	0	0	89
East Livingston & East Calder	65629	198	266	12	0	0	0	0	476
Fauldhouse & Breich Valley	65630	94	126	0	0	0	0	0	220
Whitburn & Blackburn	65631	121	90	2	0	0	0	0	213
Bathgate	65632	54	87	1	0	0	0	0	142
Armadale & Blackridge	65633	19	42	0	0	0	0	0	61
To be allocated		0	0	1,060	896	926	955	988	4,825
Adopted Footways - Total		897	1,138	1,222	896	926	955	988	7,022
Non Adopted Footways - Backlog and Lifecycle Investment									
Linlithgow	65771	5	5	0	0	0	0	0	10
Broxburn, Uphall & Winchburgh	65772	15	13	0	0	0	0	0	28
Livingston North	65773	38	30	1	0	0	0	0	69
Livingston South	65774	32	39	7	0	0	0	0	78
East Livingston & East Calder	65775	26	20	0	0	0	0	0	46
Fauldhouse & Breich Valley	65776	8	13	12	0	0	0	0	33
Whitburn & Blackburn	65777	16	13	0	0	0	0	0	29
Bathgate	65778	2	4	2	0	0	0	0	8
Armadale & Blackridge	65779	2	1	0	0	0	0	0	3

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

	Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
To be allocated	0	0	129	105	108	112	114	568
Non Adopted Footways - Total	144	138	151	105	108	112	114	872
Footways Total	1,041	1,276	1,373	1,001	1,034	1,067	1,102	7,894

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Flood Prevention and Drainage									
Broxburn Flood Prevention Scheme	78802	2,067	2,274	95	0	0	0	0	4,436
Broxburn Flood Risk Management (Post Flood Review)	new	0	225	0	0	0	0	0	225
Flood Risk Management – Roads, Structures and Public Open Space	new	130	150	150	0	0	0	0	430
Mains Burn Linlithgow Flood Prevention Scheme	65904	62	13	0	0	0	0	0	75
Various Flood Prevention Schemes	65908	50	127	97	0	0	0	0	274
To be allocated		0	0	144	149	152	158	162	765
Flood Prevention and Drainage - Total		2,309	2,789	486	149	152	158	162	6,205
Roads & Footpaths Total		7,341	7,708	5,638	4,032	4,143	4,260	4,382	37,504
Road Lighting									
A7066 BMC to Boghall, Bathgate	66000	0	0	90	0	0	0	0	90
A801 Swineabbey/Boghead	66001	0	115	0	0	0	0	0	115
Alderstone Road, Livingston	66002	0	150	0	0	0	0	0	150
Almondvale Livingston	66003	0	0	200	0	0	0	0	200
Armada Road, Whitburn	66004	0	25	0	0	0	0	0	25
B8028 Westfield/Bridgecastle	66006	4	0	0	0	0	0	0	4
B9080 Threemiletown	66007	5	0	0	0	0	0	0	5
Barton Terrace Area, Fauldhouse	66009	0	69	0	0	0	0	0	69
Bathgate Road, Blackburn	66010	0	175	0	0	0	0	0	175
Bellsyde Court, Linlithgow Bridge	66011	54	0	0	0	0	0	0	54
Blaeberryhill Road, Whitburn	66012	0	130	0	0	0	0	0	130
Bog Road Area, Whitburn	66013	180	0	0	0	0	0	0	180
Burns Avenue Area, Armadale	66015	129	0	0	0	0	0	0	129
Church Place, Fauldhouse	66016	0	0	65	0	0	0	0	65
Cousland Road, Livingston	66017	0	0	137	0	0	0	0	137
Deans Avenues	66019	0	0	416	0	0	0	0	416
East/West Main Street, Whitburn	66021	0	135	0	0	0	0	0	135
Elm Grove, Blackburn	66024	8	0	0	0	0	0	0	8
Fergusson Road/McLeod Street Broxburn	66026	9	0	0	0	0	0	0	9
Garden City, Stoneyburn	66027	5	0	0	0	0	0	0	5
Glenburn Gardens, Whitburn	66028	64	0	0	0	0	0	0	64
Grange Road, Houston Industrial Estate	66032	2	0	0	0	0	0	0	2
Greendykes Industrial Estate	66033	0	30	0	0	0	0	0	30
Greig Crescent/Heatherfield Armadale	66034	0	0	280	0	0	0	0	280
Harburn/Parkhead, West Calder	66035	42	0	0	0	0	0	0	42
Harrysmuir Area, Pumpherston	66036	0	135	0	0	0	0	0	135
Hens Nest Road/Almond Square	66038	35	0	0	0	0	0	0	35
High Academy Street, Armadale	66039	199	0	0	0	0	0	0	199
Hillside Road Heights, Blackridge	66040	0	55	0	0	0	0	0	55

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Houston Road	66041	30	0	0	0	0	0	0	30
Howden House/Park Area	66042	0	75	0	0	0	0	0	75
Lochshot Burn Cycle Track	66044	30	0	0	0	0	0	0	30
Main Street, Longridge	66045	20	0	0	0	0	0	0	20
Minor Works	66048	27	60	58	0	0	0	0	145
Moss Int Ladywell East	66049	0	90	0	0	0	0	0	90
Nellburn/Deans South Road	66051	0	0	75	0	0	0	0	75
Newhouses Road, Broxburn	66052	0	30	0	0	0	0	0	30
Park Road/Parklands, Broxburn	66056	32	0	0	0	0	0	0	32
Priory Road, Linlithgow	66057	50	0	0	0	0	0	0	50
Queens Gardens, East Calder	66058	0	0	45	0	0	0	0	45
Road Traffic Signs	66067	25	41	36	32	33	34	25	226
Station Road, Almondell Broxburn	66061	9	0	0	0	0	0	0	9
Sunnydale Area, Blackridge	66063	0	60	0	0	0	0	0	60
The Rises Dedridge	66069	0	0	687	0	0	0	0	687
Traffic Signals	66068	61	79	77	74	76	78	50	495
Windyknowe, Bathgate	66065	14	0	0	0	0	0	0	14
Woodend Newton	66066	40	0	0	0	0	0	0	40
To be allocated		0	0	0	1,930	2,021	1,653	980	6,584
Road Lighting - Total		1,074	1,454	2,166	2,036	2,130	1,765	1,055	11,680

Structures & Transportation

Road Safety

CWSS (including School Travel Schemes)	66508	246	0	0	0	0	0	0	246
Pedestrian Improvements (CWSS)/ Cousland Road Pedestrian Facility	66503	21	0	0	0	0	0	0	21
Road Casualty Reduction Schemes	66500	382	277	282	287	293	299	305	2,125
Speed Limits Review & Implementation	66501	10	136	49	50	52	53	55	405
Traffic Calming/Speed Management (CWSS)	66504	160	0	0	0	0	0	0	160

Road Safety - Total

819	413	331	337	345	352	360	2,957
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Traffic Management

A71/U28 Linburn - bus priority traffic signals	74447	2	0	0	0	0	0	0	2
Blackridge Station	67014	7	0	0	0	0	0	0	7
Bus Park and Ride Kilpult, Broxburn - Feasibility Design	67009	0	90	0	0	0	0	0	90
DDA Roads Network - Kerbing	67017	92	0	0	0	0	0	0	92
Deans CHS Pedestrian Facilities	67024	40	0	0	0	0	0	0	40
Deans Primary School	65503	104	0	0	0	0	0	0	104
Disabled Parking Act Implementation	67015	100	142	0	0	0	0	0	242

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Kirknewton Level Crossing	67004	0	50	350	0	0	0	0	400
Linlithgow Parking Strategy	74832	44	120	0	0	0	0	0	164
Livingston North Station Car Park Decking - Feasibility Design	67008	0	70	0	0	0	0	0	70
Old Mill Road Bond	new	4	0	0	0	0	0	0	4
Real Time Bus Information System	67011	420	0	0	0	0	0	0	420
Solar Powered Bus Shelters	67006	20	0	0	0	0	0	0	20
Traffic Management Remedial Works	67003	45	0	0	0	0	0	0	45
Traffic Management - Total		878	472	350	0	0	0	0	1,700
Structures									
Adopted Bridges - Assessment and Strengthening of Weak Bridges									
A89 Bathgate Water Bridge Replacement	68003	368	0	0	0	0	0	0	368
B7002 Boghead (Paulville) Bridge Strengthening/Replacement	68004	0	80	0	0	0	0	0	80
Bridge Assessment	68008	32	0	0	0	0	0	0	32
Kinnenhill Bridge Strengthening	68006	0	0	194	0	0	0	0	194
U43 Cobbinshaw Railway Bridge Strengthening	68007	5	20	0	0	0	0	0	25
Assessment and Strengthening of Adopted Bridges - Total		405	100	194	0	0	0	0	699
Adopted and Non Adopted Bridges - Backlog and Lifecycle Investment									
A70 Crosswood Burn Bridge	67501	0	0	35	0	0	0	0	35
A705 Blackburn Bridge (Over River Almond)	67502	125	0	0	0	0	0	0	125
A705 Lochshot Burn Bridge	67503	0	0	25	0	0	0	0	25
A706 Millers Moss Bridge	67505	35	0	0	0	0	0	0	35
A7066 Riddochill Branch Railway Bridge	67506	0	0	35	0	0	0	0	35
A71 Burnfoot-Woodmuir Armco Culvert	67508	0	0	15	0	0	0	0	15
A71 Burnhouse Farm Armco Culvert	67509	0	0	20	0	0	0	0	20
A71 Crofthead Interchange East Bridge	67510	0	0	60	0	0	0	0	60
A71 Crofthead Interchange West Bridge	67511	0	0	65	0	0	0	0	65
A71 Limefield Bridge	67512	0	0	25	0	0	0	0	25
A71 Linhouse Arch Bridge	67513	0	0	75	0	0	0	0	75
A71 Linhouse Armco Underpass	67514	0	0	15	0	0	0	0	15
A899 Almond Valley Bridge Phase 1	67518	1,070	0	0	0	0	0	0	1,070
A899 Houston Interchange Bridge	67522	0	0	15	0	0	0	0	15
A899 Miller's Bridge	67523	0	0	10	0	0	0	0	10
Alderston Road Underpass	67524	0	0	0	24	0	0	0	24
Alderstone House Underpass	67525	0	0	0	19	0	0	0	19
Almond East Bridge	67527	0	0	10	0	0	0	0	10
Almondell Bridge	67528	0	0	30	0	0	0	0	30

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Almondvale Road Footbridge	67529	0	80	0	0	0	0	0	80
B7008 Cross Bridge	67530	0	0	15	0	0	0	0	15
B7015 Longlivingston Underpass	67533	0	0	0	15	0	0	0	15
B7015 New Howden Bridge	67535	0	0	20	0	0	0	0	20
B7066 River Almond Culvert	67537	0	0	20	0	0	0	0	20
B718 Westcraigs Bridge	67539	10	235	0	0	0	0	0	245
B792 Cleuchbrae Bridge	67540	0	0	45	0	0	0	0	45
B792 Craigs Lodge Culvert	67541	0	0	15	0	0	0	0	15
B8020 Niddryburn Bridge (East Side)	67542	0	0	0	15	0	0	0	15
B8046 Binny Ecclesmachan Bridge	67543	0	0	0	25	0	0	0	25
B8046 Tramway Ecclesmachan Bridge	67544	0	0	35	0	0	0	0	35
Baptist Bridge	67547	0	0	25	0	0	0	0	25
Bathgate Branch Railway Bridge	67589	0	85	0	0	0	0	0	85
Beecraigs Culvert No.2	67599	0	10	0	0	0	0	0	10
Birniehill Footbridge	67593	0	20	0	0	0	0	0	20
Black Lodge (Pardovan)	67602	0	25	0	0	0	0	0	25
Blackhill Double Footbridge	67594	0	50	0	0	0	0	0	50
Blackraw Bridge	67588	0	20	0	0	0	0	0	20
Bloom Roundabout Underpass	67548	0	0	15	0	0	0	0	15
Bridgend Farm Culverts	67601	0	15	0	0	0	0	0	15
Brunton Farm Bridge	67604	0	10	0	0	0	0	0	10
Burnside Way Bridge	67549	0	0	50	0	0	0	0	50
Bus Station Underpass	67550	0	0	25	0	0	0	0	25
C1 Stonerigg Bridge	67551	0	0	0	10	0	0	0	10
C14 Bridge Castle Bridge	67552	0	0	0	30	0	0	0	30
C4 Pumperston Railway Bridge	67555	0	0	30	0	0	0	0	30
Cauld Burn Bridge	67600	0	10	0	0	0	0	0	10
Cousland Footbridge	67557	0	0	45	0	0	0	0	45
Croftmalloch Footbridge	67605	0	10	0	0	0	0	0	10
Dechmont Bridge	67607	0	10	0	0	0	0	0	10
Dedridge Burn Underpass	67559	0	0	0	20	0	0	0	20
East Mains Bridge	67611	15	0	0	0	0	0	0	15
Easton Culvert	67610	0	20	0	0	0	0	0	20
Folly Bridge	67560	0	22	0	0	0	0	0	22
Gavieside Bridge	67587	0	70	0	0	0	0	0	70
Glendevon Footbridge	67561	0	0	25	0	0	0	0	25
Guildiehaugh Railway Bridge	67592	0	150	0	0	0	0	0	150
Hawkbrae Underpass	67590	0	15	0	0	0	0	0	15
Houston Footbridge	67562	0	0	25	0	0	0	0	25
Houston Road Underpass	67563	0	0	30	0	0	0	0	30
Howden House Underpass	67564	0	0	20	0	0	0	0	20
Killandean Bridge	67565	45	0	0	0	0	0	0	45

ROADS, STRUCTURES, LIGHTING AND WATER RELATED INFRASTRUCTURE ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Knightsridge West Railway Bridge	67606	0	40	0	0	0	0	0	40
Lanark Avenue Underpass	67566	0	0	15	0	0	0	0	15
Limefield Glen Footbridge	67567	0	0	45	0	0	0	0	45
Linlithgow Loch Culvert	67591	0	10	0	0	0	0	0	10
Livingston Bridge	67568	0	0	77	3	0	0	0	80
Livingston Centre Bridge	67569	0	0	45	0	0	0	0	45
Livingston Village Footbridge	67597	0	50	0	0	0	0	0	50
Minor Bridge at Limefield House	67598	0	15	0	0	0	0	0	15
Minor Works	67582	0	0	28	0	0	0	0	28
New Calder Mill Cycle Bridge	67596	0	120	0	0	0	0	0	120
New Farm Bridge	67603	0	10	0	0	0	0	0	10
Newyearfield Underpass	67571	0	0	0	15	0	0	0	15
Old Limefield House Bridge	67609	0	12	0	0	0	0	0	12
Peel Path Underpass	67572	0	0	20	0	0	0	0	20
Ramsay's Coven Footbridge	67573	0	0	0	35	0	0	0	35
Roadhouse Bridge	67574	0	0	50	0	0	0	0	50
Clattering Mill Footbridge	67586	20	0	0	0	0	0	0	20
Stankards Brick Culvert	67615	117	0	0	0	0	0	0	117
Stankards Footbridge	67595	0	120	0	0	0	0	0	120
Stirrup Stane Underpass	67608	0	10	0	0	0	0	0	10
Weir Footbridge	67613	0	55	0	0	0	0	0	55
West Calder Footbridge	67580	23	0	0	0	0	0	0	23
Winchburgh Duddingston Bridge	67612	20	0	0	0	0	0	0	20
Yonks Bridge	67581	50	0	0	0	0	0	0	50
To be allocated		0	0	0	359	1,033	1,065	1,096	3,553
Backlog and Lifecycle Investment in Bridges - Total		1,530	1,299	1,155	570	1,033	1,065	1,096	7,748
Structures - Total		1,935	1,399	1,349	570	1,033	1,065	1,096	8,447
Structures & Transport Total		3,632	2,284	2,030	907	1,378	1,417	1,456	13,104
TOTAL ROADS, STRUCTURES, LIGHTING & WATER RELATED ASSETS		12,047	11,446	9,834	6,975	7,651	7,442	6,893	62,288

OTHER ASSETS - CAPITAL BUDGET 2011/12 TO 2017/18

		Budget 2011/12	Budget 2012/13	Budget 2013/14	Budget 2014/15	Budget 2015/16	Budget 2016/17	Budget 2017/18	Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Town Centres									
Traditional Town Centres	68600	60	21	465	480	494	509	524	2,553
Armadale Town Centre	68601	217	114	0	0	0	0	0	331
Armadale TCRF	68609	112	0	0	0	0	0	0	112
Bathgate Town Centre	68602	116	61	0	0	0	0	0	177
Bathgate TCRF	68610	119	0	0	0	0	0	0	119
Broxburn/Uphall Town Centres	68603	128	147	0	0	0	0	0	275
History Room	68608	23	0	0	0	0	0	0	23
Linlithgow Town Centre	68604	108	41	0	0	0	0	0	149
Linlithgow TCRF	68612	116	0	0	0	0	0	0	116
Livingston Town Centre	68607	11	0	0	0	0	0	0	11
Whitburn Town Centre	68605	144	142	0	0	0	0	0	286
Town Centres - Total		1,154	526	465	480	494	509	524	4,152
Miscellaneous Other Assets									
Air Quality Monitoring	68702	5	0	0	0	0	0	0	5
Land Remediation Waste	68714	0	1,165	0	0	0	0	0	1,165
Library Book Fund	68700	460	460	450	450	450	450	449	3,169
Purchase of Wheeled Bins	68701	187	113	116	119	123	127	130	915
Zero Waste Project	68711	216	0	0	0	0	0	0	216
Bottle Banks	new	20	0	0	0	0	0	0	20
Customer Relationship Model	68704	60	55	0	0	0	0	0	115
Web Development	68705	50	50	0	0	0	0	0	100
CSC Upgrade/Infrastructure	68706	16	0	0	0	0	0	0	16
CA/National Infrastructure	68707	40	32	0	0	0	0	0	72
Smartcards	68709	60	52	0	0	0	0	0	112
Library/CIS Integration	68710	50	37	0	0	0	0	0	87
Miscellaneous Other Assets - Total		1,164	1,964	566	569	573	577	579	5,992
TOTAL OTHER ASSETS ALLOCATION		2,318	2,490	1,031	1,049	1,067	1,086	1,103	10,144



COUNCIL EXECUTIVE

2011/12 BUDGET REDUCTIONS – UPDATE ON PROGRESS TOWARDS IMPLEMENTATION

REPORT BY HEAD OF FINANCE AND ESTATES SERVICES

A. PURPOSE OF REPORT

To provide the Council Executive with a report on progress to date towards the achievability and implementation of approved 2011/12 budget reductions

B. RECOMMENDATION

It is recommended that the Council Executive:

- notes the report and progress being made in implementing 2011/12 budget reductions
- agrees that Heads of Service take the necessary management action to ensure 2011/12 budget reduction measures are achieved

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable.
		Making best use of our resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III	Resources - (Financial, Staffing and Property)	Approved 2011/12 budget reductions total £16.745 million.
IV	Consultations	Depute Chief Executives and Heads of Service.

D. TERMS OF REPORT

1. Introduction

This report sets out the position regarding the implementation and achievability of approved 2011/12 budget reduction measures. Substantial work has been undertaken since the 2011/12 budget was approved by Council on 11 January 2011 on implementing the significant level of budget reductions required to achieve a balanced budget for 2011/12.

An important element of this has been identifying and agreeing with services exactly where the reductions will be made in their budgets and seeking to confirm that expenditure will be reduced / income increased in accordance with the value of each individual measure. This has taken account of the matching of staffing budget reductions to vacant posts and staff who have taken early retirement / voluntary severance.

2. 2011/12 Budget Reduction Measures

The 2011/12 revenue budget includes £16.745 million of agreed budget reduction measures, which is by far the highest level of budget reductions the council has had to achieve. In order to obtain an early indication of progress in achieving the budget reduction measures and identify any risks, officers have undertaken a comprehensive review of all measures as early as possible in the new financial year. To this end Heads of Service have completed a budget reduction monitoring return covering each individual budget reduction. A summary of progress is shown in the table below.

Service	2011/12 Budget Reductions	Green	Amber	Red
	£'000	£'000	£'000	£'000
Education, Planning & Area				
Schools, Education Support	3,414	3,314	100	0
Area Services (including Arts, Sports & Outdoor Education)	2,250	2,093	157	0
Planning & Econ Dev	1,104	1,091	13	0
Corp, Ops & Housing				
Operational Services	2,082	1,655	427	0
Housing, Construct & Building	861	847	14	0
Corporate Services	1,865	1,855	10	0
WLCHCP & Social Policy	2,647	2,509	138	0
Chief Executive, Finance & Estates	2,522	2,416	106	0
Total	16,745	15,780	965	0

Green = Achieved / Certain to be Achieved

Amber = Expect to achieve, ongoing review required

Red = Not Achievable

As indicated above, the budget reduction monitoring returns show very good progress towards achieving the agreed target with £15.780 million (94%) of the overall budget reduction target assessed as green. A major contributory factor in this positive position has been the far reaching Tough Choices consultation undertaken on the budget reduction measures in 2010 which has allowed for detailed consideration of issues involved in implementation to be addressed timeously.

Given the level of savings required, there has inevitably been a reduction in total staffing numbers but, as a result of workforce planning across council services, this has been achieved through early retirement and voluntary severance.

There remain £965,000 of budget reductions which have been assessed as amber. These measures are still assessed as being achievable, however further ongoing review is required at this stage of the year. None of the budget reductions measures agreed for the approved 2011/12 revenue budget have been assessed by Heads of Service as being unachievable. The budget reductions classified as amber are shown in the table overleaf:

<u>2011/12 Budget Reductions categorised as Amber</u>		
<u>Description of Measure</u>	<u>Service</u>	<u>£'000</u>
Wraparound Care – Remove Subsidy	Schools with Education Support	80
Review of CLAD/libraries for integrated service delivery (Total saving of £151,000 of which £111,000 has been categorised as Green, with balance Amber)	Area Services	40
West Calder fitness centre – review of subsidy (Total saving of £50,000 of which £37,000 has been categorised as Green, with balance Amber)	Area Services	13
Increased income opportunities at Howden Park Centre	Area Services	54
Increased income at outdoor education centre, Low Port	Area Services	32
Public Transport – revised bus shelter contracts	Operational Services	20
5% general vehicle efficiency and utilisation savings	Operational Services	158
Charge developers for street name signage	Operational Services	25
Modernisation of road monitoring facility	Operational Services	70
Staffing rationalisation of waste management & strategy	Operational Services	85
Bin provision and delivery – charge developers	Operational Services	33
Reduction to housing support services - both internal and external (Total saving of £90,000 of which £60,000 has been categorised as Green with balance Amber)	Social Policy	30
Increased rental income	Finance & Estates	100
Reduction in car mileage (Total saving of £425,000 of which £200,000 has been categorised as Green with balance Amber)	Council wide	225
Total		965

A further review of progress in delivering the 2011/12 budget reduction measures will be undertaken as part of the month 4 monitoring process to be reported to Council Executive in September 2011.

E. CONCLUSION

The monitoring of progress in achieving 2011/12 budget reduction measures has demonstrated that good progress is being made. At this point, £15.780 million of budget reductions are already achieved or have been assessed as certain to be achieved. The remaining reductions of £965,000 million have been classed as amber and as such are expected to be achieved. These measures in particular will continue to be closely monitored throughout this financial year to ensure they are delivered in full.

Contact Person: patrick.welsh@westlothian.gov.uk - Tel No. 01506 281320

Donald Forrest

Head of Finance and Estates

Date: 21 June 2011



COUNCIL EXECUTIVE

MODERNISING PROCUREMENT REVIEW

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To provide the Council Executive with a summary of the findings and recommendations of a comprehensive review of procurement within West Lothian Council.

B. RECOMMENDATION

It is recommended that the Council Executive:

- note the findings of the Modernising Procurement review
- approves the recommendations set out in the review
- instructs officers to implement all the recommendations in the review by March 2013
- approves the proposed Corporate Procurement Strategy as set out in Appendix F of the review
- notes that appropriate revisions to council standing orders to reflect the revised management arrangements in the report will be considered by the Working Group on Contracts Standing Orders and reported to the Partnership and Resources Policy Development and Scrutiny Panel (PDSP)
- agrees that a report on the issues surrounding incorporating a “living wage” requirement into contracts is prepared for the Partnership and Resources PDSP.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focussing on our customers’ needs; being honest, open and accountable; making best use of our resources; working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

In accordance with the recommendations of the McClelland Report and the Scottish Procurement Reform Delivery Group, and the council’s financial regulations, the council will embark upon an ongoing implementation to deliver the recommendations of the report and thereby ensure efficient and effective procurement practices for the council. In relation to equality impact assessment, any workforce changes arising from the review will be implemented in accordance with the council’s agreed corporate organisational change policies and procedures, which were subject to an equality impact assessment in 2010.

In terms of issues related to council procurement, the equality officer has advised that the Scottish Government is currently considering the content of the public sector equality duty and, as such, it would be appropriate to carry out an equality impact assessment on the proposals in the review when the position has been clarified. Estimated timescales for this are late autumn 2011.

- | | |
|---|--|
| III Resources - (Financial, Staffing and Property) | Proposals are outlined to improve the efficiency of procurement activity within the council. |
| IV Consultations | Employees, managers, trade unions, elected members, other services and other Public Sector bodies, through ongoing processes. The report was considered by the Partnership and Resources PDSP on 17 June 2011. The PDSP agreed the report should proceed to the Council Executive and requested that a report should be prepared on the issues around incorporating a living wage requirement into contracts. Following questions at the PDSP it has been clarified in the report that the Working Group on Contracts Standing Orders is responsible for considering any required revisions to standing orders and reporting these to members. In addition, the proposed limit for reporting contracts to the Council Executive is now proposed as the EU procurement thresholds for supplies and services and works, which is consistent with current arrangements. |

D. TERMS OF REPORT

1. Background

The Council Executive agreed in 2010 that a comprehensive review of all council Procurement should be undertaken.

Following consultation, a scoping document was published in November 2010 and a project team was established with representation from core service areas, along with Internal Audit and Legal Services in December 2010.

2. Introduction

The scope of the Modernising Procurement project sets out the need to consider and review procurement policies, strategies, procedures, systems, compliance and responsibilities with an objective of ensuring that the council's future procurement activities are efficient and effective in meeting the challenges in the years ahead.

The review of Procurement within the council has produced a number of findings and recommendations including the following:

- Corporate approach to procurement
- Procurement roles and responsibilities
- Corporate Procurement Strategy
- Standing Orders and compliance
- Procurement Capability Assessment / McClelland Recommendations

- Contract spend and management
- Collaborative procurement
- Performance management

The co-ordination of the report has been undertaken by Merle Stevenson, Project Manager within Finance & Estates Services, and the content has been endorsed by the Modernising Procurement Review project team. This note provides a summary of the detailed report, which is provided as an attachment.

3. Consultation

Extensive consultation was carried out within the council. Members of the Procurement Services Unit completed comprehensive surveys and attended one-to-one meetings where suggestions for procurement improvements and efficiencies were provided. A number of improvement opportunities have already been implemented as a result of the Procurement Services consultation.

Meetings were held with key staff from Social Policy, Operational Services and Housing, Construction and Building Services who have responsibility for significant procurement activity within the council. This led to an understanding of contract activity outwith Procurement Services and was an opportunity to identify further improvements. The Trade Union has been updated with developments and consulted on the review findings and will be consulted on any workforce organisational change arising from the review.

Meetings were arranged with a number of other councils (Renfrewshire, Aberdeen City, Aberdeenshire, Scottish Borders and North Lanarkshire) who have demonstrated improved procurement performance in recent years. These councils have undertaken procurement reviews and were able to provide guidance and documentation which proved immensely beneficial.

A report containing the findings of the review and recommendations for improvement was generated and presented at the Partnership and Resources PDSP on 17 June 2011. The Panel agreed that the report should progress to the Council Executive, subject to consideration of reporting limits, the responsibility for updating and reporting to any required changes to standing orders arising from the findings of the review, and agreement to report to the Partnership and Resources PDSP on the implications of incorporating a living wage provision in contracts.

Audit Scotland have also been consulted and have advised that the review of procurement has been very comprehensive and has covered all areas that interested Audit Scotland.

4. Corporate Approach to Procurement

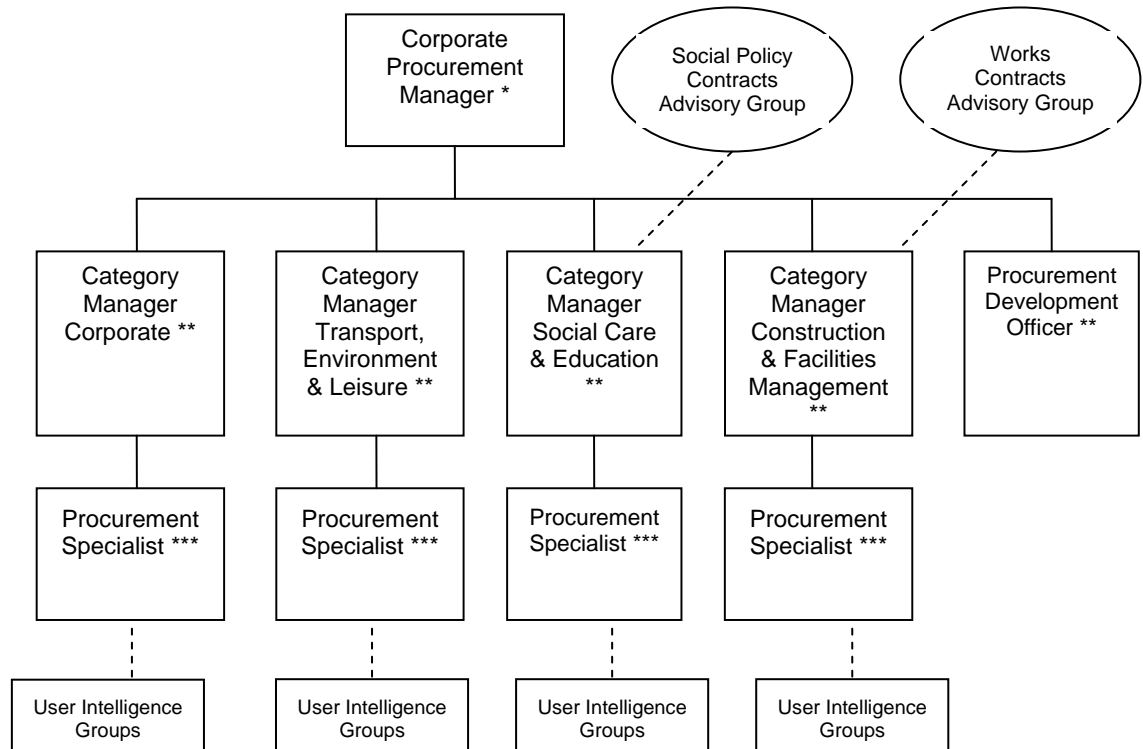
A number of draft papers were produced during the review, e.g. EU Procurement Rules, Regional Procurement, Contract Management and Procurement Strategy & Financial Strategy Integration, which highlighted the various procurement processes, techniques and systems employed throughout the council. These papers resulted in a number of conclusions and recommendations for improvements to procurement practices and clear guidance for services to ensure compliance.

5. Procurement Roles and Responsibilities

Procurement activity is currently carried out by the Procurement Services Unit and various other teams and staff within the Services. There is a varied level of understanding of procurement rules and techniques in the council. The current staffing arrangements are regarded as being indicative of a traditionally fragmented, low profile approach to procurement and lack the necessary corporate control for West Lothian Council to succeed with superior procurement performance.

Alternative options for service delivery have been assessed, however to improve corporate control over the procurement and management of supplies, services and works, it is proposed that a Category Management procurement structure be implemented.

West Lothian Council Corporate Procurement Unit - Proposed Structure



* Corporate Procurement Manager reports to Head of Finance and Estates

** Category Managers and Procurement Development Officer report to Corporate Procurement Manager

*** Procurement Specialists report to allocated Category Manager

The Category Management structure will be flexible and although categories have been designated above, they may be subject to change dependent upon the dynamic procurement requirements.

The proposed structure will enable significant procurement transformation, allow for increased specialisation and skills development and will facilitate advanced procurement development within the council.

Category or commodity management is the preferred method of delivering procurement for the majority of councils consulted, including those independently assessed as performing well and achieving excellent outcomes. The classification of expenditure into categories has helped them to identify where contracts are in place and what opportunities are available for future contract provision. The implementation of this model will enable the implementation of cost saving opportunities in a consistent and structured manner.

To ensure stakeholder requirements are met and maximum compliance is achieved, it is important to ascertain key stakeholders throughout the full contract lifecycle. User Intelligence Groups must be established to assist contract strategy development, tender evaluation contract monitoring and supplier management, project implementation, and compliance and benefits tracking.

To ensure operational contingency arrangements are put in place which will allow for sharing of knowledge and skills and permit improved staff development, it is proposed that the procurement administration and eprocurement support functions transfer to the Financial Management Unit's Corporate Strategy Accounting Support Team. This will facilitate the creation of a purchase to pay support team for the council, with sufficient numbers of staff to permit the necessary segregation of duties.

6. Corporate Procurement Strategy

A new Corporate Procurement Strategy 2011 – 2014 has been developed in response to the dynamic procurement agenda, the current financial climate and the need for the council to comply with the Climate Change (Scotland) Act. The 2011-2014 Strategy sets out a corporate focus, direction and vision for all procurement activities, while establishing a robust governance structure.

Advocating collaborative procurement activity, the Strategy promotes the highest standards of professionalism and sharing of experience and best practice. Promoting access to small and medium enterprises, local businesses, social enterprises and the third and voluntary sectors, the Strategy endorses fair, ethical and effective relationships with suppliers.

It is anticipated that the Corporate Procurement Strategy 2011-2014 will facilitate successfully delivery of the financial savings and other council procurement objectives.

Use of the Strategy will be mandated throughout the council and will be reflected and interpreted in conjunction with the council's Standing Orders.

7. Sustainable Procurement

Sustainable Procurement is to be embedded throughout council procurement processes. The council will actively seek to procure supplies, services and works that are not detrimental to the environment and where it is appropriate to do so will incorporate sustainable development considerations within specifications and tender award evaluation criteria. Whole life costing methods will be employed where it is pragmatic to employ such techniques, and the council must always strive to procure cost effective sustainable solutions.

The council's sustainability procurement parameters and objectives are an integral element of the Corporate Procurement Strategy 2011-2014 and therefore promote the consideration of environmental, economic and social factors in all procurement activities.

The Corporate Procurement Strategy 2011-2014 will enable sustainable procurement to be implemented within West Lothian Council.

8. Procurement Capability Assessment / McClelland Recommendations

The Procurement Capability Assessment was developed by the Scottish Government to promote the sharing of best practice and continuous improvement across the Scottish Public Sector. An analysis of the council's 2009 and 2010 Procurement Capability Assessment submissions and scores was performed and a Procurement Capability Assessment Action Plan has been developed to improve the council's procurement performance. The activities from the Procurement Capability Action Plan must be progressed to completion by the council.

The Review of Public Procurement in Scotland: Report and Recommendations, undertaken by John F McClelland CBE was published in March 2006. This report identified weaknesses in resources, structures, skills and practices which impacted on the achievement of Best Value and found a potential for significant cost savings through better performance.

The recommendations from the McClelland report have been reviewed and outstanding activities to establish the council's compliance have been highlighted for action.

9. Identify Core Procurement Activities that must be delivered in Accordance with EU Procurement Rules

Public Procurement law regulates the procurement by Public Sector Bodies of contracts for supplies, services and works. To assist Public Sector Bodies, the Scottish Government's Procurement Directorate has developed a set of generic procurement procedures called the Procurement Journey: Routes 1, 2 and 3, which provide best procurement practice guidance primarily aimed at developing and implementing procurement strategies for supplies and services. The Construction Procurement Manual has been developed for detailed guidance on works and construction related projects and guidance is also available which is specific to Social Care procurement. All of the guidance provided is subject to further enhancements upon changes in legislation, policy and promotion of best practice.

It is proposed that a standard methodology is adopted to ensure consistency of approach and that best practice is followed. As such the Procurement Journey Routes 2 & 3 will be analysed and tailored to meet the needs of West Lothian Council to ensure that strategies, guidance and templates are provided which ensure necessary adherence to EU Procurement Rules and Treaty Principles.

The Construction Procurement Manual, which is mandatory throughout the Scottish Government, should also be reviewed and where appropriate, tailored to meet the needs of West Lothian Council's Work contracts.

There is a need to develop the working relationship between the new Corporate Procurement Unit, the Financial Management Unit, Legal Services and council service areas responsible for Social Care and Works contract commissioning and procurement activities. Regular meetings must be held and rigorous and robust procurement processes need to be developed and implemented for use with all contract types, covering the whole contract lifecycle.

10. Roles and Responsibilities of Officers who currently Undertake Procurement Activity throughout the Council

To ensure stakeholder requirements are met and maximum compliance is achieved, it is important to ascertain key stakeholders throughout the full contract lifecycle. A high level guide has been developed which clearly illustrates the procurement roles and responsibilities for Elected Members, Chief Officers, Heads of Service, Line Managers, Operational Staff and the Corporate Procurement Unit.

A detailed roles and responsibilities document will be produced to provide an indication of the level of involvement required from all parties during the whole contract lifecycle and the council's Scheme of Delegation will be updated to reflect the roles and responsibilities of officers undertaking procurement activity within the council.

11. Confirmation of Key Competencies and Skills Needed for Procurement Personnel

There is a need for the council to build procurement capability to ensure that procurement activities meet the objectives of the Corporate Procurement Strategy. The procurement skills within the Corporate Procurement Unit and other services will be assessed to ensure that officers are well equipped to manage contracts, to add value to the process and to steer, guide and monitor the council's approach to procurement.

Procurement training needs must be determined throughout the council and formal training sessions, tailored to suit the nature of the tasks undertaken, arranged for procurement professionals from all appropriate service areas.

The procurement competency framework (Scotland Excel technical competency framework or equivalent) must be rolled out as a means of assessing the training requirements for all council procurement professionals.

12. Procurement Service Standards and Performance Targets

It is perceived that the Service Standards currently in place do not meet customer needs and a number of the standards cannot be quantified. Changes to the procurement landscape and priorities for the council must be addressed through a revised set of service standards.

Performance against the Corporate Procurement Strategy objectives, and targets will be reviewed at the Procurement Steering Board, and at quarterly performance review meetings.

Covalent will continue to be used to record procurement performance, however data must be included which relates to council wide procurement activity.

13. Council's Terms and Conditions

Successful contract implementation, subsequent contract management and risk minimisation are assisted by having robust terms and conditions which assist when there is conflict throughout the contract lifecycle.

There are presently different terms and conditions for the supply of goods, services, social care, construction works and passenger transport services. There is also a set of terms and conditions for IT equipment, however, these are dated and require amendment.

Construction and civil engineering works contracts use the Joint Contracts Tribunal (JCT) and Institution of Civil Engineers (ICE) conditions of contract. Both JCT and ICE are responsible for reviewing and updating the standard forms of contracts, guidance notes and other standard documentation used by West Lothian Council.

Procurement Services staff have previously had the opportunity to review model terms and conditions for both goods and services and have recently submitted further amendments to Legal Services for consideration. Legal Services have also recently reviewed passenger transport and social care terms and conditions. However, there is no scheduled review period for assessing whether terms and conditions are appropriate and no evidence of any document or version control.

To ensure commercial risk is minimised, it is essential that a standard contract suite of robust terms and conditions be initiated to cover all tendering opportunities. A formal review of council model terms and conditions must take place on an annual basis.

14. Contract Extension / Variation Process

Subject always to compliance with the EU Procurement Rules and the council's Standing Orders and Procurement Procedures, the council can alter, extend or re-negotiate any part of a contract to achieve Best Value. A written record justifying the reasons for this course of action together with the approval from the Head of Finance and Estates for Supplies and Part A Service contracts, the Head of Social Policy for Part B Service contracts and the appropriate Deputy Chief Executive's approval for Works contracts must be obtained before proceeding.

A new Step by Step Guide and templates will be produced to simplify the variation process and to enable a consistent approach and make sure that unofficial extensions are not permitted in any circumstances.

Financial Management Unit must to be notified of significant price variations to allow them to make amendments to budgets.

15. Council's Standing Orders and Compliance

To ensure that the procurement of supplies, services and works is carried out to the highest standard and that efficiencies set out in the Corporate Procurement Strategy are achieved, all procurement must be undertaken in accordance with the Council's Standing Orders and associated procedures.

To promote greater ownership of responsibility for procurement compliance and to achieve greater compliance from council staff involved in procurement activity, Standing Orders in relation to procurement will be revised by the Working Group on Contracts Standing Orders and reported to members for approval.

The Working Group will update the existing Standing Orders to ensure that they provide accurate, robust, clear and understandable procedures which underpin the management arrangements set out within this report, including support of the proposed new corporate procurement framework and the mandatory use of the corporate contract register to record details of all contracts.

It is important that Standing Orders ensure that users understand the content and their own responsibility for compliance. It is therefore proposed that a diagrammatical representation of the procurement procedures is considered by the Working Group for inclusion in Standing Orders to give officers a clear illustration of the route they should take for a contract.

16. Contract Compliance

Devolved buying by services is firmly established within the council and it is possible to place off-contract orders. Services have not taken ownership of the need to ensure compliance and systems to monitor contract compliance have not been established.

The council's use of its eProcurement system (PECOS) was expected to drive the ordering of supplies and services through established contracts. This is not yet the case, as non-compliant procurement behaviour remains a persistent issue.

A flag highlighting contracted suppliers has been implemented within the Supplier Contact Facility on the intranet. It is hoped that the preferential rates offered by contracted suppliers for non-contracted supplies and services will encourage their use over non-contracted suppliers. Additionally, the use of a 'Preferred' supplier flag on PECOS is being explored to promote the use of contracted catalogue items over non-contracted items.

It is imperative that the revised Standing Orders are appropriately communicated to all council employees. It is vital that all officers with responsibility for operational procurement activity have a total clarity of expectation and understand their responsibility and the consequences of non-compliance.

To enable the withdrawal of unnecessary non-contract suppliers and to provide additional opportunity to make cash savings, the Corporate Procurement Unit and Services must work to increase the percentage of contracted spend.

17. Contract Management

Although contract management is performed for a number of specific contract types throughout the council, it is clear that effective contract management is not consistently practiced. There is a lack of operational contract management for a number of contracts, which contradicts the aims of the Scottish Procurement Directorate's Suppliers' Charter, the McClelland Report recommendations and the Procurement Capability Assessment requirements.

To drive value from existing and any future contracts and to improve supplier management and supplier relationships, a Contract and Supplier Management Strategy has been developed. The Contract and Supplier Management Strategy should be agreed and enforced throughout the council for Supplies, Part A Services and where applicable for Works contracts, to implement consistent and cross-service processes.

Social Policy will continue to develop a contracting plan with a risk assessment framework for prioritising social care contract monitoring. The Social Policy contract management system will continue to be developed to compliment the corporate contract management approach.

18. Management Reports Available from PECOS to Enhance Reporting Information

An abundance of procurement information is held in various forms and across numerous databases and files throughout the council. Although beneficial to individual service managers in its current format, this diversity of information sources is wasteful to the council as a whole.

It is proposed that PECOS provides a single source of management information with regard to council spend. As such, it is imperative that the outstanding interfaces to PECOS from Operational Services Axim system and Housing, Construction and Building Services Open Contractor system be completed as a matter of urgency in the current financial year. This will ensure that data from legacy systems is reportable through the council's PECOS datamart.

19. Collaborative Procurement

Collaboration is high on the council's agenda over the next few years and to take advantage of potential collaborative benefits the council should ensure that collaborative procurement opportunities are exploited, not only with Scotland Excel and Scottish Procurement, but with other councils and Public Sector Bodies. The use of the Contract Strategy will encourage officers responsible for procurement to engage with the marketplace, identifying, assessing and delivering the most effective and efficient procurement solution and as part of the contract development, investigate possibilities for collaborative procurement.

Annual approval of the Corporate Procurement Strategy by Elected Members will provide the council with the endorsement to use Category A and B framework contracts provided by Scottish Procurement, Scotland Excel and OGC Buying Solutions.

Where the collaborative contract provided by Scottish Procurement, Scotland Excel or OGC Buying Solutions does not meet council needs or does not represent value for money, a business case for exemption must be presented to the Council Executive prior to the commencement of the tender process.

20. Remit and Constitution of Inter-service Procurement Meeting Groups

Although a number of Procurement inter-service meeting groups exist, they are not all perceived as being productive. The Procurement Forum for example, has been established for a number of years, the purpose of which was to be an opportunity for strategic procurement decision making, yet attendance has dwindled, indicating a failure to appreciate the importance of procurement within the council.

It is recommended that a Procurement Steering Board is be established and that this board is chaired by the Chief Executive and attended by senior representatives from each service, the Corporate Procurement Manager, the council's Sustainable Procurement Champion and a representative from Legal Services. The creation of this Board will demonstrate senior management leadership and commitment and accelerate procurement development throughout the council.

The Social Policy Contracts Advisory Group meets on a six weekly basis and includes representation from Procurement Services, Legal Services and the Financial Management Unit, as well as attendance by the Head of Social Policy, Social Policy Senior Managers and Social Policy staff responsible for contracting arrangements. This meeting allows full consideration and decision making about all Part B Services sufficiently in advance of the establishment, renewal or termination of contracts.

Current Works contract arrangements are similar to that of Social Policy, in that procurement activities are devolved from Procurement Services responsibility. Currently, Procurement Services often do not have sight of contract details or the procedures followed prior to and in some cases until after contract award.

Following the successful contracts advisory group model operated for Social Care, a Works Contracts Advisory Group should be established. The remit and constitution will be similar to that of the Social Policy Contracts Advisory Group but apply to Operational Services and Housing, Construction and Building Services staff engaged in arranging and managing Works contracts.

21. Information Technology and Developments to Improve Procurement Activity

West Lothian Council procurement and IT Services have implemented many IT developments over the past number of years and this is an area that has received considerable recognition from external public bodies, audits and assessments.

As the council is keen to improve and indeed achieve superior performance, there is merit in extending the previous good practice demonstrated by considering additional IT enhancements.

The development of the new bespoke corporate contract register must be completed as a priority. This will replace the online version currently promoted by the Scottish Government, by providing enhanced contract details required by the council.

To facilitate the delivery of a new corporate procurement model within the council and to enable access to all the necessary procedures, guidelines and templates required to perform procurement activity, the existing Procurement Services intranet site must be re-designed.

22. Contract Evaluation Criteria Policy and Financial Reporting

Historically, reports to elected members have not provided extensive information on why contract award criteria were selected. There are also issues with the current approval and reporting process, as under current arrangements, unless there are known grounds for excluding an economic operator, there is very limited scope to change the procurement decision. Indeed, if the Council Executive were to change a procurement report, there is the potential for challenge from an unsuccessful supplier.

The current threshold for supply and service quotations is £30,000 and council Standing Orders dictate that up to three quotations are sought for contracts up to this level. The quotation process is less formalised and resource intensive than the competitive tender process with more simplified documentation, whilst ensuring that adherence to the EU treaty principles of non discrimination, equal treatment, and transparency.

The council has successfully trialled and is in the process of rolling out the Scottish Government's online request for quotation facility "Quick Quote" provided through Public Contracts Scotland. Quick Quote obtains competitive quotes for low value (up to £50,000) low risk opportunities.

It is proposed that the tender threshold for supplies and services and works contracts is raised to £50,000, to increase the number and value of tender opportunities for local suppliers, SMEs, the voluntary sector, the third sector and supported businesses.

It is also proposed for all West Lothian Council procurement exercises in excess of the EU threshold (£156,442 for supplies and services and £3,927,260 for works contracts), that the tender award criteria and other considerations e.g. community benefits are reported to Elected Members and agreed at the beginning of the process.

It is proposed that there is reporting for information to the Council Executive at months 4, 6, 9 and out-turn providing information on use of frameworks and contracts let by the council during the previous quarter.

23. Shared Services

Sharing services can maximise the potential economies of scale, deliver service improvements and enable further savings through contract alignment.

Initial discussions have been held between West Lothian and Falkirk Councils to determine if there is an opportunity for collaborative working. Falkirk Council is comparable in size to West Lothian and is at a similar state of maturity with regard to procurement progression. Falkirk Council is also embarking upon a review of Procurement and this presents an excellent opportunity to collaborate with regard to improvement plan actions.

It is proposed that the sharing of responsibility for delivering improvement plan actions and opportunities for sharing improvement tasks should be explored with Falkirk council.

24. Implementation

The objectives of the Modernising Procurement Review will be achieved through the implementation of the outstanding actions from the detailed Modernising Procurement Review report. Following incorporation of feedback from staff, trade unions, and customers, it is intended to implement the recommendations as part of an ongoing modernisation programme, from July 2011 onwards.

An implementation plan will be developed once the final report has been agreed. The plan will document the actions, responsible owner and timescales required to deliver the recommendations in the report, prioritising those with greatest value and importance.

Given the benefits to be accrued it is envisaged that most changes and improvements will be implemented within 12 months of report authorisation and full implementation completed by March 2013.

To assist in the process, some additional temporary staffing resources will be required. Organisational changes will be implemented with appropriate consultation with staff, customers and trade unions and in accordance with agreed council policy and procedures.

E. CONCLUSION

Implementing the recommendations from the report will result in improvements to governance, leadership, processes and skills. Furthermore, greater emphasis will be placed on both procurement efficiency savings and procurement cashable savings, leading to a consistent approach to the procurement of supplies, services and works, improving service delivery and achieving Best Value from all council procurement activity.

F. BACKGROUND REFERENCES

Review of Procurement Arrangements – report by Head of Finance and Estates to the Partnership and Resources PDSP 17 June 2011

Appendix: Procurement Review report and appendices

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Head of Finance and Estates
Date: 21 June 2011

Modernising Procurement – Shaping the Future

Reviews, Considerations and Recommendations

23 June 2011

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1. Purpose of Report

The purpose of this report is to provide a summary of the findings of a comprehensive review of procurement within West Lothian Council (the council) and to set out recommendations for consideration. The co-ordination of this report has been undertaken by Merle Stevenson, Project Manager within Finance & Estates Services, and the content has been endorsed by the Modernising Procurement Review project team.

2. Introduction and Scope of the Review

2.1 Introduction

It is estimated that the council procures approximately £230m worth of goods, services and works annually from third party providers. In recognition of the external pressures, including the current financial climate and the perception that the current procurement model does not deliver best value, the Executive Management Team agreed that a comprehensive review of all council procurement should be undertaken. A review of procurement was also agreed at the November 2010 meeting of the Partnership and Resources Policy Development and Scrutiny Panel.

The Modernising Procurement Review (the review) has provided a good opportunity to ensure that our procurement processes, procedures and practices will meet the challenges in the years ahead. A full evaluation of the council's procurement activity and how it supports our strategies and agreed outcomes has been performed and this report is a culmination of five months of research, consultation and analysis into procurement activity council wide.

2.2 Scope of the Review

The scope of the Modernising Procurement programme set out the need to consider and review current procurement policies, strategies, procedures, systems and compliance.

The key requirements of the review were to reach conclusions on the current procurement arrangements within the council and to make recommendations to ensure future procurement activities are as efficient and effective as possible. A review of the following has been performed:

- All procurement activities to identify core work that must be delivered in accordance with EU Procurement Rules
- Roles and responsibilities of officers who currently undertake procurement activity throughout the council
- Key competencies and skills needed for procurement personnel
- Procurement Service Standards and performance targets to ensure they are relevant and measurable and fully supported by the council's Procurement Strategy and Procurement Policy
- Present administration support arrangements and possibilities for efficiencies and contingency arrangements
- Sustainable procurement policy and strategy and sustainable procurement processes
- Council terms and conditions and contract extension / variation process
- Council Standing Orders and compliance
- Contract compliance
- Non contract spend and maverick buying
- Procurement card spend
- Contract management
- Measures to prevent the risk of fraud with regard to procurement and payment
- Key procurement risks
- Management reports available from PECOS to enhance reporting information
- Procurement Capability Assessment results and recommendations

- Service and support currently provided by and to Scottish Procurement and Scotland Excel.
- Regional procurement
- Benchmarking information and best practice with regard to other Local Authorities and Public Bodies
- Remit and constitution of all existing inter-service procurement meeting groups

The following have also been considered:

- Alternative procurement delivery mechanisms
- Future service provision requirements
- Partnership arrangements and how these could be more effective
- Opportunities for shared services
- The recommendations of the McClelland report on the Review of Public Procurement
- Requirements for the implementation of Procurement Journey Routes 1, 2 & 3
- Information technology and what developments can be made to improve procurement activity
- Requirements to achieve “Best Value” through procurement activity
- How best to integrate Legal Services and Finance & Estates Services in providing professional procurement advice
- Minimisation of risk, taking account of business continuity
- Integration of the Procurement Strategy with the council's financial strategy
- Flexible working

The detailed scoping document for the review is attached in Appendix A.

Recommendations are provided throughout this report based upon the information provided within the review. If approved, the recommendations will significantly alter the procurement arrangements within the council with the clear intention of improving the way supplies, services and works are procured by West Lothian Council.

The recommendations are also grouped together in Appendix B.

3. Review Consultation and Project Team

3.1 Consultation

The Modernising Procurement Review has involved extensive consultation with the council's procurement staff and customers to assess current practices and obtain ideas and suggestions as to how council procurement can be improved. The consultation process consisted of detailed surveys and follow-up meetings with members of the Procurement Services Unit, and meetings with other key individuals responsible for significant procurement activity within the council. The Trade Union has also been informed and updated with developments.

All Scottish Local Authorities were contacted to establish the arrangements they have in place regarding procurement structure, reporting mechanisms, IT system implementations and Social Care commissioning and contract monitoring. Meetings were held with a number of council's demonstrating successful procurement performance and those who had / were going through a similar procurement review.

Responses were received from 16 out of the 31 councils contacted.

3.1.1. Surveys

As procurement activity is the core responsibility of the Procurement Services Unit staff, they provided major insight into how to improve council procurement. The completed surveys supplied feedback and suggestions for change which have been invaluable for shaping the future of council procurement.

The themes encompassed within the survey included:

- General performance and working environment within Procurement Services
- Customer satisfaction
- Advice and support provided by Procurement Services
- Training and development
- Systems, processes and procedures
- Procurement Services structure and team working
- Workload and partnership working
- Comments and suggestions to improve procurement within West Lothian Council

3.1.2. External Council Visits

External consultation was undertaken with a number of Scottish Local Authorities. West Dunbartonshire, the Tayside Procurement Consortium, Argyll & Bute, Highland, Moray and South Lanarkshire Councils have submitted information regarding their Procurement Review / Transformation projects which has helped contribute to the findings of this report.

Meetings were also held with the Heads of Procurement at Aberdeen City / Aberdeenshire, The Scottish Borders, North Lanarkshire and Renfrewshire Councils. These meetings proved immensely informative, due to lessons learned from their experience of procurement review and transformation programmes and the assistance of these authorities is gratefully acknowledged. A standard set of questions were asked at the meetings and these can be accessed in Appendix C.

3.1.3. External Council Questionnaire

A questionnaire was issued to all remaining Scottish Local Authorities to obtain a high level overview of their procurement function. A standard set of questions were asked and these can be accessed in Appendix D.

3.2 Project Team

An appropriately qualified and experienced team of nine staff have worked on the review, including representatives from Services with key procurement roles, which ensured that all areas of West Lothian Council procurement were covered.

<u>Name</u>	<u>Role</u>
Donald Forrest	Head of Finance & Estates Services (Project Sponsor)
Tom Henderson	Interim Procurement Manager (Project Lead)
Merle Stevenson	Project Manager - Finance & Estates Services
Alan Bell	Senior Manager Communities & Information - Social Policy
Ross MacDonald	Operations Manager - Housing, Construction and Building Services
Joe Drew	Fleet Co-ordinator - Operational Services
Carol Johnston	Senior Solicitor - Corporate Services
Ailsa MacKerrow	Team Leader - Financial Management Unit
Sharon Leitch	Senior Auditor - Internal Audit

4. Procurement Approach Arrangements and Structure

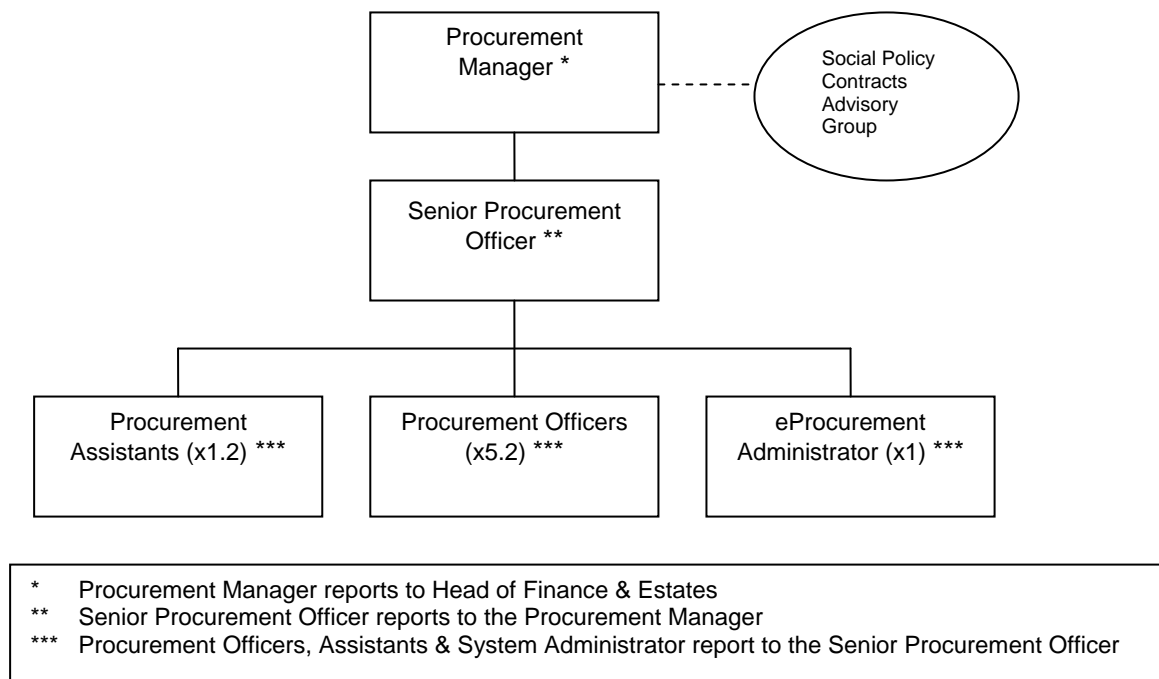
4.1 Alternative to Current Procurement Delivery Mechanism

Category or commodity management is the preferred method of delivering procurement for the majority of councils consulted, including many of those independently assessed as performing well and achieving excellent outcomes. The classification of expenditure into categories has helped them to identify where contracts were in place and the opportunities available for future contract provision. Changes to the council's existing staffing structure will be required to support the ongoing procurement requirements of West Lothian Council.

4.2 Procurement Services Unit

Within the council, procurement activity is currently carried out by the Procurement Services Unit and various other teams and staff within the Services. Some of have an understanding of procurement Rules and techniques and some do not. The current staffing arrangements are regarded as being indicative of a traditionally fragmented, low profile approach to procurement. There is a broad consensus across Local Authorities that such arrangements will not deliver the type of corporate approach best placed to secure superior procurement performance.

West Lothian Council Procurement Services Structure



Effective procurement involves often complex procedures to determine:

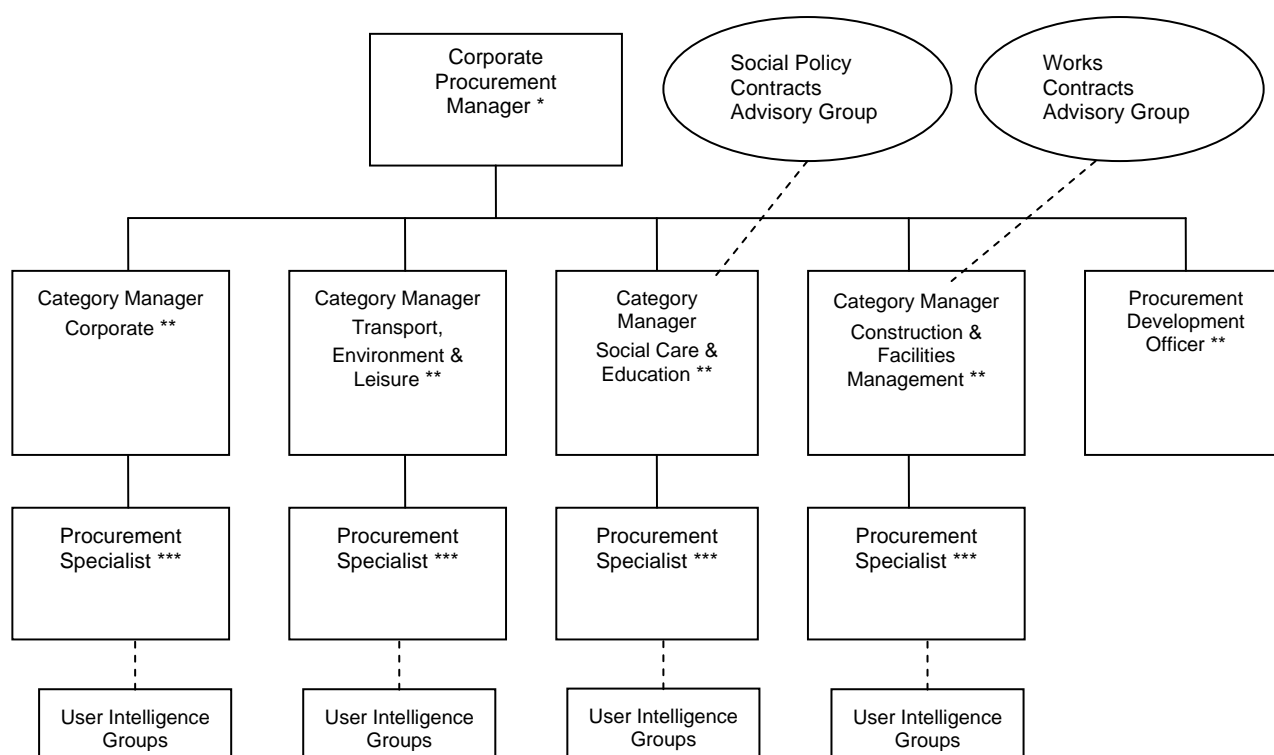
- What supplies, services and works are required and when?
- Who can supply them and under what terms?
- What are the best options to obtain value for money?
- How procurement should take into account wider policies, such as improving the environment and supporting economic development?
- Legislative considerations

The Scottish Government introduced the Public Procurement Reform Programme in 2006, and one of its key aims was to introduce substantial changes to Public Sector procurement. The Programme set ambitious targets as it recognised that to be successful in improving procurement practices, it was imperative that Public Bodies needed people with the correct skills to manage the necessary changes, to act and think in new ways whilst introducing new systems and approaches to procurement.

Alternative options for the future procurement service delivery within West Lothian Council have been assessed as part of this Review and can be accessed within Appendix E. Any future arrangements will facilitate the necessary radical change that is required to transform the procurement function so that enhanced performance is continually achieved.

The proposed structure for West Lothian Council is one where Category Management is employed as this embraces the required strategic activity necessary to deliver necessary benefits. Under the new category management model, there will be an improved corporate framework providing effective planning, co-ordination and control over the way goods, services and works contracts are procured and managed.

West Lothian Council Corporate Procurement Unit - Proposed Structure



* Corporate Procurement Manager reports to Head of Finance and Estates

** Category Managers and Procurement Development Officer report to Corporate Procurement Manager

*** Procurement Specialists report to allocated Category Manager, but all operate flexibly

The Category Management structure will be flexible and although categories have been designated above, they may be subject to change dependent upon the dynamic procurement requirements.

Recommendations

To enable significant procurement transformation, allowing for increased specialisation and skills development and facilitating advanced council procurement development within the council, the proposed procurement structure documented is to be approved. The proposed structure will encompass 10 FTE. It will enable outcome based progress and reinforce the required change of procurement culture. Any structural changes will be implemented in accordance with the council's agreed organisational change processes and in consultation with the Trade Union.

Procurement professionals who have responsibility for Social Care and Works contracts will remain within their respective service areas. However a formal review will be performed at the end of 2012/13 to consider if this arrangement continues to meet the business requirements of the council.

4.3 Procurement Administration Support Arrangements

Finance & Estates Services currently has a number of administration support and system support groups, with each having responsibility for specific elements of the Finance and Estates service provision.

The Procurement Assistants (1.2 FTEs) and the eProcurement Systems Administrators (1 FTE) perform a number of specialist tasks and support to Procurement Services and the council, which are essential to council service delivery. The current arrangements cause issues during periods of leave and absence, as robust cover and contingency arrangements are not provided and the existing structure does not follow the council's consolidation, streamlining or efficiency plans.

Recommendations

To ensure operational contingency arrangements are put in place which will allow for sharing of knowledge and skills and permit improved staff development, it is proposed that the procurement administration and the eprocurement support functions transfer to the Financial Management Unit's Corporate Strategy Accounting Support Team. This will facilitate the creation of a purchase to pay support team for the council, with sufficient numbers of staff to permit the necessary segregation of duties.

As part of the organisational changes it is proposed that a new role (1 FTE) is created covering administration of a number of financial systems within Finance and Estates.

It is also recommended that opportunities are evaluated across the council to integrate activities relating to purchase to pay within the consolidated corporate team.

5. Corporate Procurement Strategy

The council's current Procurement Strategy 2008 - 2011 has now expired and a new Corporate Procurement Strategy 2011 – 2014 (see Appendix F) has been developed in response to the dynamic procurement agenda, the current financial climate and the need for the council to comply with the Climate Change (Scotland) Act. The 2011-2014 Strategy sets out a corporate focus, direction and vision for all procurement activities, while establishing a robust governance structure. The introduction and contents of the Corporate Procurement Strategy 2011-2014 supersedes the requirement for a corporate procurement policy.

A Procurement Improvement Plan is contained within the Corporate Procurement Strategy and has been developed to stipulate the activities required to meet the council's strategic procurement objectives:

- Strategic Objective 1** - Provide procurement leadership and governance for achieving Best Value
- Strategic Objective 2** - Ensure availability of a corporate framework to guide council procurement
- Strategic Objective 3** - Demonstrate a well planned approach to defining supply need
- Strategic Objective 4** - Demonstrate a clear understanding of how to best satisfy supply needs
- Strategic Objective 5** - Manage contracts and suppliers effectively
- Strategic Objective 6** - Demonstrate efficient and robust processes and systems to support advanced procurement activity
- Strategic Objective 7** - Ensure availability of sufficiently capable people to demonstrate effective procurement performance
- Strategic Objective 8** - Assess procurement performance and demonstrate improvements
- Strategic Objective 9** - Deliver value for money from sustainable procurement activity
- Strategic Objective 10** - Minimise the environmental impact of our contracts
- Strategic Objective 11** - Encourage a strong sustainable local economy and sustainable supply chains
- Strategic Objective 12** - Implement sustainable procurement practices

The Corporate Procurement Strategy ensures that procurement contributes to the delivery of the council's Corporate Plan, implementing sustainable procurement and sustainable development principles whilst achieving Best Value and delivering procurement cashable savings.

Advocating collaborative procurement activity, the Strategy promotes the highest standards of professionalism and sharing of experience and best practice. Promoting access to small and medium enterprises, local businesses, social enterprises and the third and voluntary sectors, the Strategy endorses fair, ethical and effective relationships with suppliers.

Use of the Strategy will be mandated throughout the council and will be reflected and interpreted in conjunction with the council's Standing Orders.

Recommendations

The Corporate Procurement Strategy 2011-2014 should be approved to successfully deliver the financial savings and other council procurement objectives.

Services will need to embrace the new strategy and change (where appropriate) their existing ways of working with Procurement Services. The proposed Corporate Procurement Unit will adopt the new strategy and develop a closer working relationship with their customers.

Although the Corporate Procurement Strategy has been created to cover 2011 – 2014, it is dynamic and will be reviewed on an annual basis. The new strategy will be used to regularly review performance of council procurement and progress against objectives will be discussed at the quarterly Procurement Steering Board (see [Section 26](#)), as well as at the Corporate Procurement Unit team meetings.

6. Sustainable Procurement

Sustainable Procurement can be described “as a process whereby organisations meet their needs for goods, services and works in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, while minimising damage to the environment”. Sustainable procurement is not only about how we source, but what we source.

Sustainable Development meets the needs of the present without compromising the ability of future generations to meet their own needs and attempts to minimize greenhouse gases, reduce global warming, preserve environmental resources, and provide communities that allow people to reach their fullest potentials.

Sustainable Procurement is to be embedded throughout council procurement processes. The council will actively seek to procure supplies, services and works that are not detrimental to the environment and where it is appropriate to do so will incorporate sustainable development considerations within specifications and tender award evaluation criteria. Whole life costing methods will be employed where it is pragmatic to employ such techniques, and the council must always strive to procure cost effective sustainable solutions.

As set out in Section 5, the review is recommending that the council's sustainability procurement parameters and objectives should be an integral element of the Corporate Procurement Strategy 2011-2014 and therefore promote the consideration of environmental, economic and social factors in all procurement activities:

- **Environmental** - includes the use of recycled and recyclable products, “Fair Trade” products, natural resource consumption, ‘greener’ sources of energy, energy efficiency, management of waste, and the impact of transportation to reduce environmental impact and ecological footprint.

- **Economic** - focuses on retaining expenditure within the local economy by providing help and support to local businesses, especially small to medium enterprises and improving access to opportunities.
- **Social** - includes enabling of employment / training opportunities and community benefits through the inclusion of social and community clauses within contracts, adopting ethical sourcing practices, encouraging and promoting good health and ensuring that suppliers and contractors do not contravene equality and diversity policies.

To help organisations understand and take necessary steps to improve procurement practice, the UK Government's Sustainable Procurement Task Force developed a 'Flexible Framework' of key behavioural and operational change programmes that would facilitate the delivery of more sustainable procurement. The Scottish Procurement Directorate has developed the 'Scottish Sustainable Procurement Action Plan' to reflect the Flexible Framework and identify actions and timescales for improving Scotland's sustainable procurement practices. The council has already undertaken an initial benchmark assessment against the Flexible Framework and will continue to measure progress on an ongoing basis.

West Lothian Council is obligated to comply with all relevant environmental and procurement legislation and will always strive to act as an ethical and responsible procurer. As a major procurer, the council is in a position to encourage suppliers and contractors to consider the impact of their products and services, and to offer more sustainable alternatives.

The council has much to gain by implementing Sustainable Procurement by improving quality of life locally, making best use of resources and by playing its part in global efforts on sustainable development. It is especially important in the current financial climate for the council to get the maximum possible benefit from public spending for the community of West Lothian.

Recommendations

The Corporate Procurement Strategy 2011-2014 should be approved to enable sustainable procurement to be implemented within West Lothian Council.

Recognising the council's commitment to sustainable procurement it is proposed that a Category Manager will have specific responsibility for sustainable procurement and will assist the Head of Planning and Economic Development as the council's sustainable procurement champion. The relevant Category Manager will embed and promote sustainable procurement processes throughout the council.

7. Integration of the Corporate Procurement Strategy with the Council's Financial Strategy

The Corporate Procurement Strategy 2011-2014 has been aligned with and supports the council's Corporate Plan; however the current economic situation, the Council's tough choices consultation and the Council Executive approval of the financial strategy necessitates the achievement of procurable cashable savings as a priority.

As all procurement cashable savings from new contracts are retained centrally, they need to be verified and agreed by the Financial Management Unit before being removed from budgets. The council plans to realise £3m of cashable procurement savings over the period 2011 – 2014.

Procurement cashable savings will be included from contracts set up for use by Scottish Procurement (formally Procurement Scotland), Scotland Excel, Regional Contracts and Local contracts, as well as the use of other permitted frameworks e.g. OGC Buying Solutions.

Recommendations

The new Corporate Procurement Strategy 2011 - 2014 should be approved to enable progress towards achieving the cashable savings targets identified within the council's Financial Strategy.

An agreed Benefits Tracking methodology should be introduced to ensure that all contracts within the respective categories have cashable savings targets and that actual figures are consistently measured and recorded.

Quarterly meetings should be held between the Corporate Procurement Manager and the Corporate Finance Manager to discuss cashable savings targets and progress towards their achievement.

The Corporate Procurement Unit should continue to analyse the spend data from the National Hub through Spikes Cavell and liaise with Services to identify potential contract opportunities to realise targeted procurement cashable savings.

8. McClelland Review of Public Procurement

The Review of Public Procurement in Scotland: Report and Recommendations, undertaken by John F McClelland CBE was published in March 2006. This report, referred to as the McClelland Report, identified weaknesses in resources, structures, skills and practices which impacted on the achievement of Best Value and found a potential for significant cost savings through better performance.

Although there had been a growing awareness of the importance of good procurement, the McClelland Report highlighted that there was an insufficient level of priority given to it in the public sector. The weaknesses were considered to be inconsistent with good procurement governance and performance and required an urgent response, both locally and nationally.

To assist in measuring progress on McClelland's recommendations, the Chief Internal Auditors' Group developed a common questionnaire which each Local Authority could use to assess its position. Appendix G provides the results of the assessment performed by West Lothian Council's Internal Audit Unit in April 2007. The council scored 84 points out of a possible maximum of 186, which equates to 45%.

As part of the Modernising Procurement Review, the recommendations of the McClelland report have again been reviewed to ascertain West Lothian Council compliance. The findings of the compliance review can be found in Appendix H.

Recommendations

To enable full compliance with the appropriate recommendations from the McClelland Report, the areas of non-conformance highlighted within the 2007 Internal Audit assessment and the 2011 compliance status review should be addressed. The Procurement Development Officer should lead the delivery of the necessary actions and ensure that a follow-up assessment is performed by the end of 2012/13.

9. Procurement Capability Assessment

In response to the McClelland Report, the Procurement Reform Delivery Group agreed in January 2009 that a single Procurement Capability Assessment should be developed. The assessment scores are not a league table and are intended to promote the sharing of best practice and continuous improvement across the Scottish Public Sector.

The objective of the Procurement Capability Assessment is to set out a mechanism for identifying areas where organisations can strengthen their approach to procurement through a detailed evaluation of their procurement capability to improve their structure, processes and ultimately performance. The Procurement Capability Assessment assesses capability in key areas against common criteria and standards, which allows Public Bodies to identify existing best practice, where there are gaps and where continuous improvement and efficiencies can be implemented.

The Procurement Capability Assessment is now in its third year and although West Lothian Council increased its score from 22% in 2009 to 27% in 2010, this is insufficient to realise the efficiencies required from an organisation striving to achieve superior procurement performance. A summary of the 2010 scores for Scottish Local Authorities can be seen below. Details of PCA performance for individual councils can also be found through a number of Scottish Local Authority and Audit Scotland reports published on the internet.

Scottish Local Authority Procurement Capability Assessment 2010 Scores

Ranking	Local Authority	2010 Procurement Capability Assessment Score
1	Glasgow	64%
2	Renfrewshire	55%
3	Aberdeenshire & City	51%
4	East Renfrewshire	42%
4	North Lanarkshire	42%
5	Highland	40%
6	Edinburgh	37%
6	Fife	37%
7	Argyll & Bute	36%
7	Perth and Kinross	36%
8	East Ayrshire	34%
9	Angus	33%
9	Dundee	33%
10	Stirling	32%
11	Falkirk	30%
12	South Ayrshire	29%
13	Scottish Borders	28%
14	Moray	27%
14	North Ayrshire	27%
14	West Lothian	27%
15	East Lothian	26%
16	Clackmannanshire	25%
17	East Dunbartonshire	24%
18	Midlothian	23%
18	South Lanarkshire	23%
19	CNES	21%
20	West Dunbartonshire	17%
21	Shetland	16%
22	Inverclyde	15%
23	Orkney	12%
24	Dumfries & Galloway	N/A

A summary letter from Scotland Excel to the council's Chief Executive is available within Appendix I.

The introduction of the Procurement Capability Assessment has conceivably overtaken the Best Practice Indicators for Public Procurement in Scotland as a measurement of national performance and the Public Procurement Reform Board is now focussing on the Procurement Capability Assessment. As a member of the Procurement Capability Assessment Working Group, Audit Scotland has been able to incorporate Procurement Capability Assessment criteria within their Procurement Best Value evaluation framework. Therefore, Public Bodies are not being unnecessarily burdened with programmes of work in achieving advance procurement practice and superior performance.

An analysis of the results for each question that make up the eight Procurement Capability Assessment sections has highlighted a considerable number of areas requiring improvement. A Procurement Capability Assessment Action Plan has been developed to address the gaps and demonstrate to the assessors, the council's commitment to procurement improvement. It must be stressed strongly that full implementation of this action plan is essential to securing better procurement performance by the council.

Recommendation

To enable significant progress to be made in advance of the 2011 Procurement Capability Assessment in October and future Procurement Capability Assessments, the activities from the Procurement Capability Assessment Action Plan 2010 → 2012 detailed in Appendix J should be progressed to completion by the council.

10. Identify Core Procurement Activities that must be delivered in Accordance with EU Procurement Rules

Public Procurement law regulates the procurement by Public Sector Bodies (Contracting Authorities) of contracts for supplies, services and works. The Rules are contained in two separate EC Directives (The Directives), which have been implemented in Scotland by The Public Contracts (Scotland) Regulations Statutory Instrument No. 1 (Regulations). Where the Regulations apply, detailed Rules that must be followed are enforced through the courts, including the European Court of Justice. The Rules are intended to remove barriers to markets and open up new non discriminatory and competitive markets.

The Rules define and aim to simplify and modernise procurement procedures which must be followed by Contracting Authority's when:

- awarding contracts for supplies, services and works, and
- where the estimated value of the contract exceeds the relevant Official Journal of the European Union (OJEU) financial thresholds: presently £3,927,260 for works and £156,442 for supplies and Part A services*.

* The application of the Services Directive is split between Part A services which are subject to the full European regime and must be advertised in the OJEU and Part B services which have minimal legislative requirements, the main requirements being in relation to technical specification and award notice. Part A Services can be summarised as Transport by land and air, IT, Telecoms, Financial, consultancy, architectural, advertising, publishing, building, cleaning, property and waste management

In accordance with general principles of EU law, Contracting Authorities have to comply with their obligations under the Rules and to award contracts in accordance with procedures provided within the Rules.

Under the council's Standing Orders for Procurement, there is a requirement to seek a requisite number of quotations or tenders which is essentially dependant upon the financial value and type of supply, services or works sought.

To assist Public Sector Bodies, the Scottish Government's Procurement Directorate has developed a set of generic procurement procedures called the Procurement Journey: Routes 1, 2 and 3, which provide best procurement practice guidance primarily aimed at developing and implementing procurement strategies for supplies and services. The Construction Procurement Manual has been developed for detailed guidance on works and construction related projects and guidance is also available which is specific to Social Care procurement. All of the guidance provided is subject to further enhancements upon changes in legislation, policy and promotion of best practice.

Recommendations

Whilst recognising that there are differences in the procurement of supplies, services, social care and construction, it is absolutely essential that the council should adhere to the EU treaty principles and Rules. It is therefore recommended that a standard methodology is adopted to ensure consistency of approach and that best practice is followed.

The Procurement Journey Routes 2 & 3 should be analysed and tailored to meet the needs of West Lothian Council to ensure that strategies, guidance and templates are provided which ensure necessary adherence to EU Procurement Rules and Treaty Principles.

The Construction Procurement Manual, which is mandatory throughout the Scottish Government, should be reviewed and where appropriate, tailored to meet the needs of West Lothian Council's Work contracts.

There is also a need to develop the working relationship between the new Corporate Procurement Unit, the Financial Management Unit, Legal Services and council service areas responsible for Social Care and Works contract commissioning and procurement activities. Regular meetings should be held and rigorous and robust procurement processes need to be developed and implemented for use with all contract types, covering the whole contract lifecycle.

An external and independent Procurement Advisory Service, e.g. CIPFA Procurement & Commissioning Network or Achilles (Themis), etc. should be secured as a priority, to keep the council's procurement professionals up to date with new legislative changes and best practice.

Where expert advice is required in relation to complex contracts, partnership arrangements should be sought from external procurement / legal specialist advisors. A written record justifying the reasons for this course of action together with the approval from the Head of Finance and Estates Services for Supplies and Part A Service contracts, the Head of Social Policy for Part B Service contracts and the appropriate Deputy Chief Executive's approval for Works contracts must be obtained before proceeding.

11. Roles and Responsibilities of Officers who currently Undertake Procurement Activity throughout the Council

To ensure stakeholder requirements are met and maximum compliance is achieved, it is important to ascertain key stakeholders throughout the full contract lifecycle. User Intelligence Groups can be established to assist contract strategy development, tender evaluation contract monitoring and supplier management, project implementation, and compliance and benefits tracking.

Members of the Procurement Services Unit and other council services frequently attend Scotland Excel User Intelligence Groups and Scottish Procurement Category Forums. Social Policy also attend a number of provider forums, e.g. Senior People's Forum, Housing Support Providers Forum, etc. which help to improve the provision of services. However these opportunities for improvement are not established for all council contracts.

User Intelligence Groups should have representation from key stakeholders within the organisation(s) and must contain procurement and technical / customer representatives. The benefits of establishing User Intelligence Groups are that:

- Cross-functional expertise can be drawn on within the group
- Stakeholder views are considered within the decision making process
- Clear communication channels can be established
- 'One face' presented to suppliers
- The governance arrangements are formalised, decision makers identified and information recorded
- Clarifies roles and responsibilities
- Facilitates the generation of ideas, as well as buy-in and compliance.

A high level guide can be found in Appendix K which clearly illustrates the procurement roles and responsibilities for Elected Members, Chief Officers, Heads of Service, Line Managers, Operational Staff and the Corporate Procurement Unit.

Recommendations

To ensure a more flexible approach to procurement activities and the promotion of joint working arrangements between the Corporate Procurement Unit and their service customers, it is essential that User Intelligence Groups are established at the outset for each contract.

A detailed roles and responsibilities document should be produced to provide an indication of the level of involvement required from all parties during the whole contract lifecycle. Services and the Corporate Procurement Unit will have to acknowledge their responsibilities from the outset to ensure an effective procurement process. The use of the contract lifecycle roles and responsibilities guide will streamline activities and help to develop an efficient procurement process.

The council's scheme of delegation should be updated to reflect the roles and responsibilities of officers undertaking procurement activity within the council.

12. Confirmation of Key Competencies and Skills Needed for Procurement Personnel

There is a need for the council to build procurement capability to ensure that procurement activities meet the objectives of the Corporate Procurement Strategy. The procurement skills within the Corporate Procurement Unit and supported services must be assessed to ensure that officers are well equipped to manage contracts, to add value to the process and to steer, guide and monitor the council's approach to procurement.

The Procurement Competency framework developed by the Scottish Government provides the basis for a procurement skills assessment. It identifies the skills and competency levels required by all staff involved in the procurement process and assists individuals in taking ownership of their personal development through skills assessment, identification of training and development needs and career planning.

Effective workforce planning is also an important tool to support the Corporate Procurement Unit in dealing with changing priorities in a structured and planned manner. Staff are key to continuous improvement and future success of the Unit and it is therefore vital that appropriate plans are in place to train, develop and retain staff. The availability of a training strategy will also assist in monitoring procurement staff performance and morale.

The current economic climate means that spending on training must deliver better outcomes. Within the procurement arena, the potential for increased legal and commercial risk and procurement inefficiencies as a result of inadequate capability cannot be ignored.

External procurement training provision will be enabled where necessary, but there is also an ideal opportunity for members of the Corporate Procurement Unit to pass their significant procurement knowledge and expertise on to services. This will potentially enable the Corporate Procurement Unit to save the council money, while increasing customer competency and awareness, as well as improving customer working relationships.

The proposed new Corporate Procurement Unit structure also promotes business continuity planning. Services will have consistent points of contact for procurement related matters and Category Managers will work closely with Procurement Specialists to enable personal development and continuity of service.

Recommendations

A Procurement Training Strategy should be introduced to enable different levels of training to be provided to officers involved in procurement activities. Specific budgets should be allocated for procurement training requirements and the Corporate Procurement Unit staff should be encouraged and supported to achieve Membership of the Chartered Institute of Purchasing and Supply qualifications.

Procurement training needs should be determined throughout the council and formal training sessions, tailored to suit the nature of the tasks undertaken, arranged for procurement professionals from all appropriate service areas.

The procurement competency framework (Scotland Excel technical competency framework or equivalent) should be rolled out as a means of assessing the training requirements for council procurement professionals.

Procurement training guides should be developed and published to address fundamental procurement knowledge gaps across the council.

All Corporate Procurement Unit staff should be prepared to provide a training service to their customers such as formally arranged presentations or 'Bite Size' sessions.

13. Procurement Service Standards and Performance Targets

Based on feedback from Procurement Services, procurement professionals from other services and customers, procurement activity within the council offers a lot of opportunity for improvement.

It is perceived that the Service Standards currently in place do not meet customer needs and a number of the standards cannot be quantified. Changes to the procurement landscape and priorities for the council must also be addressed through a revised set of service standards.

If superior procurement performance is to be achieved, the performance targets set historically must be changed to reflect the future council priorities whilst fully supporting the corporate procurement policies and strategies.

The council's performance management system, Covalent is used to report procurement performance based on targets set by the Scottish Government in their Best Practice Indicators for procurement, procurement targets published within the Finance and Estates Management Plan and actions published within the Corporate Procurement Strategy.

The Finance and Estates Services Management Team use Covalent reports to monitor procurement performance on a quarterly basis for the Procurement Services Unit. Procurement performance has been limited to the Procurement Services Unit and it is not clear how well the council as a whole has performed.

Procurement Services attained Customer Service Excellence in June 2010, however moving forward, there is a lot of opportunity for improvement and the implementation of the recommendations from this Review will provide the necessary customer service evidence for future Customer Service Excellence assessments of the Corporate Procurement Unit.

Recommendations

The Service Standards appropriate to the Corporate Procurement Unit should be reviewed and updated in accordance with the Corporate Procurement Strategy 2011-2014.

Performance against the Corporate Procurement Strategy objectives, and targets should be reviewed at the Procurement Steering Board (see [Section 26](#)), and at performance meetings in relevant services.

Covalent should continue to be used to record procurement performance, however data should be included which relates to council wide procurement activity.

14. Council's Terms and Conditions and Contract Extension / Variation Process

14.1. Terms & Conditions

Successful contract implementation, subsequent contract management and risk minimisation are assisted by having robust terms and conditions which assist when there is conflict throughout the contract lifecycle. However, during any procurement exercise it is rarely advisable or practical to have to construct every clause from scratch to cover every potential eventuality and therefore, the council like most other organisations make use of standard forms of contract which ordinarily will include core clauses to incorporate e.g. payment, specifications, termination, title, force majeure, etc.

Advantages to be gained by using a standard form of contract include:

- Any standard form of contract is usually a result of negotiations between various parties and considers the spread of risk between both buyer and supplier
- Using a standard form avoids the cost and time taken in creating Tender documents and terms and conditions of contract from inception on every occasion.
- Tender comparisons are made easier since the risk allocation is the same for each tenderer and as parties are assumed to understand that risk allocation, their pricing models, and mechanisms can be accurately compared.
- Model contracts provide flexibility and simplicity and save significant amounts of time and procurement cost.

The council makes use of standard letter forms to conclude the contract through an exchange of contract award and acceptance letters.

Procurement Officers have professional accountability for ensuring that any applicable clauses are added or deleted prior to tender issue. Should any prospective supplier object to any particular clause, they can object during the tender process by including as a proposed variation to contract. However, any deviation to the council's terms and conditions should be passed to Legal Services for consideration.

There are presently different terms and conditions for the supply of goods, services, social care, construction and civil engineering works and passenger transport services. There is also a set of terms and conditions for IT equipment, however, these are dated and require amendment.

Construction and civil engineering works contracts use the Joint Contracts Tribunal (JCT) and Institution of Civil Engineers (ICE) conditions of contract. Both JCT and ICE are responsible for reviewing and updating the standard forms of contracts, guidance notes and other standard documentation used by West Lothian Council.

Procurement Services staff have previously had the opportunity to review model terms and conditions for both goods and services and have recently submitted further amendments to Legal Services for consideration. Legal Services have also recently reviewed the passenger transport and social care terms and conditions. However, there is no scheduled review period for assessing whether terms and conditions are appropriate and no evidence of any document or version control.

Recommendations

To ensure commercial risk is minimised, it is essential that a standard contract suite of robust terms and conditions be initiated to cover all tendering opportunities. Officers with responsibility for tendering shall be expected to incorporate the appropriate model form of contract from the available suite.

However, always dependant upon the context, it should be possible to add or delete other clauses, although council officers should always consult with the Corporate Procurement Unit and Legal Services.

A formal review of council model terms and conditions should take place on an annual basis.

14.2. Variation Process

Subject always to compliance with the EU Procurement Rules and the council's Standing Orders and Procurement Procedures, the council can alter, extend or renegotiate any part of a contract to achieve Best Value. A written record justifying the reasons for this course of action together with the approval from the Head of Finance and Estates Services for Supplies and Part A Service contracts, the Head of Social Policy for Part B Service contracts and the appropriate Deputy Chief Executive's approval for Works contracts must be obtained before proceeding. A detailed written record of all negotiations and discussions with the contractors / consultants must be maintained and retained on file.

The use of unofficial extensions contravenes EU Treaty principles; however, historically there have been occasions where contracts within West Lothian have incorporated unofficial extensions. Steps have been taken to eliminate this practice and unofficial extensions must never be used in the future.

The council's terms and conditions for goods and services presently do not allow for any price variations during the first calendar year of the contract. However, there have been occasions where suppliers have successfully obtained price increases where there have been for example significant price fluctuations in commodity markets. However, there is little evidence to suggest that the council proactively seeks price decreases.

There is presently not a requirement to notify Financial Management Unit of price variations, significant or otherwise.

Generally, unless prices are agreed to be fixed for the duration of the contract, suppliers are requested to provide written documentary evidence to support any price increase application. The Procurement Officer is professionally accountable for all actions and must ensure that commercial judgement is used and to ensure that any price variation is justifiable before informing suppliers and customers. Procurement Officers are required to file all evidence within Meridio.

Although Procurement Services have previously published a Step by Step Guide offering comprehensive variation guidance it is outdated. A new update is in the process of being developed.

The development and use of the new corporate contract register (see [Section 28](#)) will enable efficiencies during the variation process through the use of a mail merge facility for the issue of standard variation documentation.

Recommendations

A new Step by Step Guide and templates should be produced to simplify the variation process and to enable a consistent approach and make sure that unofficial extensions are not permitted in any circumstances.

The Head of Finance and Estates Services must sign all Supplies and Part A Service contract extensions, the Head of Social Policy must sign all Part B Service contract extensions and the appropriate Deputy Chief Executive must sign all Works contract extensions.

The Financial Management Unit should be notified of significant price variations to allow them to make amendments to budgets.

15. Council's Standing Orders and Compliance

To ensure that the procurement of supplies, services and works is carried out to the highest standard and that efficiencies set out in the Corporate Procurement Strategy are achieved, all procurement must be undertaken in accordance with the Council's Standing Orders and associated procedures.

The Working Group on Contracts Standing Orders has responsibility for reviewing and making changes to Standing Orders, and there are a number of recommendations within this report which impact upon the structure of Standing Orders.

To promote greater ownership of responsibility for procurement compliance and indeed to achieve greater compliance from council staff involved in procurement activity, the existing Standing Orders in relation to procurement will accordingly be revised.

Recommendations

It is proposed that the Working Group for Contracts Standing Orders update the existing Standing Orders to ensure that they provide accurate, robust, clear and understandable procedures which underpin the management arrangements set out within this report, including support of the proposed new Corporate Procurement Unit model and the mandatory use of the corporate contract register (see [Section 28](#)) to record details of all contracts.

The Standing Orders for procurement will ensure that users understand the content and their own responsibility for compliance and consideration will be given to including a diagrammatical representation of procurement procedures with financial values, in the Standing Orders to give the reader a clear illustration of the route they should take to ensure compliance.

The Corporate Procurement Unit's Procurement Development Officer should be responsible for assisting with the enforcement of Standing Orders in relation to contracts and will address non-compliant buying behaviour with Heads of Service.

To ensure clarity of responsibility for complying with Standing Orders, it is recommended that training guides be developed and promoted by the Corporate Procurement Unit, based on advice from the Chief Legal officer and the Working Group on Contracts Standing Orders.

A business case template for the exemption from Standing Orders should be contained within Standing Orders.

It is recommended that revised Standing Orders for procurement are reported to Elected Members for approval as soon as possible.

16. Contract Compliance

Standing Orders Financial Regulations state that “Orders for items subject to contract should be placed with the contracted supplier”. Unfortunately, devolved buying by services is firmly established within the council and it is possible to place off-contract orders without challenge. Services have not taken ownership of the need to ensure compliance and systems to monitor contract compliance have not been established. Procurement Services are presently unable to fulfil a contract compliance monitoring role.

The council’s use of its eProcurement system (PECOS) was expected to drive the ordering of supplies and services through established contracts. This is not yet the case, as non-compliant procurement behaviour remains a persistent issue. The introduction of ‘Catalogue Only’ ordering for contract suppliers could reduce the rate of non-compliance ordering, but this is not always practical for the supplies and services ordered throughout the council.

Additionally, the volume of non-contracted suppliers available for use on PECOS and other ordering systems throughout the council greatly outnumber the volume of contracted suppliers, and non-contracted supplies and services are rarely published on catalogues. Therefore, the possibility exists for a non-contracted supplier to receive a non-catalogue order, which should have been transmitted to a contracted supplier. This practice could be stopped immediately if access was removed to the non-contracted suppliers. The council does not currently have sufficient contracts in place to take such a bold step.

As an interim measure, a flag highlighting contracted suppliers has been implemented within the Supplier Contact Facility on the intranet. It is hoped that the preferential rates offered by contracted suppliers for non-contracted supplies and services will encourage their use over non-contracted suppliers. Additionally, the use of a ‘Preferred’ supplier flag on PECOS is being explored to promote the use of contracted catalogue items over non-contracted items.

Recommendations

It is imperative that the revised Standing Orders are appropriately communicated to all council employees. It is vital that all officers with responsibility for operational procurement activity have a total clarity of expectation and understand their responsibility and the consequences of non-compliance.

The Corporate Procurement Unit’s Procurement Development Officer should be responsible for contract compliance monitoring, will assist with the enforcement of Standing Orders and will address non-compliant buying behaviour with Heads of Service.

A review should be performed of all contracted suppliers on PECOS and the introduction of a ‘Catalogue Only’ ordering facility investigated.

To enable the withdrawal of unnecessary non-contract suppliers and to provide additional opportunity to make cash savings, the Corporate Procurement Unit and Services should work to increase the percentage of contracted spend.

17. PECOS Non-Contract Spend and Maverick Buying

To progress with the development of contract opportunities, it is first necessary to establish the contracts that exist for budgeted expenditure. A high level analysis has been performed of the council's 2010/11 General Fund and Housing Revenue Account revenue budgets contained within the financial ledger and a comparison made to the contracts recorded within the current contract register. To date £90m has been matched to contracts. Details of the contracted spend analysis can be found in Appendix L. However, it has to be recognised that this figure may be inflated as it is likely to contain expenditure for non-contracted items or services procured from contracted suppliers.

Recommendations

Further analysis needs to be performed to validate the high level findings with the services, to identify all contracted expenditure. This will be assisted by the establishment of the Corporate Contract Register.

The remaining spend not captured through contracts should be categorised and allocated to the appropriate Category Manager within the new Corporate Procurement Unit to analyse. The Category Managers and Procurement Specialists will need to ascertain what contracts are proposed in the future by Scottish Procurement, Scotland Excel and indeed services within the council. This information will be cascaded by the Corporate Procurement Manager who will also have input into Scotland Excel's delivery plan through attending Scotland Excel Commercial UIGs.

18. Contract Management

Although contract management is performed for a number of specific contract types throughout the council, it is clear that effective contract management is not consistently practiced. There is a lack of operational contract management for a number of contracts, which contradicts the aims of the Scottish Procurement Directorate's Suppliers' Charter, the McClelland Report recommendations and the Procurement Capability Assessment requirements.

To drive value from existing and any future contracts and to improve supplier management and supplier relationships, a Contract and Supplier Management Strategy has been developed, a copy of which can be found in Appendix M.

Recommendations

The Contract and Supplier Management Strategy should be agreed and enforced throughout the council for Supplies, Part A Services and where applicable for Works contracts, to implement consistent and cross-service processes. The strategy should be reviewed annually as part of the overall Corporate Procurement Strategy review.

Social Policy should continue to develop a contracting plan with a risk assessment framework for prioritising social care contract monitoring. The Social Policy contract management system should continue to be developed to compliment the corporate contract management approach.

Category Managers and Procurement Specialists within the Corporate Procurement Unit should have responsibility for ensuring that contract and supplier management is performed within their allocated categories.

19. Procurement Card Spend and Non-Compliance

The council's procurement card system provided by PCCL has been in operation since 2009. Procurement cards are available to a limited number of individuals within the council and strict guidelines within the Purchase Card Procedure advise of their use.

Recommendation

To ensure that users are complying with the Procurement Card procedure it is critical that an assessment of their use be performed. Internal Audit will perform a review of the procurement card system in 2011/12. A sample of the expenditure through the system will be conducted as part of their review.

To ensure ongoing compliance, it is essential that an annual review of procurement card expenditure be carried out by the council's Financial Management Unit.

20. Payment Procedures Analysis

There are four procedures relating to payment used by the council: Payments Procedure, Purchase Card Procedure, Corporate Cash Procedures and Daily Cheque Procedures.

These procedures have been reviewed and updated as part of this review and are available within Appendix N.

Recommendations

The availability of all four payment procedures should be reiterated to Services and compliance with these monitored ongoing by the Financial Management Unit.

Further reviews of the payment procedures should be performed on an annual basis.

21. Measures to Prevent the Risk of Fraud with Regard to Procurement and Payment

Supplier details cannot currently be added to or changed within the council's Accounts Payable system Smartstream, without completing one of the appropriate supplier forms. However, due to the increase in fraudulent activity being experienced by public sector organisations, a new procedure has been developed which tightens the control over the system administration of the supplier details and increases the compliance monitoring of the supplier use. A copy of the new form can be found in Appendix O.

Recommendation

The use of the new form to add or amend supplier details within Smartstream should be adopted. This will ensure a more stringent process and provide a clear message to customers regarding the impact that the addition of a supplier has and their need to comply with Standing Orders.

In addition, the council's Financial Management Unit is proposing to implement a new Accounts Payable system. Segregation of duties will be enforced within the operation of the new system.

22. Register of Key Procurement Risks

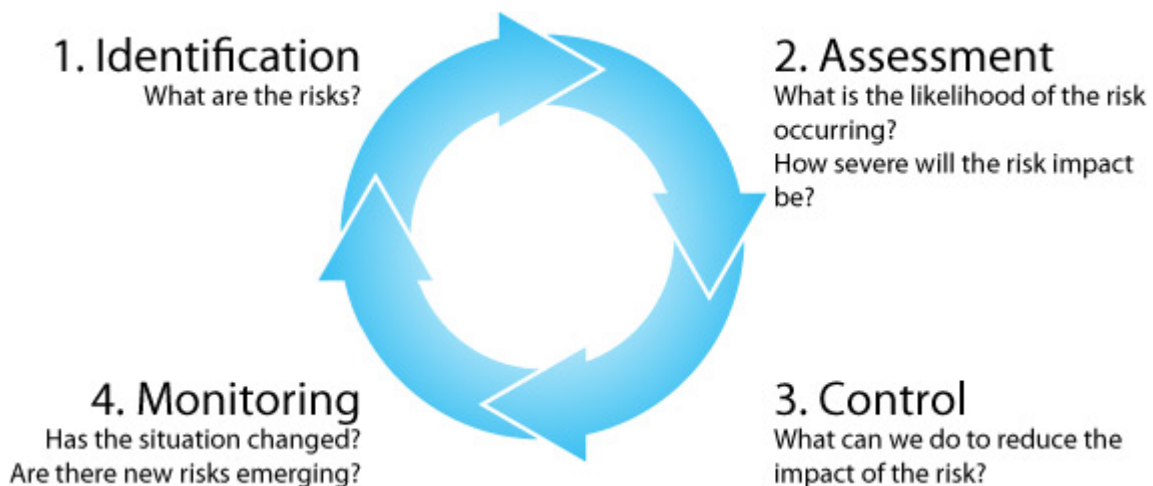
Risk is the uncertainty of outcome and can either be viewed as an opportunity or a threat. As all procurement projects potentially contain risks that may impact on budgeted costs, quality and time, it is important that there is a planned and systematic risk management process throughout the procurement process.

Issues are those factors which affect the development or the implementation of the project procurement strategy and urgent action is needed for immediate resolution.

All procurement projects potentially contain risks that may impact on future progress, therefore it is important to identify and assess present risks so that the risk can be managed to prevent it from becoming an issue. Effective risk management can improve service delivery and performance by contributing to:

- Increased certainty;
- Fewer surprises;
- More effective change management, contingency management and decision making;
- More efficient use of resources and reductions in waste

The Risk management process consists of 4 defined stages:



22.1. Risk Identification

The initial identification of risks and issues is essential to gain a better understanding of any procurement project. Although many risks will be generic there will also be project specific risks that must be considered.

22.2 Risk Assessment

The purpose of any risk assessment is to assess the likelihood and frequency of risks occurring and potential impact of an outcome actually happening in terms of cost, time and quality. Risk assessment can be assisted by using a risk probability framework such as that contained within the Procurement Journey.

22.3 Control

Once risks have been identified and assessed, they require appropriate control. However, any response must be proportionate to the level of the risk determined within the risk assessment. To ensure that risks are appropriately controlled, they should be logged on a risk register.

22.4 Risk Monitoring

A risk register should be established at the start of any procurement project to record all identified risks and results of analysis and evaluation. As risk monitoring is an ongoing dynamic process, regular periodic reviews should take place.

Recommendations

As risk management is an important, continuous process, it is vital that appropriate risk assessments are undertaken, reviewed and managed throughout the procurement process. A Procurement Risk Management Strategy should therefore be developed to help procurement professionals manage risk.

Emphasis needs to be placed on effective risk registering within the context of the Procurement Risk Management Strategy, particularly for high value, complex procurements. The new corporate contract register will contain a procurement risk register which should be updated to record all risks associated with both existing and new contracts. As a minimum, the risk register should be populated with:

- risk ID number
- risk owner
- description of risk
- results of assessment (probability/impact) and date of assessment
- risk mitigation measures and
- review date(s)

Issues associated with a contract should also be recorded and updated within the corporate contract register.

The new procurement arrangements should incorporate a risk assessment to manage procurement risk; this should hopefully increase the council's performance within the Procurement Capability Assessment.

Where the risks relating to a contract involve significant risks to the delivery of the council's objectives, the risks to the council should be included within the council's corporate risk register.

Issues and risks will be discussed during contract and supplier performance review meetings, as per the new Contract and Supplier Management Strategy.

The council's Standing Orders should be updated to reflect best procurement risk management procedures.

The proposed suite of terms and conditions for the council (see [Section 14](#)) should be reviewed to ensure that sufficient protection is in place against risks, for example property, patents, information and copyright, indemnity and insurance and intellectual property.

23. Management Reports Available from PECOS to Enhance Reporting Information

An abundance of procurement information is held in various forms and across numerous databases and files throughout the council including information from the National Hub through Spikes Cavell. Although beneficial to individual service managers in its current format, this diversity of information sources is wasteful to the council as a whole. For the council to gain benefits from procurement, it should be able to see the bigger picture, as detailed analysis of all information is beneficial to making informed decisions.

A review of management information is ongoing to ensure that a sophisticated profile of spend is developed and so that the information can be used to formulate robust contract deliverables.

Recommendation

It is proposed that PECOS provides a single source of management information with regard to council spend. As such, it is imperative that the outstanding interfaces to PECOS from Operational Services Axim system and Housing, Construction and Building Services Open Contractor system be completed as a matter of urgency in the current financial year. This will ensure that data from legacy systems is reportable through the council's PECOS datamart.

Following all PECOS interfaces, datamart reports should be further developed to ensure that relevant information is identified, collated and reported to deliver the most benefits to the council.

24. Regional Procurement

McClelland's vision for public sector procurement was to establish a platform for collaboration across the public sector with the procurement of A & B categories being sourced by the national and sectoral Centres of Procurement Expertise.

The various procurement categories are explained as follows:

Category A

These are commodities and services most logically procured by ONE centre for the country's public sector: the National Procurement Centre of Excellence – Scottish Procurement.

Category B

These are generally high-value commodities that tend to be unique to a specific sector yet common within that sector. Scotland Excel (the Local Authority Centre of Procurement Expertise) for example undertakes strategic procurement on behalf of its members.

Category C/C1

These are commodities which are neither categorised as A (National Contracts) nor B (Sector Specific Contracts) or have a bespoke requirement that wouldn't be covered by typical approach to categories A and B then they may automatically be classified as either C where the establishment of contracts will be conducted as the remit of a local organisation or C1 a regional organisation.

One of the council's previous procurement strategic objectives was to participate in all Scottish Procurement and Scotland Excel contracts and initiatives to ensure that all benefits, particularly financial, were fully realised. A business case signed by the council's Chief Executive is currently required for any exemption where the collaborative contract does not meet council needs or does not represent value for money.

As at April 2011, West Lothian Council utilise nine Scottish Procurement contracts although there are others which are about to become live and this number is expected to increase. Of the 42 Scotland Excel contracts available, West Lothian use 37, as there are existing arrangements in place for the other five.

Collaboration is high on the council's agenda over the next few years and to take advantage of potential collaborative benefits the council should participate in all collaborative activities.

West Lothian Council are leading on its first Regional C1 contract, Groundcare Equipment framework. As Lead Authority, the council is responsible for the whole procurement process including tendering, contract award, contract mobilisation, contract management and authorising variations and subsequent communication to suppliers and clients.

Procurement Officers and technical representatives have an opportunity to input to the technical specification and tender award criteria, however, as consensus is required to ensure the requirements of all participating councils are considered, this means that a weighting of 50% for price for supplies and services contracts is not always possible and this needs to be highlighted within the procurement report to the Council Executive.

Regional Procurement is included within the Procurement Capability Assessment and Scotland Excel has stated that "West Lothian's support to Scotland Excel is extremely valuable and West Lothian Council play a very important part of the overall collaborative procurement process".

Recommendation

The council should ensure that collaborative procurement opportunities are exploited, not only with Scotland Excel and Scottish Procurement, but with other councils and Public Sector Bodies. The use of the Contract Strategy will encourage officers responsible for procurement to engage with the marketplace, identifying, assessing and delivering the most effective and efficient procurement solution and as part of the contract development, investigate possibilities for collaborative procurement.

The Corporate Procurement Unit's Category Managers and Procurement Specialists should take responsibility for ensuring that regional collaboration opportunities are explored for their commodities.

Quarterly reports should be presented to the Council Executive to advise of all new collaborative framework contracts awarded and utilised.

Annual approval of the Corporate Procurement Strategy by Elected Members will provide the council with the endorsement to use Category A and B framework contracts provided by Scottish Procurement, Scotland Excel and OGC Buying Solutions.

Where the collaborative contract provided by Scottish Procurement, Scotland Excel or OGC Buying Solutions does not meet council needs or does not represent value for money, a business case for exemption should be presented to the Council Executive prior to the commencement of the tender process.

Elected Members delegate authority for Category A and B contracts to the Head of Finance and Estates for Supplies and Part A Service contracts, the Head of Social Policy for Part B Service contracts and the Deputy Chief Executive for Works contracts.

25. Services and Support Currently Provided by and to Scottish Procurement and Scotland Excel

25.1 Scottish Procurement

Procurement Officers and appropriate technical representatives from the Scottish Public Sector are invited to attend and have input to Scottish Procurement Category Forums.

Participation is encouraged in the development of contract strategies and tender completion.

During the consultation for this Review, the services and support provided by Scottish Procurement have been acknowledged as suitable to the needs of West Lothian Council. However, the relationship will need to be monitored on an ongoing basis as more and more collaborative contracts are agreed between the two bodies.

Recommendation

The council should continue to monitor the relationship with Scottish Procurement with any issues raised by the Corporate Procurement Manager with the appropriate Scottish Procurement Manager. The Corporate Procurement Manager needs to ensure that any proposed procurement cashable savings are expedited and are verified by the Financial Management Unit.

25.2 Scotland Excel

25.2.1 Commercial User Intelligence Group

The Scotland Excel Commercial User Intelligence Group (CUIG) meets biannually. It is chaired by Scotland Excel's Head of Strategic Procurement and is attended by Procurement Managers / Heads of Procurement from member Local Authorities, along with other Scotland Excel representatives.

The CUIG meets in October to agree the contract delivery plan and in April to review progress and reset priorities as required. The contract delivery plan agreed by the CUIG is presented to the Chief Executive Officers Management Group for approval.

Fundamental to the ongoing development of Scotland Excel is the requirement to develop collaborative contracts with alignment to corporate service plans. The CUIG has responsibility for ensuring that the strategy adopted in contract delivery plan is consistent with the operational priorities of council service plans.

25.2.2 Scotland Excel South East Forum

Meetings take place quarterly and are attended by Scotland Excel regional teams and representatives from member Local Authority Procurement Services teams. The group share information and collaborate in the making and utilising of Scotland Excel contracts to maximise the benefits to councils. The meetings are held to update and discuss contract participation, mobilisation, management, spend / save figures, and variations.

25.2.3 Scotland Excel Account Management Meetings

Business review meetings are held on a six weekly basis and were introduced at the end of 2010 at the request of the council's Procurement Service. The intention of the meetings is to build a closer working relationship between the council and Scotland Excel's regional team, highlighting the benefits of existing Scotland Excel contracts and marketing new contracts. The meeting is also intended to clarify the issues surrounding roles and responsibilities for Scotland Excel contracts.

In contrast to the perceived good relationship with Scottish Procurement, the services and support provided by Scotland Excel have not been considered appropriate to the needs of the council by the majority of people consulted during this review. It is perceived that a number of contracts awarded are not those which are a priority for the council. Complex contracts have previously been ignored (although Social Care and Construction are now on the delivery plan) and it is generally felt that the council are not provided with sufficient time to collate the necessary information for Scotland Excel contracts.

Recommendations

Scotland Excel contract management roles and responsibilities should be clarified and agreed to enable contract monitoring and management for effective supply and service deliver to the council.

Appropriate timescales for future contracts and variations should be obtained from Scotland Excel and made available to the Corporate Procurement Unit. The Category Managers should then liaise with their customers to obtain necessary spend and specification data for the appropriate commodities.

Although Scotland Excel cannot always guarantee to meet every council requirement, the availability of contracts should allow the council to concentrate efforts on local contracts. Any issues with regard to contract delivery plan content should be raised with the Corporate Procurement Manager who will raise with Scotland Excel management and at the Commercial UIGs. If this does not prove productive, issues can be escalated to the Chief Executive Officers Management Group.

26. Remit and Constitution of Inter-service Procurement Meeting Groups

Although a number of Procurement inter-service meeting groups exist, they are not all perceived as being productive. The Procurement Forum for example, has been established for a number of years, the purpose of which was to be an opportunity for strategic procurement decision making, yet attendance has dwindled, indicating a failure to appreciate the importance of procurement within the council. The requirement for a high level strategic group is essential to enable procurement success within the council.

There area also issues in pro-active longer term scheduling and planning of procurement activity. Integration of the council's Financial Strategy and the Corporate Procurement Strategy should be secured, with ongoing monitoring and review of expenditure to ensure delivery of procurement cashable savings throughout the council.

The Social Policy Contracts Advisory Group meets on a six weekly basis and includes representation from Procurement Services, Legal Services and the Financial Management Unit, as well as attendance by the Head of Social Policy, Social Policy Senior Managers and Social Policy staff responsible for contracting arrangements. This meeting allows full consideration and decision making about all Part B Services sufficiently in advance of the establishment, renewal or termination of contracts.

Consultation with the Social Policy Contracts Advisory Group enables existing contracted services and service costs to be maintained and ensures compliance with use of contracted suppliers.

Current Works contract arrangements are similar to that of Social Policy, in that procurement activities are devolved from Procurement Services responsibility. Currently, Procurement Services often do not have sight of contract details or the procedures followed prior to and in some cases until after contract award. This current procurement practice for Works contracts must change if the council is to ensure compliance and improvements moving forward. Roles and responsibilities for Works contracts must be tightened to ensure compliance and protection for the council.

Recommendations

A Procurement Steering Board should be established. It is recommended that this board be chaired by the Chief Executive and attended by senior representatives from each service, the Corporate Procurement Manager, the council's Sustainable Procurement Champion and a representative from Legal Services. The group will meet quarterly to discuss procurement performance and service developments. The creation of this Board will demonstrate senior management leadership and commitment and accelerate procurement development throughout the council. The remit of the Procurement Steering Board and the role of its members shall be established as a priority.

Quarterly performance meetings should also be established, attended by the Head of Finance and Estates, the Corporate Procurement Manager, the Category Managers, Procurement Development Officer and appropriate staff within the Financial Management Unit. The meeting group will discuss the benefits tracking for each category, review progress of contracts, procurement cashable and non-cashable savings generated and contract compliance. Improved joint working between the Corporate Procurement Unit and the Financial Management Unit is essential for enabling improved performance.

Following the successful contracts advisory group model operated for Social Care, a Works Contracts Advisory Group should be established. The remit and constitution will be similar to that of the Social Policy Contracts Advisory Group but apply to Operational Services and Housing, Construction and Building Services staff engaged in arranging and managing Works contracts.

Proposed reporting arrangements for Social Care and Works contracts are described in [Section 32](#).

27. Marketing of Procurement throughout the Council

There is a lack of understanding surrounding Procurement within West Lothian Council and this has impacted on the ability to achieve superior performance. A number of proposals have been identified to deliver effective marketing of procurement. These can be found in the Marketing West Lothian Council Procurement document in Appendix P.

The emphasis on procurement provided by this review will also help to improve its marketing within the council.

Recommendation

The Marketing West Lothian Council Procurement proposals should be agreed and taken forward to effectively promote and therefore improve procurement efficiency and effectiveness.

28. Information Technology and Developments to Improve Procurement Activity

West Lothian Council procurement and IT Services have implemented many IT developments over the past number of years and this is an area that has received considerable recognition from external public bodies, audits and assessments.

The extent of the PECOS integrations with the council's other legacy systems has been noted by a number of public sector organisations. The development of the PECOS bulk order import utility has also demonstrated significant time savings for requisitioners and is a facility that can be shared with other PECOS organisations.

Additionally, a number of change requests have been developed by IT Services to enable a more efficient way of working for Procurement Services customers. For example, the introduction of eForms has provided a more consistent data collection service from customers and helped to enable a faster service response from Procurement Services. The Supplier Contact Facility has also provided customers with an effective means of communicating with suppliers with regard to orders, deliveries and invoices.

As the council is keen to improve and indeed achieve superior performance, there is merit in extending the previous good practice demonstrated by considering additional IT enhancements. The new corporate contract register is a great example of initiative from Procurement Services to improve the performance of procurement. The register was built to replace the limited system provided by the Scottish Government, using tools available to the eProcurement System Administrator. It has since been passed over the IT Services to further develop for council wide roll out.

Another area of potential IT development is the Procurement intranet. The format of the current site is not consistent with the other units within Finance and Estates Services. Also, due to the extent of the project to rollout eProcurement within the council, a separate intranet site for that element of procurement was created. This segregation communicates mixed messages to customers and does not promote the delivery of joined up working for a future Corporate Procurement Unit.

The Scottish Government's eSourcing solution is currently used by Procurement Services to perform tendering activities. The facility has proved beneficial but has been restricted in the most part to supplies and services contracts. A new solution is however due for release in 2012 and will include greater scope for works contract tendering.

Although the council receives approximately 13,000 electronic invoices per year from suppliers via a predefined PECOS format, supplier IT constraints means that further roll out of this method is limited. As an alternative to receiving electronic invoice files from suppliers, the council has promoted the use of Evaluated Receipt Settlement (ERS). The ERS facility enables the automatic generation of an invoice in PECOS following the creation of a receipt. The invoices generated are exempt from VAT and equate to the value of the supplies / services received. ERS invoicing currently accounts for approximately 14,000 payments per year.

Recommendations

The development of the new bespoke corporate contract register should be completed as a priority. This will replace the online version currently promoted by the Scottish Government, by providing enhanced contract details required by the council. The development of the new contract register should progress to enable improved contract management and reporting, as well as the ability to calculate BPI and KPI's more efficiently.

To facilitate the delivery of a new corporate procurement model within the council and to enable access to all the necessary procedures, guidelines and templates required to perform procurement activity, the existing Procurement Services intranet site should be re-designed. A modern, easy to use site should be created for all customers.

The functionality of the Scottish Government's new eSourcing facility should be investigated by the council's Corporate Procurement Unit and once available, promoted for all contract use, including Works.

Alternative electronic invoicing solutions are being investigated by the Scottish Government and should be considered by the council upon their future availability. In the meantime, Finance and Estates Services should continue to promote the use of ERS and procurement card use within PECOS to achieve further administration efficiencies.

Options for the continued development of e-forms should also be considered by the Corporate Procurement Unit to obtain additional opportunity for time savings.

29. Implementation of Procurement Journey: Routes 1, 2 and 3

As part of the Public Procurement Reform Programme, a cross sectoral working group led by the Scottish Government's Procurement Directorate reviewed, developed and refined the Public Procurement Toolkit to meet the needs of Contracting Authorities across the Scottish Public Sector. The **Procurement Journey** has been developed to provide organisations with a means of managing the expectations of their stakeholders, customers and suppliers with regard to procurement activity.

Processes, templates and guides have been created to allow procurement professionals to concentrate on the higher value, higher risk areas in which they can add value and deliver value for money. Simplified processes, templates and guidance also exist to support individuals with authority for lower value, lower risk procurements.

By following the Procurement Journey, organisations can better manage the procurement process and reduce the risk of challenge. The primary aim of the Procurement Journey is developing and implementing procurement strategies for goods and services, however guidance has also been published for construction works and social care contracts.

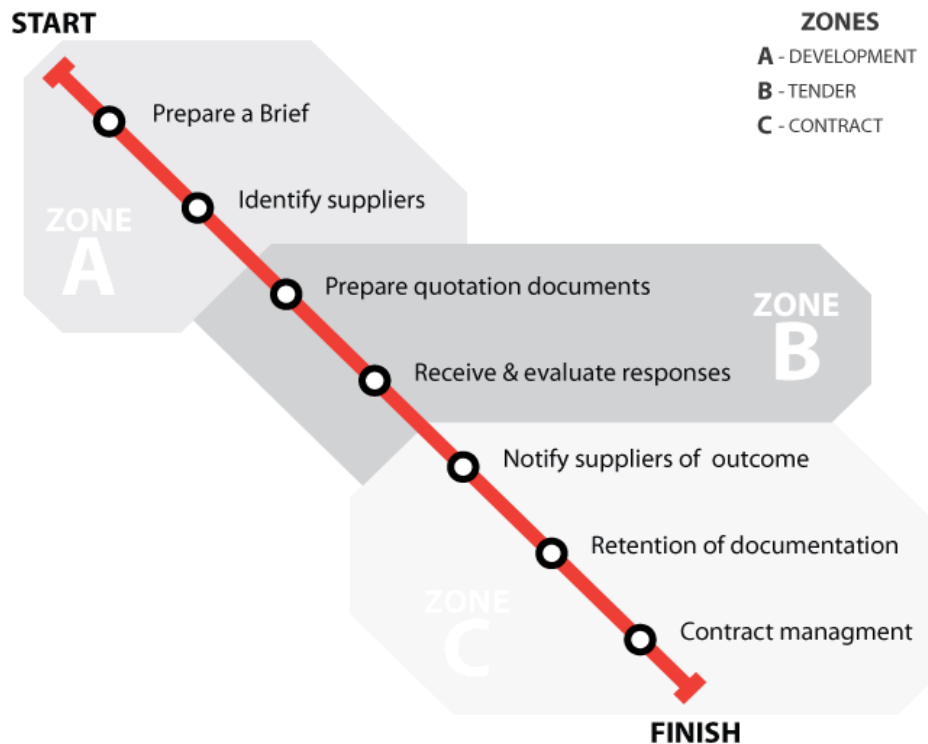
The Procurement Journey is designed for use by procurement professionals or by staff who have authorisation to perform procurement activities. It is not a substitute for legal and professional procurement advice and relevant procurement, legal and technical staff must continue to be consulted when appropriate.

The Procurement Journey consists of three Routes, each of which is dependent upon the value of the requirement, the potential risk and the requirement to advertise to the potential supplier base.

29.1 Procurement Journey Route 1

Route 1 has been designed to be used by staff within the council who have a requirement and are authorised to conduct **low** value, **low** risk, and non-repetitive procurement of goods or services. It is not necessary for staff using these processes to have extensive procurement training, but to be able to procure they must have an awareness of EU regulations, as well as West Lothian Council Standing Orders and Procurement Procedures.

Procurement Journey Route 1



29.2 Procurement Journey Route 2

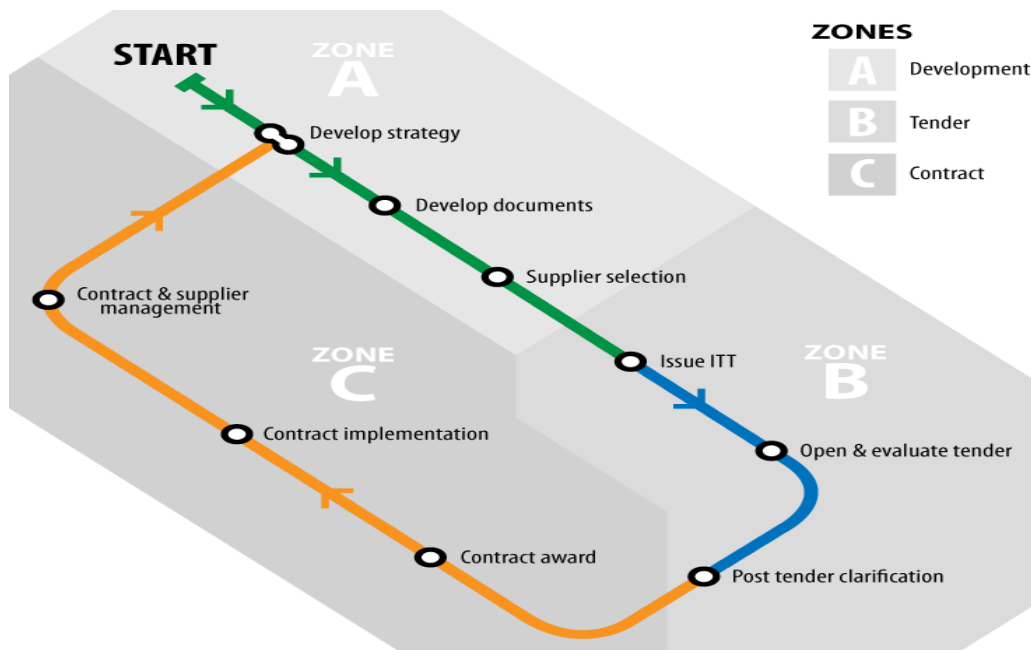
Route 2 has been designed for use by procurement professionals to conduct **moderate** value and risk procurement activity. Individuals following Route 2 must have been trained in EU regulations, the procurement cycle and have an extensive knowledge of West Lothian Council Standing Orders and Procurement Procedures.

29.3 Procurement Journey Route 3

Route 3 has been designed for use by procurement professionals to conduct **high** value and risk strategic procurement activity. Again, individuals following Route 3 must have been trained in EU regulations, the procurement cycle and have an extensive knowledge of West Lothian Council Standing Orders and Procurement Procedures.

The journey through Routes 2 and 3 is more detailed compared to Route 1 due to the increase in value and complexity.

Procurement Journey Routes 2 and 3



The main objectives of the Procurement Journey Routes 1, 2 and 3 toolkits are:

- To provide step-by-step guides to conduct a low, medium and high value procurement exercises
- To provide sets of guides and templates that can be used to collate and analyse the data required when conducting the procurement exercise
- To standardise the procurement process across the council
- To highlight the legal and policy obligations involved at each stage of the process

There are natural break points within the Procurement Journey that can be used as 'Gateway' review points for sign off and approval to proceed to the next stage of the procurement process. These Gateways can be used to provide assurance and support to the procurement professional responsible for the contract and assist in the delivery of improved benefits and outcomes.

The adoption of a national good practice, consistent set of processes and templates will facilitate in addressing the major challenge of promoting a corporate approach to procurement across the council.

Recommendations

The Procurement Journey Routes 1, 2 and 3 should be examined and tailored to meet the needs of West Lothian Council as this is critical to the achievement of Best Value and the delivery of improved procurement performance, enabling increased cash savings and risk reduction.

The Procurement Journey processes, templates and guidance should be appropriately rolled out throughout the council and support provided by the Corporate Procurement Unit to Services for the implementation of Route 1.

Appropriate reference to the Procurement Journey processes and procedures should be incorporated within Standing Orders.

Routes 2 and 3 should be adopted by the Corporate Procurement Unit and where possible elements rolled out within the Services responsible for Construction Works and Social Care contracts.

30. Requirements to achieve “Best Value” through Procurement activity

Best Value procurement is a process that considers and returns more than just best price. It is a process that takes account of the whole life cost of buying products, service or building works. Best value includes both financial and non-financial elements such as time, administration, sourcing and benchmarking.

Through the use of the appropriate strategies and procedures developed in line with the Scottish Government’s Procurement Journeys, Procurement Capability Assessment improvement actions and McClelland Report recommendations, West Lothian Council shall endeavour to achieve Best Value through its procurement activity.

31. Internal and External Audit Findings and Recommendations with Regard to Procurement

An analysis of recent audit reviews / reports into procurement activities has highlighted that there are significant opportunities for the improved development of existing procurement practices.

Recommendation

The areas highlighted as effective, good, requires improvement, poor and unsound should be analysed to ensure that appropriate procurement training and procedural guidance is developed to eliminate any future “requires improvement”, “poor” and “unsound” findings. The move to the new Corporate Procurement Unit with a Category Management structure should also help to eliminate potentially flawed procurement practices by enabling a closer working relationship between Legal Services and service customers.

32. Contract Evaluation Criteria Policy and Financial Reporting

The council currently receives offers for contracts for supplies and services from either a competitive quotation or tendering process. Having invited tenders (or initiated dialogue within the competitive dialogue procedure), the council is required to evaluate tenders (or solutions during competitive dialogue) on the basis of contract award criteria defined in the OJEU Notice and / or the tender documentation.

The council must use criteria directly linked to the subject matter of the contract to determine that an offer is the most economically advantageous. Criteria can include but is not limited to quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost effectiveness, after sales service, technical assistance, delivery date and delivery period or period of completion.

The council having decided to opt, in the majority of cases, for most economically advantageous tender (MEAT) for awarding a public contract will state the weighting which it gives to each of the criteria chosen in the contract notice or in the descriptive document. To comply with the EU treaty principle of transparency, any sub criteria and appropriate weightings must also be disclosed. It is also good practice to state the criteria in descending order of importance.

Elected Members receive a procurement report near the end of the procurement contract award process which specifies the contract award criteria, the numbers of tenders issued and received, details of top three scores, addresses of all suppliers tendering and a recommendation of contract award. After the Council Executive have approved a procurement report, the Procurement professional will communicate the procurement decision as soon as possible to those economic operators who submitted an offer (or applied to be included amongst the economic operators who applied to be party to a framework agreement) in writing.

For those procurement processes which started on or after 20 December 2009, in accordance with changes to the standstill and associated rules, the council's Procurement Officers will notify candidates concerned and tenderers in writing of their elimination from a competition prior to the final contract award decision being made.

Historically, reports to Council Executive have not provided extensive information on why the contract award criteria was selected. Under the current approval and reporting process, unless there are known grounds for excluding an economic operator, there is very limited scope to change the procurement decision. Indeed, if the Council Executive were to change a procurement report, there is the potential for challenge from an unsuccessful supplier.

The current threshold for supply and service tenders is £30,000 (having been raised from £10,000 on 30 December 2008) and council standing orders dictate that up to three quotations are sought for contracts up to this level. The quotation process is less formalised and resource intensive than the competitive tender process with more simplified documentation (which is particularly beneficial to SME's), whilst ensuring that adherence to the EU treaty principles of non discrimination, equal treatment, and transparency.

The council has successfully trialled and is in the process of rolling out the Scottish Government's online request for quotation facility "Quick Quote" provided through Public Contracts Scotland. Quick Quote obtains competitive quotes for low value (up to £50,000) low risk opportunities.

Increasing West Lothian Council's tender threshold to £50,000 for supplies and services and works, in line with the Scottish Government's Public Contracts Scotland quotation threshold and the Scottish Local Authority average threshold is not anticipated to have a material adverse affect on Best Value, risk and / or governance. The increase of the tender threshold would indeed bring the following benefits:

- An increase in the opportunities for local suppliers, SME's, the voluntary sector, the third sector and supported businesses to win council contracts
- Ability for procurement professionals to concentrate on more value added activities, including identifying opportunities for local suppliers, SME's, the voluntary sector, the third sector and supported businesses

Recommendations

It is proposed that the tender threshold for Supplies, Services and Works contracts is raised to £50,000, to increase the number and value of tender opportunities for local suppliers, SMEs, the voluntary sector, the third sector and supported businesses.

It is also proposed for all West Lothian Council procurement exercises in excess of the EU threshold (£156,442 for supplies and services and £3,927,260 for works contracts), that the tender award criteria and other considerations e.g. community benefits are reported to Elected Members and agreed at the beginning of the process, i.e. approval is sought for the tender approach and evaluation criteria and not at the point where the contract is about to be awarded to the winning supplier(s).

Procurement training for Elected Members should be provided to allow them to discharge their duties effectively.

With the increased use of frameworks e.g. Scottish Procurement, Scotland Excel and OGC Buying Solutions, and with individual “call offs” and aggregated purchases exceeding the OJEU threshold, it is proposed that the reporting for information to the Council Executive of those frameworks utilised by the council is performed at months 4, 6, 9 and out-turn.

It is also proposed that the procurement reporting to the Council Executive provided to at months 4, 6, 9 and out-turn include summary information on all contracts let by West Lothian Council during the previous reporting period.

The proposed arrangements for contract reporting to the Council Executive will be kept under review to ensure a best practice methodology.

33. Flexible Working

West Lothian Council supports flexible and mobile working as part of its commitment to the provision of excellent services, sustainability, equality and Best Value. Worksmart is primarily about the delivery of services through increased mobile and flexible working which enables a better service provision for customers. The Council recognises there are many potential benefits of Worksmart, including:

- Improved customer service
- Improved productivity
- Focus on outputs (performance) rather than inputs (hours)
- Reduced travel time and costs as well as reduced environmental impact
- Enhanced recruitment and retention through improved access to work for diverse range of employees
- Improved work-life balance, leading to reduced stress and less sickness absence
- Reduced workplace property costs
- Increased employee satisfaction, motivation, commitment and morale

Worksmart will allow colleagues who already work in a mobile or flexible way to utilise technology and desks in multiple locations across the County to undertake their job. Providing the technical and physical environment closer to where the service is required, will allow colleagues to maximise the time spent with customers.

The proposed Corporate Procurement Unit will be based at the Civic Centre; however the ongoing need for its members to liaise directly and more frequently with customers means that there will be a potential need for the use of the council's WorkSmart areas at a variety of locations.

34. Shared Services

Sharing services can maximise the potential economies of scale, deliver service improvements and enable further savings through contract alignment. As such, it is an option that West Lothian Council, like other Local Authorities, should explore. It also addresses a number of recommendations stipulated within the McClelland Review of Procurement.

Shared service procurement success has been experienced by other Scottish Local Authorities, Aberdeen City and Aberdeenshire council's being two, whose joint efforts achieved 51% during the 2010 Procurement Capability Assessment and has saved considerable sums in the three years since their amalgamation.

The Tayside Procurement Consortium is another example of a shared procurement service initiative. Angus, Dundee, Perth & Kinross and Tayside Contracts established the consortium in 2007 and now work to the same procurement regime with a central procurement team undertaking joint procurement projects. Such joint working has also delivered significant savings for the respective councils.

West Lothian Council's Social Policy are actively involved in shared service opportunities with colleagues in Edinburgh City Council, East and Mid Lothian and the Scottish Borders. These collaborations have proven beneficial to the council and further opportunities continue to be explored.

Several discussions have been held between West Lothian and Falkirk Councils to determine if there is an opportunity for collaborative working. Falkirk Council is comparable in size to West Lothian and is at a similar state of maturity with regard to procurement progression, receiving a Procurement Capability Assessment score of 30% in 2010. Falkirk is however conforming with regard to Procurement Capability Assessment criteria in areas that West Lothian is developing and vice versa. This offers an opportunity for each council to learn from each other, share good practice and develop networking opportunities.

Falkirk Council is also embarking upon a review of Procurement and this presents an excellent opportunity to collaborate with regard to improvement plan actions. There are numerous other options for shared service involvement between the two councils, the extent of which can be developed over time.

Recommendation

The sharing of responsibility of delivery of improvement plan actions and opportunities for sharing improvement tasks should be explored with Falkirk Council.

The council should in future, as a standard of procedure contact Falkirk Council and other public sector bodies to establish if collaboration is possible during procurement exercises.

The Procurement Development Officer must liaise with Falkirk Council's Procurement Improvement Co-ordinator and other public sector bodies to identify opportunities for sharing best practice and making efficiencies.

35. Performance Management

The council has an effective performance management framework and the Covalent system offers a valuable facility for recording and monitoring performance. Unfortunately, procurement performance management has been hindered by the absence of council wide data and corporate procedures and technology to facilitate compilation.

The Review has focused on improving the performance management of procurement. As well as increasing the ability to record and manage performance internally, the review has also highlighted the need to perform benchmarking with external organisations, as a basis for best practise monitoring.

Recommendations

Approval of the Corporate Procurement Strategy will enforce future procurement requirements moving forward and emphasize the performance improvement requirements to those procurement responsibilities.

The implementation of an agreed Benefits Tracking process and methodology within the Finance and Estates Services will help to establish the progress and success of all contracts within the council.

The compulsory population of the new bespoke contracts register will be critical to the measurement and therefore management of contracted expenditure within the council.

To address the lack of supply market analysis and benchmarking, the Scottish Government's 'Hub' supplied by Spike's Cavell should be used to compare the council expenditure with that of other Scottish councils and Public Sector Bodies. In addition, the benefits of joining the CIPFA benchmarking club for procurement should be investigated and pursued.

36. Conclusions

Valuable work has been performed as part of the review, identifying the current position and establishing where the council aspires to be in the future. There is considerable improvement required moving forward and a number of conclusions have been formulated to enable the recommendations to be outlined.

Implementation of the recommendations will result in improvements to governance, leadership, processes and skills. Furthermore, they will place greater emphasis on both procurement efficiency savings and procurement cashable savings, leading to a consistent approach to the procurement of supplies, services and works, improving service delivery and achieving Best Value from all council procurement activity.

However, a significant cultural change throughout the council is required to embrace the proposed recommendations and to enable efficient procurement to become a reality.

37. Implementation

The objectives of the Modernising Procurement Review will be achieved through the implementation of the outstanding actions from this report. Following incorporation of feedback from staff and customers, it is intended to implement the recommendations as part of an ongoing modernisation programme, from July 2011 onwards.

An implementation plan will be developed once the final report has been agreed. The plan will document the actions, responsible owner and timescales required to deliver the recommendations in the report, prioritising those with greatest value and importance.

Given the benefits to be accrued it is envisaged that most changes and improvements will be implemented within 12 months of report authorisation and full implementation completed by March 2013. To assist in the process, some additional temporary staffing resources will be required. Changes will be implemented with appropriate consultation with staff, customers and trade unions.

Appendix A – Modernising Procurement Scope

MODERNISING PROCUREMENT — SHAPING THE FUTURE

The procurement modernisation project will be undertaken in full compliance with all relevant council policies and procedures.

Scope and Work to be undertaken

The following will be reviewed:

- All procurement activities to identify core work that must be delivered in accordance with EU Procurement Rules
- Roles and responsibilities of officers who currently undertake procurement activity throughout the council
- Key competencies and skills needed for procurement personnel
- Procurement service standards and performance targets to ensure they are relevant and measurable and fully supported by the council's Procurement Strategy and Procurement Policy
- Present administration support arrangements and investigate possibilities for efficiencies and contingency arrangements
- Draft sustainable procurement policy and strategy and sustainable procurement processes
- Council terms and conditions and contract extension / variation process
- Council Standing Orders and compliance (along with a review of the dispensation from standing order compliance given to social care contracts)
- Contract compliance
- Non contract spend and maverick buying
- Procurement card spend
- Contract management
- Measures to prevent the risk of fraud with regard to procurement and payment
- Key procurement risks
- Management reports available from PECOS to enhance reporting information
- Procurement Capability Assessment results and recommendations
- Service and support currently provided by and to the National Procurement Centre of Expertise (Scottish Procurement) and the Sectoral Procurement Centre of Expertise (Scotland Excel).
- Regional procurement
- Benchmarking information and identification of best practice with regard to other Local Authorities and Public Bodies
- Remit and constitution of all existing inter-service procurement meeting groups, e.g. Contracts Advisory Group and Procurement Forum, and the potential for others

The following will be considered:

- Alternative delivery mechanisms, such as a commodity management structure; allowing opportunities for specialisation
- Future service provision requirements
- Partnership arrangements and how these could be more effective
- Opportunities for shared services
- The recommendations of the McClelland report on the Review of Public Procurement and how this can be embraced to facilitate improved purchasing performance
- Requirements for the implementation of Procurement Journey Routes 1, 2 & 3
- IT technology and what developments can be made to improve procurement activity
- Requirements to achieve "Best Value" through procurement activity

- How best to integrate Legal Services and Finance & Estates Services in providing professional procurement advice e.g. Procurement Rules and procedures
- Consideration and minimisation of risk taking account of business continuity
- Internal and External Audit's findings and recommendations reported with regard to best practices and deficiencies within procurement
- Integration of the Procurement Strategy with the council's financial strategy
- Flexible working

Surveys and Meetings

- Survey and meeting with staff involved in the provision of a procurement service
- Survey and/or meeting with Procurement customers
- Survey and/or meeting with suppliers and partners
- Meeting with and guidance sought from Scotland Excel/Scottish Procurement and any other relevant experts

Key Issues to be taken into account

- Statutory and legal framework governing the procurement process
- Council wide modernisation including the need to achieve the proposed budget reductions of £3 million contained within the contingency strategy, through collaborative procurement and increased contract provision
- Collaborative working arrangements with Procurement Scotland, Scotland Excel and the Regional Hub
- Ideas and suggestions from staff involved in the procurement process
- Feedback from customers on their satisfaction and, analysing customer experiences to inform future strategy, changes to processes and areas for improvement
- Requirement to provide professional advice and support to services
- Working in partnership with services and how we engage and involve services
- External pressures, including difficult financial climate
- The need to deliver procurement more efficiently and within a reduced budget in the future (i.e. with fewer staff in the medium term)
- Future service requirements for procurement and workforce planning and scheduling arrangements
- The requirement of procurement to meet performance targets
- Need to make the procurement service accessible to customers clarifying their responsibilities
- Standardising, streamlining and simplifying of activities and processes
- Staff training (including focus on customers), career development and succession planning
- Delivery of procurement training to customers
- Feedback from elected members
- Raising the profile and marketing of Procurement

Outcomes

Outcomes required from the review will be based on the following recommendations:

- The arrangement and delivery of procurement in the future
- A clear statement of future priorities for procurement, including areas of increasing priority that add value and those of lesser importance
- Activities and processes which could be streamlined and how this could be achieved
- How procurement could operate more efficiently
- How to improve working relationships with Scotland Excel and Scottish Procurement
- Shared services and alternative delivery mechanisms

- How the council can progress on the journey towards superior purchasing performance and make continual improvements in Procurement Capability Assessments
- Changes to Service Standards and performance targets
- Changes to the Procurement Strategy and Policy
- Implementation of the Procurement Journey Routes 1, 2 & 3
- How to enhance flexibility and promote team working
- Delivery of staff development, training and succession planning
- Compliance with standing orders, EU Procurement Rules and legislation and achievement of Best Value

Timescale

The target is to complete a draft of the report in Spring 2011, which will then be discussed and agreed with the Executive Management Team and Corporate Management Team. This will be followed by a briefing to staff, trade unions and customers on the report, formally consulting on the content and following comments, feedback and queries agreeing a final version of the report by May 2011. The report will then be reported to the Partnership and Resources Policy Development and Scrutiny Panel in June 2011. Merle Stevenson will be Project Manager and will co-ordinate the review.

Implementation of the Recommendations

The actions from the report will be implemented as an ongoing modernisation process, rather than a single event. Following agreement, it is intended to implement the recommendations on a rolling basis, from the summer 2011 onwards.

Tom Henderson
Interim Procurement Manager
16 November 2010

Appendix B – Modernising Procurement Review Recommendations 2011

Report Section	Recommendation
4.2 Procurement Services Unit	To enable significant procurement transformation, allowing for increased specialisation and skills development and facilitating advanced council procurement development within the council, the proposed procurement structure documented is to be approved. The proposed structure will enable outcome based progress and will reinforce the required change of procurement culture. Any structural changes will be implemented in accordance with the council's agreed organisational change processes and in consultation with the Trade Union.
	Procurement professionals who have responsibility for Social Care and Works contracts will remain within their respective service areas. However a formal review will be performed at the end of 2012/13 to ascertain if this arrangement is beneficial to the council or whether action should be taken to incorporate appropriate staff into the Corporate Procurement Unit.
4.3 Procurement Administration Support Arrangements	To ensure operational contingency arrangements are put in place which will allow for sharing of knowledge and skills and permit improved staff development, it is proposed that the procurement administration and eprocurement support function transfers to the Financial Management Unit's Corporate Strategy Accounting Support Team. This will facilitate the creation of a purchase to pay support team for the council, with sufficient numbers of staff to permit the necessary segregation of duties.
	As part of the development it is proposed that a new role is created covering administration of a number of financial systems within Finance and Estates.
	It is also recommended that opportunities are evaluated across the council to integrate activities relating to purchase to pay within the consolidated corporate team.
5.2 Procurement Strategy	The Corporate Procurement Strategy 2011-2014 should be approved to successfully deliver the financial savings and other council procurement objectives.
	Services will need to embrace the new strategy and change (where appropriate) their existing ways of working with Procurement Services. The proposed Corporate Procurement Unit will adopt the new strategy and develop a closer working relationship with their customers.
	Although the Corporate Procurement Strategy has been created to cover 2011 – 2014, it is dynamic and will be reviewed on an annual basis. The new strategy will be used to regularly review performance of council procurement and progress against objectives will be discussed at the quarterly Procurement Steering Board (see Section 26), as well as at the Corporate Procurement Unit team meetings.

Report Section	Recommendation
6. Sustainable Procurement Policy and Strategy	<p>The Corporate Procurement Strategy 2011-2014 should be approved to enable sustainable procurement to be implemented within West Lothian Council.</p> <p>Recognising the council's commitment to sustainable procurement it is proposed that a Category Manager will have specific responsibility for sustainable procurement and will assist the Head of Planning and Economic Development as the council's sustainable procurement champion. The relevant Category Manager will embed and promote sustainable procurement processes throughout the council.</p>
7. Integration of the Corporate Procurement Strategy with the Council's Financial Strategy	<p>The new Corporate Procurement Strategy 2011 - 2014 should be approved to enable progress towards achieving the cashable savings targets identified within the council's Financial Strategy.</p> <p>An agreed Benefits Tracking methodology should be introduced to ensure that all contracts within the respective categories have cashable savings targets and that actual figures are consistently measured and recorded.</p> <p>Quarterly meetings should be held between the Corporate Procurement Manager and the Corporate Finance Manager to discuss cashable savings targets and progress towards their achievement.</p> <p>The Corporate Procurement Unit should continue to analyse the spend data from the National Hub through Spikes Cavell and liaise with Services to identify potential contract opportunities to realise targeted procurement cashable savings.</p>
8. McClelland Review of Public Procurement	<p>To enable full compliance with the appropriate recommendations from the McClelland Report, the areas of non-conformance highlighted within the 2007 Internal Audit assessment and the 2011 compliance status review should be addressed. The Procurement Development Officer should lead the delivery of the necessary actions and ensure that a follow-up assessment is performed by the end of 2012/13.</p>
9. Procurement Capability Assessment	<p>To enable significant progress to be made in advance of the 2011 Procurement Capability Assessment in October and future Procurement Capability Assessments, the activities from the Procurement Capability Assessment Action Plan 2010 → 2012 detailed in Appendix K should be progressed to completion by the council.</p>

Report Section	Recommendation
10. Identify Core Procurement Activities that must be delivered in Accordance with EU Procurement Rules	Whilst recognising that there are differences in the procurement of supplies, services, social care and construction, it is absolutely essential that the council should adhere to the EU treaty principles and Rules. It is therefore recommended that a standard methodology is adopted to ensure consistency of approach and that best practice is followed.
	The Procurement Journey Routes 2 & 3 should be analysed and tailored to meet the needs of West Lothian Council to ensure that strategies, guidance and templates are provided which ensure necessary adherence to EU Procurement Rules and Treaty Principles.
	The Construction Procurement Manual, which is mandatory throughout the Scottish Government, should be reviewed and where appropriate, tailored to meet the needs of West Lothian Council's Work contracts.
	There is also a need to develop the working relationship between the new Corporate Procurement Unit, the Financial Management Unit, Legal Services and council service areas responsible for Social Care and Works contract commissioning and procurement activities. Regular meetings should be held and rigorous and robust procurement processes need to be developed and implemented for use with all contract types, covering the whole contract lifecycle.
	An external and independent Procurement Advisory Service, e.g. CIPFA Procurement & Commissioning Network or Achilles (Themis), etc. should also be secured as a priority to keep the council's procurement professionals up to date with new legislative changes and best practice.
11. Roles and Responsibilities of Officers who currently Undertake Procurement Activity throughout the Council	To ensure a more flexible approach to procurement activities and the promotion of joint working arrangements between the Corporate Procurement Unit and their service customers, it is essential that User Intelligence Groups are established at the outset for each contract.
	A detailed roles and responsibilities document should be produced to provide an indication of the level of involvement required from all parties during the whole contract lifecycle. Services and the Corporate Procurement Unit will have to acknowledge their responsibilities from the outset to ensure an effective procurement process. The use of the contract lifecycle roles and responsibilities guide will streamline activities and help to develop an efficient procurement process.
	The council's scheme of delegation should be updated to reflect the roles and responsibilities of officers undertaking procurement activity within the council.

Report Section	Recommendation
12. Confirmation of Key Competencies and Skills Needed for Procurement Personnel	A Procurement Training Strategy should be introduced to enable different levels of training to be provided to officers involved in procurement activities. Specific budgets should be allocated for procurement training requirements and the Corporate Procurement Unit staff should be encouraged and supported to achieve Membership of the Chartered Institute of Purchasing and Supply qualifications.
	Procurement training needs should be determined throughout the council and formal training sessions, tailored to suit the nature of the tasks undertaken, arranged for procurement professionals from all appropriate service areas.
	The procurement competency framework (Scotland Excel technical competency framework or equivalent) should be rolled out as a means of assessing the training requirements for council procurement professionals.
	Procurement training guides should be developed and published to address fundamental procurement knowledge gaps across the council.
	All Corporate Procurement Unit staff should be prepared to provide a training service to their customers such as formally arranged presentations or 'Bite Size' sessions.
13. Procurement Service Standards and Performance Targets	The Service Standards appropriate to the Corporate Procurement Unit should be reviewed and updated in accordance with the Corporate Procurement Strategy 2011-2014.
	Performance against the Corporate Procurement Strategy objectives and targets published within the Finance and Estates Management Plan 2011/12 should be reviewed at the Procurement Steering Board (see Section 26), and at quarterly meetings between the Head of Finance and Estates and Corporate Procurement Unit Managers.
	Covalent should continue to be used to record procurement performance, however data should be included which relates to council wide procurement activity.
14.1 Council's Terms and Conditions	To ensure commercial risk is minimised, it is essential that a standard contract suite of robust terms and conditions be initiated to cover all tendering opportunities. Officers with responsibility for tendering shall be expected to incorporate the appropriate model form of contract from the available suite.
	However, always dependant upon the context, it should be possible to add or delete other clauses, although council officers should always consult with the Corporate Procurement Unit and Legal Services.
	A formal review of council model terms and conditions should take place on an annual basis.

Report Section	Recommendation
14.2 Variation Process	A new Step by Step Guide and templates should be produced to simplify the variation process and to enable a consistent approach and make sure that unofficial extensions are not permitted in any circumstances.
	The Head of Finance and Estates Services should sign all Supplies and Part A Service contract extensions, the Head of Social Policy should sign all Part B Service contract extensions and the appropriate Deputy Chief Executive should sign the Works contract extensions.
	Financial Management Unit should be notified of significant price variations to make amendments to budgets.
15. Council's Standing Orders and Compliance	It is proposed that the Working Group for Contracts Standing Orders update the existing Standing Orders to ensure that they provide accurate, robust, clear and understandable procedures which underpin the management arrangements set out within this report, including support of the proposed new Corporate Procurement Unit model and the mandatory use of the corporate contract register (see Section 28) to record details of all contracts.
	The Standing Orders for procurement will ensure that users understand the content and their own responsibility for compliance and consideration will be given to including a diagrammatical representation of procurement procedures with financial values, in the Standing Orders to give the reader a clear illustration of the route they should take to ensure compliance.
	The Corporate Procurement Unit's Procurement Development Officer should be responsible for assisting with the enforcement of Standing Orders in relation to contracts and will address non-compliant buying behaviour with Heads of Service.
	To ensure clarity of responsibility for complying with Standing Orders, it is recommended that training guides be developed and promoted by the Corporate Procurement Unit, based on advice from the Chief Legal officer and the Working Group on Contracts Standing Orders.
	A business case template for the exemption from Standing Orders should be contained within Standing Orders.
	It is recommended that revised Standing Orders for procurement are reported to Elected Members for approval as soon as possible.

Report Section	Recommendation
16. Contract Compliance	It is imperative that the revised Standing Orders are appropriately communicated to all council employees. It is vital that all officers with responsibility for operational procurement activity have a total clarity of expectation and understand their responsibility and the consequences of non-compliance.
	The Corporate Procurement Unit's Procurement Development Officer should be responsible for contract compliance monitoring, will assist with the enforcement of Standing Orders and will address non-compliant buying behaviour with Heads of Service.
	A review should be performed of all contracted suppliers on PECOS and the introduction of a 'Catalogue Only' ordering facility investigated.
	To enable the withdrawal of unnecessary non-contract suppliers and to provide additional opportunity to make cash savings, the Corporate Procurement Unit and Services should work to increase the percentage of contracted spend.
17. PECOS Non-Contract Spend and Maverick Buying	Further analysis needs to be performed to validate the high level findings with the services, to identify all contracted expenditure. This will be assisted by the establishment of the Corporate Contract Register.
	The remaining spend not captured through contracts should be categorised and allocated to the appropriate Category Manager within the new Corporate Procurement Unit to analyse. The Category Managers and Procurement Specialists will need to ascertain what contracts are proposed in the future by Scottish Procurement, Scotland Excel and indeed services within the council. This information will be cascaded by the Corporate Procurement Manager who will also have input into Scotland Excel's delivery plan through attending Scotland Excel Commercial UIGs.
18. Contract Management	The Contract and Supplier Management Strategy should be agreed and enforced throughout the council to implement consistent, cross-service processes. The strategy should be reviewed annually as part of the overall Corporate Procurement Strategy review.
	Category Managers and Procurement Specialists within the Corporate Procurement Unit should have responsibility for ensuring that contract and supplier management is performed within their allocated categories.
19. Procurement Card Spend and Non-Compliance	To ensure that users are complying with the Procurement Card procedure it is critical that an assessment of their use be performed. Internal Audit will perform a review of the procurement card system in 2011/12. A sample of the expenditure through the system will be conducted as part of their review.
	To ensure ongoing compliance, it is essential that an annual review of procurement card expenditure be carried out.
20. Payment Procedures Analysis	The availability of all four payment procedures should be reiterated to Services and compliance with these monitored ongoing by the Financial Management Unit.
	Further reviews of the payment procedures should be performed on an annual basis.

Report Section	Recommendation
21. Measures to Prevent the Risk of Fraud with Regard to Procurement and Payment	The use of the new form to add or amend supplier details within Smartstream should be adopted. This will ensure a more stringent process and provide a clear message to customers regarding the impact that the addition of a supplier has and their need to comply with Standing Orders.
22. Register of Key Procurement Risks	As risk management is an important, continuous process, it is vital that appropriate risk assessments are undertaken, reviewed and managed throughout the procurement process. A Procurement Risk Management Strategy should therefore be developed to help procurement professionals manage risk.
	Emphasis needs to be placed on effective risk registering within the context of the Procurement Risk Management Strategy, particularly for high value, complex procurements. The new corporate contract register will contain a procurement risk register which should be updated to record all risks associated with the contract.
	Issues associated with a contract should also be recorded and updated within the corporate contract register.
	The new procurement arrangements should incorporate a risk assessment to manage procurement risk; this should hopefully increase the council's performance within the Procurement Capability Assessment.
	Where the risks relating to a contract involve significant risks to the delivery of the council's objectives, the risks to the council should be included within the council's corporate risk register.
	Issues and risks should be discussed during contract and supplier performance review meetings, as per the new Contract and Supplier Management Strategy.
	The council's Standing Orders should be updated to reflect best procurement risk management procedures.
	The proposed suite of terms and conditions for the council should be reviewed to ensure that sufficient protection is in place against risks, for example property, patents, information and copyright, indemnity and insurance and intellectual property.
23. Management Reports Available from PECOS to Enhance Reporting Information	It is proposed that PECOS provides a single source of management information with regard to council spend. As such, it is imperative that the outstanding interfaces to PECOS from Operational Services Axim system and Housing, Construction and Building Services Open Contractor system be completed as a matter of urgency in the current financial year. This will ensure that data from legacy systems is reportable through the council's PECOS datamart.
	Following all PECOS interfaces, datamart reports should be further developed to ensure that relevant information is identified, collated and reported to deliver the most benefits to the council.

Report Section	Recommendation
24. Regional Procurement	<p>The council should ensure that collaborative procurement opportunities are exploited, not only with Scotland Excel and Scottish Procurement, but with other councils and Public Sector Bodies. The use of the Contract Strategy will encourage officers responsible for procurement to engage with the marketplace, identifying, assessing and delivering the most effective and efficient procurement solution and as part of the contract development, investigate possibilities for collaborative procurement.</p> <p>The Corporate Procurement Unit's Category Managers and Procurement Specialists should take responsibility for ensuring that regional collaboration opportunities are explored for their commodities.</p> <p>Quarterly reports should be presented to the Council Executive to advise of all new collaborative framework contracts awarded and utilised.</p> <p>Annual approval of the Corporate Procurement Strategy by Elected Members will provide the council with the endorsement to use Category A and B framework contracts provided by Scottish Procurement, Scotland Excel and OGC Buying Solutions.</p> <p>Where the collaborative contract provided by Scottish Procurement, Scotland Excel or OGC Buying Solutions does not meet council needs or does not represent value for money, a business case for exemption should be presented to the Council Executive prior to the commencement of the tender process.</p> <p>Elected Members delegate authority for Category A and B contracts to the Head of Finance and Estates for Supplies and Part A Service contracts, the Head of Social Policy for Part B Service contracts and the Deputy Chief Executive for Works contracts.</p>
25.1 Scottish Procurement	<p>The council should continue to monitor the relationship with Scottish Procurement with any issues raised by the Corporate Procurement Manager with the appropriate Scottish Procurement Manager. The Corporate Procurement Manager needs to ensure that any proposed procurement cashable savings are expedited and are verified by the Financial Management Unit.</p>
25.2 Scotland Excel	<p>Scotland Excel contract management roles and responsibilities should be clarified and agreed to enable contract monitoring and management for effective supply and service deliver to the council.</p> <p>Appropriate timescales for future contracts and variations should be obtained from Scotland Excel and made available to the Corporate Procurement Unit. The Category Managers should then liaise with their customers to obtain necessary spend and specification data for the appropriate commodities.</p> <p>Although Scotland Excel cannot always guarantee to meet every council requirement, the availability of contracts should allow the council to concentrate efforts on local contracts. Any issues with regard to contract delivery plan content should be raised with the Corporate Procurement Manager who will raise with Scotland Excel management and at the Commercial UIGs. If this does not prove productive, issues can be escalated to the Chief Executive Officers Management Group.</p>

Report Section	Recommendation
26. Remit and Constitution of Inter-service Procurement Meeting Groups	A Procurement Steering Board should be established. It is recommended that this board be chaired by the Chief Executive and attended by senior representatives from each service, in addition to the Corporate Procurement Manager and a representative from Legal Services. The group will meet quarterly to discuss procurement performance and service developments. The creation of this Board will demonstrate senior management leadership and commitment and accelerate procurement development throughout the council.
	Quarterly performance meetings should also be established, attended by the Head of Finance and Estates, the Corporate Procurement Manager, the Category Managers, Procurement Development Officer and appropriate staff within the Financial Management Unit. The meeting group will discuss the benefits tracking for each category, review progress of contracts, procurement cashable and non-cashable savings generated and contract compliance. Improved joint working between the Corporate Procurement Unit and the Financial Management Unit is essential for enabling improved performance.
	Following the successful contracts advisory group model operated for Social Care, a Works Contracts Advisory Group should be established. The remit and constitution will be similar to that of the Social Policy Contracts Advisory Group but apply to Operational Services and Housing, Construction and Building Services staff engaged in arranging and managing Works contracts.
	Proposed reporting arrangements for Social Care and Works contracts are described in Section 32 .
27. Marketing of Procurement throughout the Council	The Marketing West Lothian Council Procurement proposals should be agreed and taken forward to effectively promote and therefore improve procurement efficiency and effectiveness.

Report Section	Recommendation
28. IT technology and what developments can be made to improve procurement activity	The development of the new bespoke corporate contract register should be completed as a priority. This will replace the online version currently promoted by the Scottish Government, by providing enhanced contract details required by the council. The development of the new contract register should progress to enable improved contract management and reporting, as well as the ability to calculate BPI and KPI's more efficiently.
	To facilitate the delivery of a new corporate procurement model within the council and to enable access to all the necessary procedures, guidelines and templates required to perform procurement activity, the existing Procurement Services intranet site should be re-designed. A modern, easy to use site should be created for all customers.
	The functionality of the Scottish Government's new eSourcing facility should be investigated by the council's Corporate Procurement Unit and once available, promoted for all contract use, including Works.
	Alternative electronic invoicing solutions are being investigated by the Scottish Government and should be considered by the council upon their future availability. In the meantime, Finance and Estates Services should continue to promote the use of ERS and procurement card use within PECOS to achieve further administration efficiencies.
	Options for the continued development of e-forms should also be considered by the Corporate Procurement Unit to obtain additional opportunity for time savings.
29. Implementation of Procurement Journey: Routes 1, 2 and 3	The Procurement Journey Routes 1, 2 and 3 should be examined and tailored to meet the needs of West Lothian Council as this is critical to the achievement of Best Value and the delivery of improved procurement performance, enabling increased cash savings and risk reduction.
	The Procurement Journey processes, templates and guidance should be appropriately rolled out throughout the council and support provided by the Corporate Procurement Unit to Services for the implementation of Route 1.
	Appropriate reference to the Procurement Journey processes and procedures should be incorporated within Standing Orders.
	Routes 2 and 3 should be adopted by the Corporate Procurement Unit and where possible elements rolled out within the Services responsible for Construction Works and Social Care contracts.
31. Internal and External Audit Findings and Recommendations with Regard to Procurement	The areas highlighted as effective, good, requires improvement, poor and unsound should be analysed to ensure that appropriate procurement training and procedural guidance is developed to eliminate any future "requires improvement", "poor" and "unsound" findings. The move to the new Corporate Procurement Unit with a Category Management structure should also help to eliminate potentially flawed procurement practices by enabling a closer working relationship between Legal Services and service customers.

Report Section	Recommendation
32. Contract Evaluation Criteria Policy	It is proposed that the tender threshold for supplies and services is raised to £50,000, to increase the number and value of tender opportunities for local suppliers, SMEs, the voluntary sector, the third sector and supported businesses.
	To ensure that Elected Members views are considered within the procurement decision making process, it is proposed that for all West Lothian Council procurement exercises in excess of £50,000, the tender award criteria and other considerations e.g. community benefits are reported to Elected Members and agreed at the beginning of the process, i.e. approval is sought for the tender approach and evaluation criteria and not at the point where the contract is about to be awarded to the winning supplier(s).
	Procurement training for Elected Members should be provided to allow them to discharge their duties effectively.
	With the increased use of frameworks e.g. Scottish Procurement, Scotland Excel and OGC Buying Solutions, and with individual "call offs" and aggregated purchases exceeding the OJEU threshold, it is proposed that the reporting to the Council Executive of those frameworks utilised by the council is performed at months 4, 6, 9 and out-turn and follows the Treasury reporting schedule provided by the Financial Management Unit.
	It is also proposed that the procurement reporting to the Council Executive provided to at months 4, 6, 9 and out-turn include details of all contracts let by West Lothian Council during the previous reporting period.
34. Shared Services	The sharing of responsibility of delivery of improvement plan actions should be explored with Falkirk Council. Opportunities for sharing improvement tasks should be explored to enable efficiencies for both councils.
	The council should in future, as a standard of procedure contact Falkirk Council and other public sector bodies to establish if collaboration is possible during procurement exercises.
	The Procurement Development Officer should liaise with Falkirk Council's Procurement Improvement Co-ordinator and other public sector bodies to identify opportunities for sharing best practice and making efficiencies.

Report Section	Recommendation
35. Performance Management	Approval of the Corporate Procurement Strategy will enforce future procurement requirements moving forward and emphasize the performance improvement requirements to those procurement responsibilities.
	The implementation of an agreed Benefits Tracking process and methodology within the Finance and Estates Services will help to establish the progress and success of all contracts within the council.
	The compulsory population of the new bespoke contracts register will be critical to the measurement and therefore management of contracted expenditure within the council.
	To address the lack of supply market analysis and benchmarking, the Scottish Government's 'Hub' supplied by Spike's Cavell should be used to compare the council expenditure with that of other Scottish councils and Public Sector Bodies. In addition, the benefits of joining the CIPFA benchmarking club for procurement should be investigated and pursued.

Appendix C - External Council Visit Question Set



Modernising Procurement Meeting

Procurement Transformation Programme

- What were the key drivers which determined the need for procurement change within your council?
- What were the arrangements prior to the change?
- Did you use an external consultant to conduct your review?
- How long did your procurement review take and have you or do you plan to perform a further review?
- Can you describe the consultation process with staff and stakeholders during the course of the review?
- Were all the review recommendations implemented and did you hold a recommendations launch event?
- Was there standardisation of processes throughout the council as a result of the review recommendations, i.e. contract variations?
- Did you have additional IT requirements post review?
- Can we be provided with a copy of the report and incorporated recommendations from your transformation programme?

Procurement Unit Structure and Responsibilities

- Did you have a preconceived idea of what structure the review would recommend?
- Were there options recommended for the Procurement Unit structure?
- Were there any HR / trade union implications and changes to staff? If so, how did you go about addressing issues?
- Who does the Procurement Manager report to?
- Did you identify the required procurement roles and responsibilities as part of the review and if so, did you develop a training strategy to address skills gaps?
- What are the Procurement Unit team roles, responsibilities, reporting responsibilities and physical locations?
- How do Social Care and Construction feed into your corporate procurement model? Were problems encountered and what lessons did you learn?
- What are your Procurement Administration arrangements? Do you have a corporate pool or administrators dedicated to Procurement? Do you also have dedicated Procurement “super users” throughout the council to assist with operational procurement issues?
- Do you have a procurement staff development career programme in place?

- Does the Procurement Unit perform procurement training to customers?

Performance Measurement & Continuous Improvement

- Do you have a continuous improvement plan for procurement? Or does this form part of the Procurement Strategy?
- What are your procurement performance targets and how are these monitored?
- What benchmarking of procurement performance is measured out with the PCA and BPI's?
- What are your targets for procurement cashable savings from contracts? How are these measured and are they achieved?

Procurement Reporting & Meetings

- What reports and MI do you provide to your senior management team?
- What procurement meetings / working groups do you hold within the council? What is their remit, regularity and who attends?

Compliance

- How do you measure compliance with standing orders and procurement legislation?
- What support does Internal Audit provide to monitoring compliance?
- Do you have a scheme of delegation in place with financial limits? Can you describe how this operates?

Sustainability

- Local Business / SME Agenda
- Community Benefits

PECOS

- How advanced is your PECOS roll out within the council and to what extent do you use PECOS functionality?

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Appendix D – Questions emailed to Councils



Modernising Procurement - Council Questionnaire

Procurement Unit Structure and Responsibilities

1. What are the Procurement Unit team roles, work responsibilities, reporting responsibilities and physical locations?
2. How do Social Care and Works contracts feed into your procurement model?

Social Care

3. Do you have an overarching Commissioning Strategy and contract monitoring framework for social care services?
4. If yes to Q3, how do the plans feed into the Corporate Procurement Strategy?

Procurement Reporting and Meetings

5. What procurement meetings / working groups do you hold within the council? What is their remit, frequency and who attends?

IT Systems

6. What IT systems do you have in place to manage commissioning and contracts throughout the council?

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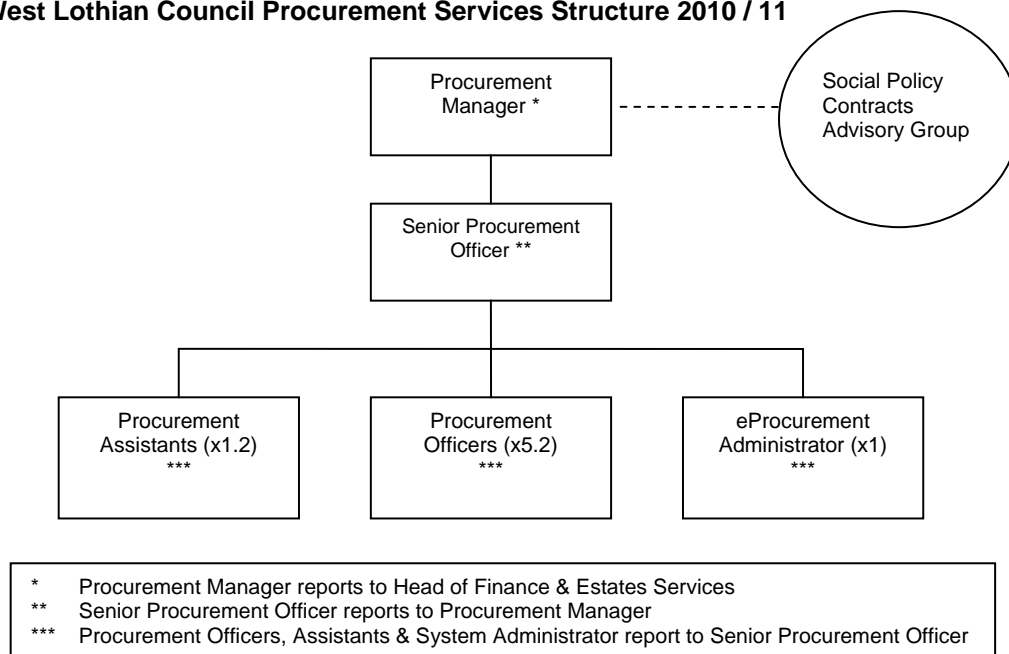
Appendix E – Proposed West Lothian Council Procurement Structure

In response to recommendations from the McClelland Report 2006, requirements of Scotland Excel's Procurement Capability Assessment 2010 and following a council decision to develop a corporate focus on procurement to maximise the benefits to the council of the implementation of a successful procurement function, a review of the existing procurement structure has been performed.

Current Procurement Structure

West Lothian Council has been operating a semi-centralised procurement model. The Procurement Services unit operates a support service to supplies and services customers and Services themselves are responsible for managing a range of bespoke commodities and procurement activity, specifically Social Care, Building and Construction contracts. Although, Social Policy operates a Contracts Advisory Group which meets on a six weekly basis and includes representation and advice from Procurement Services and Legal Services, this is not replicated for all service areas managing contracts.

West Lothian Council Procurement Services Structure 2010 / 11



The staffing cost for the current West Lothian Council Procurement Services Unit is £425,936.

Issues with the Current Procurement Structure

The one-to-one reporting relationship for the current procurement structure is not consistent with the model recommended within the council.

Although evidence of good procurement practice is available throughout the council, it is not consistent. Procurement roles for many officers are an 'add-on' to their substantive role. This means that the procurement training and knowledge of procurement law and practice are lacking and could lead to:

- Duplication of effort and resource, reducing economies of scale opportunities
- Increase and real risk of legal challenges as a result of inappropriate procurement practices and non-compliance,
- Lack of collaborative procurement opportunity,
- Reduction in value for money,
- Incurred costs to council as a result of poor procurement practice, stagnating contracts and poor performing suppliers not being actively managed,
- Lack of performance management and benefits tracking resulting in limited visibility of procurement cashable and non-cashable savings achieved,
- Non-realisation of potential benefits from Scotland Excel contract use, and a
- Detrimental impact on front-line services of non-procurement trained officers performing procurement activities.

Public Sector procurement is an increasingly complex arena and the National Procurement change agenda is ever more aggressive. Keeping abreast of the raft of regulations, legal challenges and best practice is challenging and can no longer be undertaken as an 'add-on' to existing responsibilities without creating a significant risk of challenge and non-compliance. It is therefore recommended that a revised procurement model is established within West Lothian Council.

Proposed Procurement Structure

A series of options of how procurement could be taken forward have been assessed along with the advantages and disadvantages of each. The options are based around the differing structures that could deliver procurement more effectively and efficiently. In essence there are four options:

- Option 1 - no change,
- Option 2 - procurement devolved entirely throughout the council,
- Option 3 - procurement fully centralised, and
- Option 4 - procurement predominantly centralised with clear visibility of Social Care and Works contracts

Descriptions of all options and their impact on customer, people, organisation, technology and outcomes are detailed below.

Option 1 – No Change

Customer – the customer would see little difference apart from the potential impact of a more consistent approach to procurement and greater contract management.

People – no change to current structure although work would be required to define the various roles and responsibilities within the procurement unit.

Organisation – increased number of procedures and processes, as a result of Modernising Procurement Review output, but no assurance that these would be followed and implemented within the services.

Technology – work would progress (albeit slowly) to implement and roll out new procurement systems (when available). However, there would be no assurance that these systems were being used on an ongoing basis.

Outcomes – inability to deliver Corporate Procurement Strategy 2011-2014 objectives, due to restricted influence across council services.

Option 2 – Devolved Procurement Responsibility

Establish separate procurement units within services for the complete commissioning / procurement function. The services would carry out the sourcing, tendering / contracting, monitoring (contract and performance) and administration.

Customer – this option would have a significant impact on the customer as it would take time for the individual services to get up to speed and be able to mirror the current service provision and the relationships with suppliers provided by Procurement Services.

People – a great deal of work would be required to identify the staff currently within services that could perform the necessary procurement activities for the required contracts. This would require the introduction of new tasks to a number of people and require training to support the procurement tasks. In addition, where the required procurement activity could not be encompassed within the existing Service user roles, additional staff would require to be recruited from either the existing Procurement Services Unit, other services or externally.

Organisation – major upheaval with a lengthy period of change.

Technology – the implementation of system changes would be slow, due to the volume of the staff and training requirements involved.

Outcomes – greater potential for non-compliance and a lack of consistency with regard to approach for both customers and suppliers.

Option 3 – Procurement Fully Centralised

Establish a single Corporate Procurement Unit for the complete commissioning / procurement function. The responsibilities of the Corporate Procurement Unit would include sourcing, tendering / contracting, monitoring (contract and performance) and administration of all contracts.

Customer – this option would have a significant impact upon a number of customers as it would take time for the fully centralised function to be able to mirror the current relationship with service users and suppliers. Although once in place would offer benefits from a more consistent approach to procurement processes and procedures.

People – a great deal of work would be required to identify the staff currently employed in the procurement process. It may not be possible to transfer some parts of jobs when the majority of staff time is spent on professional activities, and procurement involves professional input, not just procurement input, e.g. what style of contract should be used, not what should be bought.

Organisation – major upheaval with relocation of existing procurement staff in services to the Corporate Procurement Unit and a period of change for Social Policy, Operational Services and Housing, Construction and Building Services. However once in place, it would offer a more consistent level of support would be provided to services

Technology – it would be possible to implement system changes quicker as the staff involved would be centrally based and therefore able to change the mechanics of a process much quicker. However, that would only be able to commence once the centralised unit was in place and that would be a lengthy process.

Outcomes – Consistent approach to procurement activity and greater compliance to processes, procedures and legislative requirements.

Option 4 – Predominantly Centralised Procurement with Enhanced Social Care & Works Contract Management

Customer – minor difference as the enhanced monitoring would be limited to contract User Intelligence Group representatives, Operational Services and Housing, Construction & Building Services representatives and the existing dedicated team within Social Policy. The majority of customers would however start to see differences as they would benefit from a more consistent approach to procurement processes and procedures.

People – minimal change but the revised structure would require the continuation of the Contracts Advisory Group for Social Policy contracts and the introduction of a similar group for Works contracts.

Organisation – a more consistent level of support to all services and a closer monitoring of the contract process in place for Social Policy, Operational Services and Housing, Construction & Building Services Works contracts.

Technology – system changes would be implemented relatively quickly, as the numbers of staff involved would be known and manageable.

Outcomes – Consistent approach to procurement activity and greater compliance to processes, procedures and legislative requirements.

Options Assessment

Modernising West Lothian Council's procurement arrangements has the following targets:

- achieving savings through economies of scale in contract arrangements
- savings in staff time, by simplifying and standardising processes
- ensuring the right staff are doing the right jobs

Option 1 - this is not a realistic option, as the council cannot continue to operate with the existing structure and procurement management responsibilities if increased levels of efficiency and effectiveness are to be gained.

Option 2 - this option opposes the council's streamlining, consolidation and efficiency plans and does not make allowances for contingency arrangements. Procurement activities may be performed infrequently, which will require a re-learning of the processes and procedures, impacting on training time and costs, as well as an increase in the support provided by other services, e.g. Legal.

Option 3 - the option is unworkable at the present time, due to the delay it presents in implementing the Modernising Procurement implementation plan actions. Specialist staff within the services would require to move to the Corporate Procurement Unit and part of their service role would still require to be filled, resulting in an increase in costs. It would not be practical to simply centralise all officers currently involved in procurement as it is not their total function and responsibility. It would also disrupt services and have a negative impact upon the time-line for achieving efficiencies.

Option 4 – this option enables the creation of a new structure and dedicated contract management with a manageable number of people involved. This option ensures that people with high levels of procurement expertise are driving the procurement process with a depth of understanding of the tools, and techniques. Those people with the technical skills within the services will be encouraged to join User Intelligence Groups and feed into the process, as far as specialist input at tender specification, evaluation, as well as inputting to contract & supplier management.

Work can be shared within the Corporate Procurement Unit and contingency arrangements implemented. Staff development opportunities will exist and training will be more effectively managed. The targeting of corporate contracts and enhanced supplier management will be possible.

Benefits of Implementing Option 4

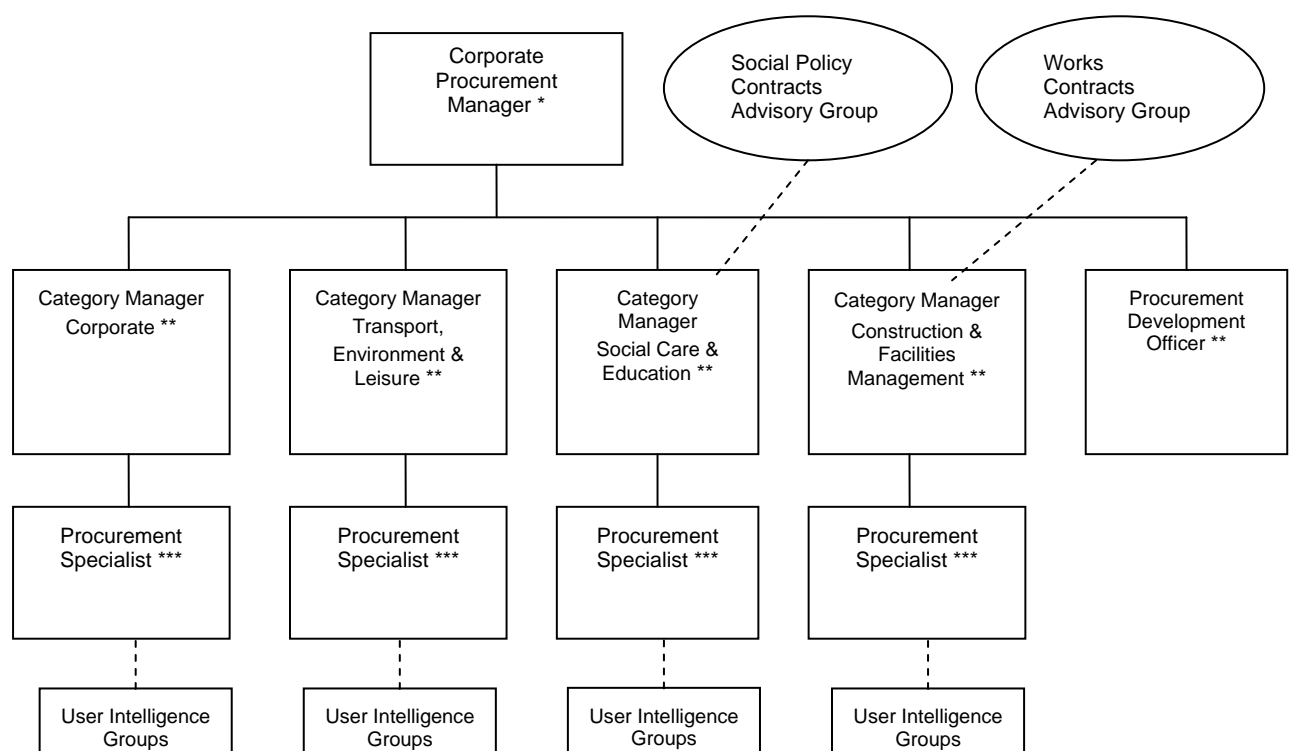
The implementation of a Corporate Procurement Unit with a strictly controlled link retained for all Social Care contracts and established for all Works contracts, in the form of Contracts Advisory Groups, will enable the following:

- Demonstrates councils determination to make procurement more corporate
- Creates a “Centre of Expertise”
- Allows for greater internal collaboration
- Allows for central monitoring of spend to control aggregation (EU limit)
- Improves the quality and control in the generation of procurement specifications
- Targets individual procurers to ensure the application of the councils procurement Strategy and Policy is consistent
- Targets individual procurers to ensure compliance with regulations
- Targets individual procurers to ensure all procurement activity is tied to financial management and service improvement
- Provides a direct relationship between supplier and contract manager
- Streamlines the line of communication between service recipient and supplier
- Releases non-procurement staff to concentrate on their ‘day job’ and provide specialist expertise when required

Category Management

It is proposed that the Corporate Procurement Unit will employ Category Management. This arrangement will enable the council to manage its buying activity by grouping together related products and services across the council and map them onto a supplier market. Under Category Management, decisions about what products and services are bought, which suppliers are used and what contracts the council enters into, will be made on a category-by-category basis with a view to optimising quality and maximising savings across the council as a whole.

West Lothian Council Corporate Procurement Unit - Proposed Structure



* Corporate Procurement Manager reports to Head of Finance and Estates

** Category Managers and Procurement Development Officer report to Corporate Procurement Manager

*** Procurement Specialists report to allocated Category Manager, but all operate flexibly

The Category Management structure will be flexible and although categories have been designated above, they may be subject to change dependent upon the dynamic procurement requirements.

The proposed Corporate Procurement Unit will encompass 10 FTE. The job descriptions for the unit are currently being produced and will shortly be passed to HR for grading. The staffing cost for the council's proposed Corporate Procurement Unit is expected to be greater than the current Procurement Unit, with additional funding obtained from an increased delivery of procurement cashable savings.

Any structural changes will be implemented in accordance with the council's agreed organisational change processes and in consultation with the Trade Union.

Benefits of Proposed Category Management Structure

- Clearly defined roles and responsibilities of procurement staff, with up to date job descriptions, ensuring they know what's expected of them,
- Clear message to customers regarding who they contact regarding various procurement matters,
- Awareness of procurement staff and their customers of the role they perform in arranging and managing contracts,
- Ownership of the council's Corporate Procurement Strategy enabling vision and direction council wide,
- Consistent use of procurement systems employed throughout the council, i.e. proposed use of Public Contracts Scotland to advertise contracts, all tenders over £50k issued through eSourcing, contracts less than £50k processed through Quick Quote facility,
- High profile reporting mechanism, with representation at service management teams to discuss procurement strategy, contracts, performance and reform

Corporate Procurement Manager

The responsibilities of the Corporate Procurement Manager will be to:

- Provide strategic procurement direction for the council
- Manage the transformation to a category management structure and lead the new Corporate Procurement Unit
- Develop and review Procurement Strategy
- Develop and enforce Procurement Policy
- Set objectives and targets for council procurement
- Manage relationships with key internal customers and strategic suppliers
- Manage change to council procurement policies and processes
- Participate in national / regional / local collaboration as an advisor
- Deliver ongoing cost savings to the council
- Ensure targets and KPI's are achieved
- Ensure a high level of compliance with the procurement policy
- Manage the Category Managers and the Procurement Development Officer
- Promote the Corporate Procurement Unit and its values
- Report to the Head of Finance & Estates and the Corporate Management Team

Category Managers

The responsibilities of the Category Managers will be to:

- Lead cross-organisational and cross-council teams (UIGs) for sourcing projects
- Lead market analysis, profiling and negotiations for allocated categories
- Pro-actively identify contract opportunities
- Ensure that best practice applies within allocated categories
- Participate in national / regional / local collaboration as an advisor
- Develop, implement and monitor commodity performance measures and ensure targets are met
- Ensure supplier development and management is performed within allocated categories
- Approve new PECOS catalogues (content management)
- Ensure timeliness and quality of deliverables
- Ensure that performance targets are met
- Manage Procurement Specialist(s) assigned to category
- Educate, inform and train user community regarding procurement
- Report to the Corporate Procurement Manager and appropriate Senior Management Teams

Procurement Specialists

The responsibilities of the Procurement Specialists will be to:

- Assist / represent the Category Managers during UIG meetings for sourcing projects
- Perform market analysis and profiling for allocated categories
- Pro-actively identify contract opportunities
- Participate in national / regional / local collaboration as an advisor
- Measure commodity performance and report to Category Manager
- Assist the Category Managers in the development and management of contracts and suppliers
- Develop new PECOS catalogues (content management)
- Develop and maintain an excellent working relationship with relevant service users across the council
- Educate, inform and train user community regarding procurement
- Report to the Corporate Procurement Manager and appropriate Category Manager(s)

Procurement Development Officer

The responsibilities of the Procurement Development Officer will be to:

- Enhance and develop the Purchase to Pay systems which enable procurement to function efficiently and effectively
- Develop and drive continuous improvement in procurement practices through review, improvement and implementation of new processes, procedures, templates and tools
- Support the Corporate Procurement Manager in corporate strategic activities and Category Managers in the delivery of ongoing savings
- Monitor and promote compliance with all approved strategies / procedures to ensure achievement of optimum procurement performance and savings
- Measuring compliance with Standing Orders, Procurement Rules and Best Value achievement
- Assist with the enforcement of Standing Orders and address non-compliant buying behaviour with Heads of Service
- Liaise with Falkirk Council's Procurement Improvement Co-ordinator and other Public Sector bodies to identify opportunities for sharing best practice and making efficiencies.
- Report to the Corporate Procurement Manager

The launch of and investment in the new Corporate Procurement Unit will help to emphasise the importance of procurement within West Lothian Council and help in establishing procurement a strategic high profile function.



Corporate Procurement Strategy

2011 – 2014

June 2011

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APPENDIX A – WEST LoTHIAN COUNCIL PROCUREMENT IMPROVEMENT PLAN	
2011-2014

1. Introduction

The Corporate Procurement Strategy establishes council procurement objectives and provides a Procurement Improvement Plan for 2011/12 to 2013/14. The Strategy reflects both local and national policies and priorities and promotes effective procurement across the whole organisation.

Emphasising the increasing importance of Sustainable Procurement, the Strategy supports wider social, economic and environmental objectives, in ways that offer real long term benefits.

Budgetary pressures and the requirement for efficiencies mean that council procurement activity is paramount in successful service provision. Strategic Procurement will be of significant importance as the council needs to deliver the financial strategy.

The authority to award Contracts or Agreements, issue Purchase Orders or other commitment is defined within the council's Standing Orders.

2. What is Procurement?

Procurement is the process by which the council acquire goods, services and works from third parties to meet customer and service user needs.

The procurement process spans the whole life cycle from the identification of a requirement through sourcing, evaluation, selection, award, mobilisation and ongoing performance monitoring, to the end of the useful life of an asset or service / works contract. Procurement is a significant proportion of the council's expenditure, with currently over £230m worth of goods, services and works procured annually from external suppliers.

It is imperative that all council procurement activities are based upon the following principles: accountability, non-discrimination, equal treatment, transparency, mutual recognition, proportionality, continuous improvement and fair competition.

The council is required to comply with EU Procurement Directives, International Trade Treaties, UK and Scottish legislation governing Public Sector procurement. The existing UK Government Public Sector Equality Duties on disability, gender and race equality also place a statutory requirement on the council to support equality of opportunity through procurement.

3. What is Sustainable Procurement?

Sustainable Procurement can be defined as 'a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits, not only to the procuring organisation, but also to society and the economy, whilst minimising damage to the environment.'

Sustainable Procurement obtains value for money by improving public procurement efficiency and using public market leverage to facilitate local and global benefits by, considering and blending environmental, social and economic impacts for both present and future generations:

- **Environmental** - includes the use of recycled and recyclable products, natural resource consumption, 'greener' sources of energy, energy efficiency, management of waste, and the impact of transportation to reduce environmental impact and ecological footprint.

Under Single Outcome Agreement (SOA) 14, the council is committed to reducing the local and global environmental impact of its consumption and production.

- **Social** - includes enabling of employment / training opportunities and community benefits through the inclusion of social and community clauses within contracts, adopting ethical sourcing practices, encouraging and promoting good health and ensuring that suppliers and contractors do not contravene equality and diversity policies.
- **Economic** - focuses on retaining expenditure within the local economy by providing help and support to local businesses, especially small to medium enterprises and improving access to opportunities.

Sustainable Procurement will be embedded throughout council procurement processes taking social, economic and environmental considerations into account when determining the specification of goods, services and works and procuring the most sustainable option where it offers best value

Sustainability will also be embedded throughout the council's supply chain. As a major purchaser, the council will encourage suppliers and contractors to consider the impact of their products and services, and to offer more sustainable alternatives.

The council recognise the benefits of having a diverse supplier base and will ensure that there are no barriers to small and medium enterprises, local businesses, social enterprises and the third and voluntary sectors

To help organisations understand and take necessary steps to improve procurement practice and bring about sustainable procurement, the Sustainable Procurement Task Force developed a 'Flexible Framework'¹. The Scottish Procurement Directorate has developed the Scottish Sustainable Procurement Action Plan² to reflect the 'Flexible Framework'. The Scottish Sustainable Procurement Action Plan identifies actions and timescales for improving Scotland's sustainable procurement practices. The council has already undertaken an initial benchmark assessment against the Flexible Framework and will continue to measure progress on an ongoing basis.

4. Corporate Procurement Strategy

This Corporate Procurement Strategy is a response to the dynamic procurement agenda, recognising that the effectiveness of procurement will have a considerable influence on the successful achievement of council objectives towards making a positive difference to the services provided by West Lothian Council.

The Strategy will provide a corporate focus, direction and vision for all procurement activities, while establishing a robust governance structure. It ensures procurement contributes to the delivery of the council's Corporate Plan, implementing sustainable procurement and sustainable development principles whilst achieving Best Value and delivering procurement cashable savings.

Maximising collaborative procurement activity, the Strategy promotes the highest standards of professionalism and sharing of experience and best practice.

5. Strategic Objectives

Twelve strategic objectives have been identified which will form the basis of West Lothian Council's Procurement Improvement Plan (Appendix A) over the next three years:

- Strategic Objective 1** - Provide procurement leadership and governance for achieving Best Value
- Strategic Objective 2** - Ensure availability of a corporate framework to guide council procurement
- Strategic Objective 3** - Demonstrate a well planned approach to defining supply need
- Strategic Objective 4** - Demonstrate a clear understanding of how to best satisfy supply needs
- Strategic Objective 5** - Manage contracts and suppliers effectively
- Strategic Objective 6** - Demonstrate efficient and robust processes and systems to support advanced procurement activity
- Strategic Objective 7** - Ensure availability of sufficiently capable people to demonstrate effective procurement performance
- Strategic Objective 8** - Assess procurement performance and demonstrate improvements
- Strategic Objective 9** - Deliver value for money from sustainable procurement activity
- Strategic Objective 10** - Minimise the environmental impacts of our contracts
- Strategic Objective 11** - Encourage a strong sustainable local economy and sustainable supply chains
- Strategic Objective 12** - Implement sustainable procurement practices

The Corporate Procurement Strategy objectives will be applied throughout the council and reflected in the council's Standing Orders.

6. Procurement Vision and Mission Statement

The council is committed to developing and improving its procurement practices to ensure that all future procurement activities are as efficient and effective as possible.

John F McClelland's review of Scottish Public Sector procurement was published in 2006 and highlighted a number of identified weaknesses and proposed recommendations to enable McClelland's vision for advanced procurement performance to be achieved.

The Public Procurement Reform Programme was set up in 2006, in response to the McClelland Report. The Procurement Reform Delivery Group agreed in January 2009 that a single Procurement Capability Assessment should be developed to promote the sharing of best practice and continuous improvement across the Scottish Public Sector.

The Procurement Capability Assessment assists organisations improve their structure, capability, processes and ultimately performance, by attaining the best standards that are appropriate to the scale and complexity of their business.

The Procurement Capability Assessment assesses capability in key areas against common criteria and standards which will allow public bodies, locally, at sector level and nationally, to identify where best practice already exists, where there are gaps and where continuous improvements and efficiencies can be implemented.

Organisations have the opportunity, where appropriate, to develop and implement improvement plans as a result of the Procurement Capability Assessment with assistance from the relevant Centre of Expertise. For the council, the Procurement Capability Assessment is facilitated by Scotland Excel.

Now in its third year for Local Authorities, the council increased its capability score from 22% in 2009 to 27% in 2010. Although some improvement is evident, and West Lothian Council has advanced its procurement performance from a "Developing" status to a "Conformance" status, the progress is insufficient to realise the efficiencies available to an organisation achieving a status of "Improved Performance" or "Superior Performance".

To ensure optimum procurement benefits are obtained for the council, a comprehensive council – wide review of procurement was conducted during 2011. The implementation of the recommendations from the review will address the limitations of the council's structure, processes, procedures, documents, roles and responsibilities relating to procurement activity. This commitment will help to ensure this Strategy succeeds by delivering new and improved ways of working and establishing stronger relationships between the new Corporate Procurement Unit, its customers and suppliers.

To complement the Corporate Procurement Strategy, the following mission statement summarises the council's procurement vision:

"To achieve superior procurement performance through advanced sustainable procurement practices for the benefit of the council and its stakeholders"

7. Alignment to the Corporate Plan and Financial Strategy

The council's vision and its core values act as the focus for all council activities. Strategic Procurement will assist the council to achieve its corporate goals and contribute to achieving the council's financial strategy proposed savings target of £3 million from 2011/12 to 2013/14.

8. Procurement Structure

Procurement within the council places the corporate and strategic activity centrally through the Corporate Procurement Unit, whilst at the same time enabling service specific strategy and operational activity to be managed within the service areas where the technical expertise resides.

In order for the council to meet its needs and deliver sustainable value, strong working relationships are required between the Corporate Procurement Unit and its customers. User Intelligence Groups will be used for all major contracts, comprising "technical experts" and Corporate Procurement Unit personnel.

To enable council contracts to be initiated in the most appropriate way to meet user requirements whilst realising financial and other benefits, a Category Management procurement approach will be adopted for key spend areas.

8.1 Category management

Category Management involves analysing the council's supplier expenditure into categories and breaking down spend into individual supplies and service groupings within the overarching category.

Category Management leads to better engagement and more effective planning of procurement activity, offering opportunities to develop people and processes to enable a holistic view of spend. Opportunities for enhanced collaboration to maximise Best Value through strategic procurement are also enhanced.

9. Strategic Procurement

Strategic procurement is long term planning to ensure timely supply of goods, services and works that are critical to the ability to meet core business objectives. Strategic procurement considers analysis of expenditure, looking across services and partnerships to identify synergies and opportunities for improving economy, efficiency and effectiveness. The drivers for successful Strategic Procurement are:

- Availability and quality of data
- Capacity and capability to analyse the data and package to achieve Best Value
- Segmentation and prioritisation of expenditure categories

Our approach to strategic procurement is demonstrated below:

9.1 Collaborative Procurement

The council is fully committed to participating in the national and regional procurement agenda, utilising collaborative initiatives implemented through Scottish Procurement, Scotland Excel, OGC Buying Solutions and other Scottish Local Authorities and Public Sector Bodies where appropriate.

Collaborative opportunities with other Public Bodies will offer scope to deliver Best Value in terms of:

- Aggregation of spend to produce economies of scale
- Minimising duplication of effort and optimising the use of resources
- Opportunity for experts to work in partnership

The council has realised financial savings through collaborative procurement over the past few years.

Scottish Procurement Contracts

Scottish Procurement arranges 'Category A' contracts for supplies and services that are standard or of a similar nature across the largely common requirements of users within the whole of the Public Sector in Scotland, e.g. Stationery, IT Hardware and Software, Utilities, etc. The council currently utilise 9 Scottish Procurement contracts although this number is expected to soon increase.

Scotland Excel Contracts

Scotland Excel arranges 'Category B' contracts for supplies and services that are high-value and of a standard or of a similar nature and common in requirements across Scottish Local Authorities, e.g. Food, Library Books, Wheelie Bins, etc. Of the 42 Scotland Excel contracts available, the council currently use 37. Existing council contract arrangements are in place for the other 5.

Office of Government Commerce Buying Solutions (OGC Buying Solutions)

Part of the Efficiency and Reform Group within the UK government's Cabinet Office, OGC Buying Solutions facilitates the buying process in providing access to more than 1,500 suppliers that provide supplies and services across the entire UK Public Sector, e.g. gas oil, telecommunications and automotive fuel. The council currently utilises 12 OGC Buying Solutions contracts.

Regional / Local Contracts

Where the contract is established by West Lothian Council or another Local Authority for use by the council and other regional partners this is classed as a Category C1 contract. Of the 16 C1 contracts currently in use, 10 have been arranged by the council.

Exemption from collaborative contracts use can only be granted in accordance with council Standing Orders.

9.2 Managing and Developing Suppliers

It is essential that the council obtains maximum value and optimum service delivery throughout the contract lifecycle. Supplier engagement is required to understand what drives, enables and encourages suppliers to bid for contracts. The council must strive to develop relationships with its suppliers that are mutually advantageous, based on continuous improvement of performance and mutual financial and non financial benefits.

West Lothian Council is committed to working with Small and Medium sized enterprises (SMEs), Social Enterprises (SEs) and local suppliers to sustain and develop the local economy and maximise employment opportunities.

9.3 Efficiency in Procurement

In order to achieve efficiencies and transform council services, it is essential that the council procures legally and professionally. Compliance with procurement procedures and contracts is important for achieving Best Value, and is also critical to managing risk within the council.

Electronic Procurement (eProcurement)

eProcurement is integral to the overall development of efficient procurement processes and involves the use of electronic systems to procure and pay for supplies, services and works. By utilising eprocurement the council can:

- Increase control and consistency of processes
- Reduce transaction costs
- Improve management information and visibility of spend
- Improve spend compliance

The council utilises a comprehensive set of eprocurement solutions that include:

- Public Contracts Scotland for online advertising of contract opportunities and requesting quotations,
- Electronic Sourcing Scotland for online tendering
- PECOS for supplier ordering and invoicing.

Advancement in technology enables a reduction in unnecessary costs and the use of eprocurement will be progressed to ensure its extensive use within the council.

10. Corporate Procurement Strategy Delivery

The Procurement Capability Assessment evaluates procurement competence across the council against eight characteristics and four levels of aptitude. The objective of the Procurement Capability Assessment is to set out a mechanism for identifying areas where organisations can strengthen their approach to procurement and ultimately improve performance. All Scottish Public Bodies are measured against the following criteria:

- 1 Procurement Leadership and Governance
- 2 Procurement Strategy and Objectives
- 3 Specifications
- 4 Sourcing Strategies and Collaborative Procurement
- 5 Contract and Supplier Management
- 6 Key Purchasing Processes and Systems
- 7 People
- 8 Performance Measurement

The Procurement Capability Assessment is an appraisal of how the council corporately performs with regard to procurement activity. The council as a whole will take ownership for the responsibility of delivering the required procurement performance and the Corporate Procurement Unit will provide the necessary direction with the continued support of the council's Corporate Management Team.

The objectives of the Procurement Capability Assessment and the objectives of Corporate Procurement Strategy have the overall goal of improving procurement within West Lothian Council. Therefore, the strategic objectives of this Strategy have been developed to provide a consistency of approach with the Procurement Capability Assessment.

11. Implementing the Corporate Procurement Strategy

This Strategy forms part of the council's corporate approach to delivering and supporting the council's objectives. Through the adoption of a strategic approach to procurement we aim to integrate procurement planning as part of the overall business planning process.

11.1 Procurement Performance Improvements and Efficiencies

Implementation of the strategic procurement objective activities detailed in Appendix A will be monitored through performance management arrangements within the Corporate Procurement Unit and overseen by the Head of Finance and Estates and a Procurement Steering Board chaired by the Chief Executive.

In addition, the council uses a range of national and local indicators to measure its performance in procurement activity. Actual performance is reported on a quarterly basis against procurement targets set by the Scottish Government and within the Finance and Estates Management Plan.

11.2 Review of Strategy

Although this Strategy covers the period 2011 to 2014, ongoing developments in Public Sector procurement will necessitate regular review to ensure the Strategy continues to be aligned with the initiatives that may arise. The strategy will be subject to annual review.

11.2.1 Reporting at Officer Level

The Head of Finance and Estates will report progress on a quarterly basis to the Procurement Steering Board. The report will provide an update of the progress made to date against the strategic procurement objective activities detailed in the Procurement Improvement Plan, see Appendix A.

11.2.2 Reporting to Elected Members

Progress against the Strategic objective activities within the Procurement Improvement Plan will be reported annually to the Partnership and resources Policy Development and Scrutiny Panel. Monitoring of Strategy progress will be reported to the Council Executive at months 4, 6, 9 and out-turn in line with financial monitoring arrangements.

11.2.3 External Reporting

The council reports progress to the Scottish Government against a range of National Best Practice Indicators used to identify the benefits that have arisen from the council's participation in the Centres of Expertise. Additionally, the council's Procurement Capability Assessment performance is reported by Scotland Excel.

Benchmarking of West Lothian Council progress against other Public Sector Organisations will be performed to identify Best Practice and reported on an annual basis to the Corporate Management Team and Council Executive.

Appendix A – West Lothian Council Procurement Improvement Plan 2011-2014

The objectives identified within the Corporate Procurement Strategy will be delivered through the activities within this plan.

Objective 1- Provide procurement leadership and governance for achieving Best Value		
Activities	Risk if Activity Not Performed	2011/12 Progress
A Procurement Steering Board comprising the council Chief Officers will be established and will meet quarterly to support the Corporate Procurement Manager to accelerate procurement development throughout the council and to deliver improved procurement for West Lothian.	Lack of acceptance of importance of procurement and reluctance to change resulting in maintenance of existing performance.	
Whole contract lifecycle documentation will be developed to guide procurement professionals. The Procurement Journey will be rigorous and robust in stipulating the appropriate procurement procedures and templates to be used. A gateway review process will also be developed for all contracts awarded by the council.	Lack of consistency across organisation leading to loss of efficiency and savings and potential challenges from suppliers.	
Objective 2 - Ensure availability of a corporate framework to guide council procurement		
Activities	Risk if Activity Not Performed	2011/12 Progress
The Corporate Procurement Strategy will be sufficiently communicated throughout the council to ensure that it is embedded and that everyone is aware of their role and responsibility delivering the required procurement outcomes.	Inability to deliver efficiencies and Best Value.	
Appropriate procurement training will be developed and delivered to ensure that key procurement professionals understand the Strategy. Information and best practice will be shared throughout the council.	Failure to deliver objectives and improve performance.	
A standard suite of procurement procedures, policies and processes will be developed and implemented throughout the council with a clear message that use is compulsory.	Lack of consistency across organisation leading to loss of efficiency and savings and potential challenges from suppliers.	

Objective 3 - Demonstrate a well planned approach to defining supply need		
Activities	Risk if Activity Not Performed	2011/12 Progress
The Corporate Procurement Unit Category Managers will meet with Services to ascertain and plan for future procurement requirements.	Lack of information and co-operation from services in delivering requirements.	
The Corporate Procurement Unit, along with representatives from User Intelligence Groups will investigate the use of new and alternative products and services on the market in an effort to improve council performance.	Failure to optimise requirements and deliver Best Value.	
Social Policy will continue to attend provider forums, e.g. Senior People's Forum, Housing Support Providers Forum, as a basis for improving the provision of services to meet the objectives of the council and their customers.	Failure to optimise requirements and deliver Best Value.	
Comprehensive tender specifications will be developed to ensure that requirements are documented in a structured and consistent manner.	Failure to deliver Best Value and optimum savings.	
Training will be developed and delivered where necessary to ensure that all procurement professionals are aware of the required content for specifications.	Failure to deliver objectives and improve performance.	
Catalogue ordering will be promoted where possible. Non-catalogue ordering will be monitored for catalogue suppliers, with a view to increasing catalogue content and therefore enabling enhanced management information.	Lack of efficiency across organisation.	

Objective 4 - Demonstrate a clear understanding of how to best satisfy supply needs		
Activities	Risk if Activity Not Performed	2011/12 Progress
User Intelligence Groups (UIGs) will be established to assist with contract strategy development, tender evaluation, contract monitoring and supplier management, project implementation, and compliance and benefits tracking. Existing customer / supplier forums should also continue, to improve the provision of services.	Lack of support from customers and availability of information required to deliver benefits.	
A contract strategy development guide will be developed as part of the Procurement Journey documentation. The development guide will be supported by the introduction of a contract strategy template which will facilitate best practice and consistency across the council.	Lack of consistency across organisation and failure to deliver Best Value and savings.	
Collaboration with other organisations will be routinely investigated as part of the contract strategy development process.	Failure to deliver Best Value and optimum savings.	
Benefits tracking templates will be developed and implemented for use within the Corporate Procurement Unit. Contract responsibility, status, length, value, target and confirmed savings will be recorded.	Inability to monitor performance and achieve optimum service delivery.	
The activities from the West Lothian Sustainable Procurement Action Plan will be implemented.	Inability to ensure compliance to strategy, policy and processes.	
Increased benchmarking opportunities will be explored by the Corporate Procurement Unit through analysis of the supply market and the use of spend data from the Spikes Cavell hub.	Failure to deliver Best Value and perform detailed spending reviews.	
The principles of the Scottish Government's Supplier Charter will be used, where practical, to simplify and standardise procurement processes and to ensure consistency in order to provide a fair and open approach to tendering.	Failure to comply with council's Corporate Plan objectives and legislative / policy requirements.	

Objective 4 (Continued) - Demonstrate a clear understanding of how to best satisfy supply needs		
Activities	Risk if Activity Not Performed	2011/12 Progress
The use of the 'Small Lot' provision will where appropriate provide local and SMEs with contract opportunities, which are aligned to the capabilities of their enterprises, providing the total value of the lots is less than 20% of the contract value.	Failure to comply with council's Corporate Plan objectives and legislative / policy requirements.	
The council will make use of 'Reserved Contract' arrangements by restricting participation in a tendering exercise to supported factories and businesses for at least one contract.	Failure to comply with council's Corporate Plan objectives and legislative / policy requirements.	
Through membership of the Supplier Development Programme, the Corporate Procurement Unit will actively participate in supporting SMEs to access the public procurement market.	Failure to comply with council's Corporate Plan objectives and legislative / policy requirements.	
Objective 5 - Manage contracts and suppliers effectively		
Activities	Risk if Activity Not Performed	2011/12 Progress
All contract opportunities will be advertised on the council's Business Portal and the Scottish Government's National Advertising Portal, Public Contracts Scotland (PCS).	Lack of consistency across organisation and potential process inefficiency.	
Appropriate PCS training will be developed and delivered to promote the use of the portal.	Lack of consistency across organisation and potential process inefficiency.	
The number of quantitative KPI's and SLAs agreed with suppliers will be increased to enable enhanced performance measurement.	Failure to extract maximum value from contracts.	
A Contract and Supplier Management Strategy will be developed and implemented to ensure a consistent approach to managing contracts and suppliers across the council.	Failure to extract maximum value from contracts.	
A Communications Strategy will be developed to ensure that the correct audience are receiving the correct information at the correct time with regard to contracts.	Increases in off-contract spend and failure to extract maximum value from contracts.	

Objective 6 - Demonstrate Efficient and Robust Processes and Systems to Support Advanced Procurement Activity

Activities	Risk if Activity Not Performed	2011/12 Progress
A corporate contract register will be developed and implemented within the council with a clear message that use is compulsory.	Lack of appropriate information leading to reduced savings and potential duplication of effort and contract conflict.	
The Quick Quote facility will be implemented throughout the council to obtain competitive quotes for low value / low risk procurement exercises.	Process inefficiency and lack of consistency.	
All legacy systems will be interfaced with PECOS to ensure a consistent use of procurement systems and availability of management information.	Lack of appropriate information leading to reduced savings and process inefficiency.	
More efficient ordering and invoicing techniques will be implemented to encourage increased on time payment of invoices.	Failure to optimise legislative compliance levels and realise efficiencies.	

Objective 7 - Ensure availability of sufficiently capable people to demonstrate effective procurement performance

Activities	Risk if Activity Not Performed	2011/12 Progress
A Competency Framework will be used to identify the gap between what currently exists and what is required moving forward with regard to procurement competency across the council.	Inability to realise optimum performance from procurement staff and failure to meet future procurement demands.	
A Training Strategy will be developed to ensure that suitable training provision is delivered according to the number of individuals and level of requirements.	Inability to realise optimum performance from procurement staff and failure to meet future procurement demands.	
Online training courses will be developed to provide procurement fundamentals and procurement systems training across the council.	Failure to comply with legislation, obtain optimum customer input and realise work efficiencies.	

Objective 8 - Assess Procurement Performance and Demonstrate Improvements

Activities	Risk if Activity Not Performed	2011/12 Progress
Procurement Status reports will be developed and implemented within the Corporate Procurement Unit. Details of procurement activity and benefits tracking will be reported to the council's Senior Management teams by the Corporate Procurement Unit Category Managers.	Lack of available information to obtain maximum value from contracts.	
Quarterly performance meetings will be established, attended by the Head of Finance and Estates Services, the Corporate Procurement Manager, the Category Managers, Procurement Development Officer and appropriate Accountants within the Financial Management Unit. The meeting group will discuss the benefits tracking for each category, review progress of contracts, contract compliance and the actual cashable and non-cashable savings generated against the target of £1.8m between 2011 and 2013.	Failure to achieve maximum output from procurement activity.	
The activities identified within the annual PCA action plan will be implemented to ensure improved procurement performance and an increasing capability score for the council.	Failure to realise optimum procurement performance improvement.	
Objective 9 - Deliver value for money from sustainable procurement activity		
Activities	Risk if Activity Not Performed	2011/12 Progress
The council will accept the Most Economically Advantageous Tender (MEAT) and not only lowest price. This approach will allow the whole life costs and environmental characteristics to be considered when determining the most economically advantageous tender.	Inability to ensure compliance to strategy, policy and processes.	
Procurement professionals will be trained and receive guidance in whole life costing.	Lack of consistency across organisation, potential challenges from suppliers and a potential failure to deliver objectives.	
The council's future capital investment proposals will be supported with a financial appraisal which incorporates full life costing.	Potential failure to deliver objectives.	

Objective 9 (continued) - Deliver value for money from sustainable procurement activity		
Activities	Risk if Activity Not Performed	2011/12 Progress
The council will consider new products and services to pioneer, particularly in the use of carbon saving and recycled goods.	Inability to deliver efficiencies and Best Value.	
Objective 10 - Minimise the environmental impacts of our contracts		
Activities	Risk if Activity Not Performed	2011/12 Progress
Environmental criteria will be used where appropriate in the awarding of contracts with supplier environmental policies and procedures taken into account as part of the supplier appraisal process.	Potential challenges from suppliers and a potential failure to deliver objectives.	
The council will specify where appropriate the use of and minimum standards for environmentally friendly materials and products that minimise environmental effects in their production, use and disposal.	Inability to ensure compliance to strategy, policy and processes and a potential failure to deliver objectives.	
'Government Buying Standards' ³ will be referred to during the creation of contract specifications for appropriate commodities to ensure that the council is aware of the most up to date environmental developments and research impacting upon procurement decisions.	Inability to deliver Best Value, ensure compliance to strategy, policy and processes and a potential failure to deliver objectives.	
The Corporate Procurement Unit will work with suppliers and customers to introduce 'Fair Trade' products within range of options and investigate possibilities for committing to the use of 'Fair Trade' principles within sourcing strategies, where appropriate.	Inability to deliver Best Value, ensure compliance to strategy, policy and processes and a potential failure to deliver objectives.	
Partnership events will be developed and supported to promote sustainable procurement within West Lothian (including Fair Trade).	Failure to optimise requirements and deliver Best Value.	
The use of eprocurement solutions will be promoted and monitored throughout the council.	Failure to optimise savings and consistency across the council.	

Objective 11 - Encourage a strong sustainable local economy and sustainable supply chains

Activities	Risk if Activity Not Performed	2011/12 Progress
A supplier engagement programme will be developed to encourage and guide businesses to adopt sustainable development principles and practices. Support will also be provided for the implementation of sustainable procurement practices throughout the council and supply chains.	Failure to comply with council's Corporate Plan objectives and inability to deliver Best Value.	
Local organisations will be positively encouraged to bid for business with the assurance that they have an equal chance of success, e.g. low value contracts will be published on 'Quick Quote'.	Potential challenges from suppliers, inability to deliver Best Value and lack of compliance to Strategy objectives.	
The Corporate Procurement Unit will ensure that contractors, suppliers, volunteers and staff are aware of the council's selection and tendering processes which will positively address and include diversity and equality considerations to ensure that services are provided free from discrimination, harassment or victimisation.	Lack of consistency across organisation, potential challenges from suppliers and a potential failure to deliver objectives.	
Opportunities will be considered for the development of appropriate contractual provisions to deliver community benefits within major contracts, e.g. encourage bidders to enhance local employment and skills opportunities and vocational training.	Failure to comply with council's Corporate Plan objectives.	
Local businesses will be given access to appropriate support through the local business gateway.	Failure to comply with council's Corporate Plan objectives.	.
Public procurement advice will be offered to West Lothian organisations through the establishment of regular Procurement Surgeries.	Failure to comply with council's Corporate Plan objectives and failure to deliver strategic procurement objectives.	
The council will aim to have at least one contract awarded to a supported factory or business and opportunities for further provision will be investigated.	Failure to comply with council's Corporate Plan objectives and failure to deliver strategic procurement objectives.	
An annual survey of West Lothian organisations will be undertaken to obtain feedback and explore opportunities to develop, expand and increase the use of SMEs, Social Enterprises and the voluntary and third sectors.	Failure to comply with council's Corporate Plan objectives and failure to deliver strategic procurement objectives.	

Objective 12 - Implement sustainable procurement practices

Activities	Risk if Activity Not Performed	2011/12 Progress
The Corporate Procurement Unit will continue to attend the	Potential failure to deliver continuous	

Scottish Sustainable Procurement Working Group through its membership of Scotland Excel.	improvement and optimum Best Value.	
The council will implement the Scottish Sustainable Procurement Action Plan.	Failure to deliver objectives and improve performance.	
Sustainable procurement guidance and training will be provided for key procurement professionals to ensure that those with responsibility for procurement are skilled in integrating sustainable development considerations.	Lack of consistency across organisation, potential challenges from suppliers and a potential failure to deliver objectives.	
The council will embed sustainable procurement within contract specifications, tender evaluation, monitoring of outputs and outcomes and supplier engagement.	Potential failure to deliver objectives and achieve Best Value.	
The council will use the UK Sustainable Procurement Task Force's Flexible Framework ⁴ to benchmark current practice and develop an improvement plan by the end of 2011/12. The council will aim to achieve Level 3 against the Flexible Framework by 30 June 2012.	Failure to deliver objectives and improve performance.	
Sustainable procurement awareness will be promoted through the development of Best Practice Guides to ensure that procurement professionals integrate sustainability into major purchasing decisions.	Lack of consistency across organisation, potential challenges from suppliers and a potential failure to deliver objectives.	
The council will ensure participation in any collaborative exercises which promote sustainable procurement best practice.	Potential failure to deliver strategic procurement objectives and achieve Best Value.	

'End of Document'

Appendix G - McClelland Recommendation Audit 2007

Scottish Local Authorities Chief Internal Auditors Group

Procurement Checklist Results - April 2007

<u>Section</u>	<u>Details</u>	<u>No of Questions</u>	<u>Scores</u>			
			<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>
1	Procurement Function	8	0	4	4	0
2	Procurement Strategy	7	1	5	1	0
3	Procurement Legal Framework	7	0	4	3	0
4	Procurement Collaboration	4	1	2	1	0
5	Procurement Business Processes	13	1	4	8	0
6	Procurement Approach	8	0	1	4	3
7	Procurement Performance Management	15	3	5	7	0
			6	25	28	3

<u>SCORING</u>	
0	Non Compliant
1	Still Preparing
2	Meets Basic Requirement at March 2007
3	Further Improvements Well Underway

OBJECTIVE 1 – The organisation can demonstrate its procurement function has the necessary authority, position and resources

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Structure and Status	1.1.1	Was the procurement structure and establishment the result of a comprehensive review of procurement activity within the organisation, including for example outsourcing.	Options appraisal Service Review Best Value review	1	5.5.3 8.1 14.1 14.2
	1.1.2	Has the organisation established a corporate procurement responsibility at head of service (or equivalent in reporting arrangements i.e. reporting to Chief Executive or Corporate Management Team) level?	Board/Committee minutes Job profile/advert Organisational chart	2	5.3.1 5.3.4
	1.1.3	Is there a central (or otherwise separate) procurement advisory/regulatory function with agreed terms of reference?	Scheme of delegation Service Plan	2	5.3.3 5.3.2
Authority	1.2.1	Has the Head of Procurement's authority been defined?	Scheme of delegation Job description	2	5.3.2, 5.3.4, 5.4.3, 5.4.4
	1.2.2	Are staff within the organisation aware that only designated procurement officers are authorised to procure goods and services and place OJEU notices?	Standing Orders on contract acceptance Procedures manuals Review of notices placed Training materials	2	5.4.1 5.5.2
	1.2.3	Has the authority of any non-central procurement officers been defined?	Scheme of delegation Organisation charts Training records Authorised signatory lists Job profiles for designated procurement officers	1	5.4.2, 5.4.4, 5.5.2, 13.2

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Staffing and Skills	1.3.1	Does the number of identified professional procurement officers in the organisation meet the McClelland 'standard'?	One procurement professional for every £15m contracted expenditure calculations Evidence to support decisions on staffing levels	1	8.1 8.8 9.5.4
	1.3.2	Has the organisation established arrangements to define the required skills, assess the competency of designated procurement staff and deliver training on procurement?	Job descriptions Employee appraisal/development process Procurement qualifications/accreditations Training course content Training course attendance	1	5.5.1 8.1 – 8.8

OBJECTIVE 2 – The organisation can demonstrate that it has an appropriate strategy governing its procurement activities

<i>Aspect</i>	<i>KCQ Ref</i>	<i>Key Control Question</i>	<i>Evidence Available</i>	<i>SCORE</i>	<i>McClelland Reccs</i>
Policy & Procedures	2.1.1	Does the organisation have in place an approved Corporate Procurement Strategy which sets out roles and responsibilities for the following subjects: <ul style="list-style-type: none"> • How it will address the issue of Local Economic Development • How it will balance its corporate and social responsibility against the achievement of Best Value • How it will promote a positive approach to equality and diversity • How it will engage with the Voluntary Sector in respect of procurement? 	Procurement Strategy Committee/Council minutes	1	5.1.1 5.7.2 9.9.1
	2.1.2	Does the organisation, through the central procurement unit, publish a Best Practice Procurement Manual which addresses the following subjects: <ul style="list-style-type: none"> • Authority for procurement • Risk management • Whole life costing • Aggregation of contracts • Emergency arrangements • Performance management 	Best Practice Guidance from Technical/Professional sources Procurement Manual Compliance with Procurement Policy Handbook (n/a at Jan 07)	1	5.5.5 7.1 9.5.1 9.9.1
Ethics	2.2	Has the organisation established how its suppliers can contribute to its corporate and social responsibility obligations?	Contract Specifications Contracts Register Committee Papers Procurement Strategy	0	9.9.1 12.7

Reviewing & Communicating Best Practice	2.3	Does the organisation have in place arrangements for identifying, reviewing and communicating Best Practice advice?	Procurement Group Agendas & Minutes Technical Journals Guidance Notes from Head of Procurement Contract Specifications Training and Intranet materials Internal intelligence groups	1	5.1.1 5.2.1 9.2.1
Risk Management	2.4	Are risks involved in procurement identified within the corporate risk management process of the organisation, with steps taken to terminate or treat those identified?	Corporate Risk Register Risk Control Plans Service Plans Performance Reports Risk mgt/governance guidance	1	5.1.1
Process & Governance Improvements	2.5	Has the organisation established an accessible register of contracts to assist services and other procurement sections in purchasing?	Up to date register of contracts Intranet site	1	5.1.1
Partnerships	2.6	Does the organisation ensure robust governance arrangements for partnerships which jointly procure?	Procurement Strategy Partnership Agreements e.g. Purchase of Aids and Adaptations through joint futures Contract Specifications	2	5.1.1

OBJECTIVE 3 – The organisation can demonstrate it has addressed the legal frameworks for procurement

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
EU Legislation	3.1.1	Do the organisation's procurement documents promote compliance with European Legislation, in particular as it relates to expression of interest from suppliers?	Procurement Strategy Procurement Manual Contract Standing Orders Contract Files	1	5.1.1 9.7.1 9.7.2 12.1
	3.1.2	Are there any known irregularities within the organisation, based on failure to comply with all current E U legislation?	Contract Files Audit Reports Notes of Meetings	1	9.7.2
	3.1.3	For both EU and national legislation, are knowledge and documentation kept up to date?	Training attendance records Version controlled documentation	2	
National Legislation	3.2	Do the organisation's procurement documents promote compliance with Scottish and UK Legislation, including compliance with: <ul style="list-style-type: none"> • Public and Utilities Contract Regulations • Disability Discrimination Act • Freedom of Information Act • Race Relations Act? 	Procurement Strategy Procurement Manual Contract Standing Orders Contract Files Charter for Suppliers Contacts with Financial Partnerships Unit	1	12.1 16.1

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Standing Orders and Financial Regulations	3.3.1	Does the organisation regularly review its Contract Standing Orders in order to promote compliance with locally agreed rules, legislation both at a National and European level and best practice?	Contract Standing Orders Committee Reports	2	12.2 12.4
	3.3.2	Is there a consultative process in place to ensure that all interested parties have the opportunity to influence revisions to standing orders, financial regulations and guidance materials?	Procurement Group papers Committee Reports Consultation responses	2	5.1.1 5.2.1
	3.3.3	Does the Chief Officer, who signs the Procurement Assurance Certificate, have a process for identifying irregularities or for ensuring that known irregularities are reported to him/her?	Contract files Committee Reports Analysis of unofficial or off contract buying Audit reports Review of internal controls Payment instructions to suppliers	1	5.1.1 5.5.4 5.7.1

OBJECTIVE 4 – The organisation can demonstrate it collaborates on procurement

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Collaboration strategy	4.1	Does the procurement strategy provide guidance on collaborative procurement, and is it mandatory to use national and sector specific contracts? (McClelland category A & B commodities)	Procurement strategy Contract registers Procurement action plans Instructions/procedures	1	11.1 – 11.6
Collaboration within the organisation	4.2	Does the organisation aggregate spend internally, so as to ensure full compliance with Public Contracts (Scotland) Regulations 2006 and Council Standing Orders?	Contract registers Payments Comparisons of current to previous spend Analysis of spend by contractor or commodity	2	n/a
Collaboration within the Sector	4.3	Does the organisation pursue local/regional collaborative opportunities with other bodies in the sector, and use sector specific contracts, where these exist? (McClelland category B)	Contract registers McClelland category B commodities	1	11.2 11.3
Collaboration between sectors	4.4	Does the organisation pursue collaborative opportunities with bodies outside the sector, and use national contract arrangements, where these exist? (McClelland category A)	Contract registers McClelland category A commodities	0	11.2 11.3

OBJECTIVE 5 – The organisation can demonstrate it has sound business processes throughout the procurement cycle

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Client requirement	5.1.1	Is a client requirement prepared covering the goods and services being procured, including justification for spend? Is the client requirement subject to relevant review and sign-off?	Client requirement brief	2	n/a
	5.1.2	Is account taken of future service needs, views of service users, corporate policies and priorities, detailed options and collaborative opportunities?	Client requirement brief Organisational Statements Consultation records Background papers	2	n/a
	5.1.3	Does the client requirement include a robust forecast of indicative spend? Are there arrangements for ensuring sufficient budget is available?	Client requirement brief Ledgers and budgets	2	n/a
Supplier selection	5.2	Are procedures for supplier selection documented? Are these procedures adequate? Are they routinely followed?	Contract Standing Orders Procurement manual and procedures Training materials	1	n/a
Tender documentation	5.3.1	Are procurement specialists involved in all tender preparation, including capital projects?	Contracts registers Capital Bid papers Authorisations	2	n/a
	5.3.2	Are arrangements for issuing tender documentation, and receiving and opening tenders secure?	Contract Standing Orders Audit reports	2	n/a
Bid evaluation and award	5.4.1	Are tenders evaluated using an evaluation model based on pre-set criteria?	Contract Standing Orders Tender documentation Standard evaluation models	2	n/a
	5.4.2	Are contract award notices published, and are successful and unsuccessful bidders informed in writing of the outcome of each process?	Information on local and public sector portals inc EU award notices Standard models and guidance Letters to bidders	2	12.4

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Coding of expenditure	5.5	Are robust ledger coding arrangements in place and has the extent of ledger mis-coding been identified and improved upon?	Coding instructions Analytical reviews of coding Coding catalogues Commitment accounting regimes	2	n/a
Contract management	5.6	Are contract management arrangements defined for service delivery including performance management, managing the relationship and contract administration?	Contract Standing Orders Tender documentation Complaints Training materials Standard Terms and Conditions	1	5.5.4
Post-project Review	5.7	Are arrangements in place for a formal review of each contract, and for this to inform future procurement requirements?	Procurement planning procedures Audit reports Changes to standard Terms and Conditions	1	n/a
Capital projects	5.8	Is the gateway review process (supported by Scottish Procurement Directorate), or equivalent, used for capital or capital-related projects?	Procedures for approving and handling capital projects	1	13.1
	5.9	Are robust arrangements in place for information systems procurement which promote efficiency in IT through use of standard solutions?	ICT Strategy Minutes of ICT forums, boards, committees	0	15.1

OBJECTIVE 6 – The organisation can demonstrate it has modernised its approach to procurement

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Policy	6.1	Has the organisation identified its e-procurement options and considered the business case for each of them?	E-procurement strategy and policy Budgets defined ICT forum, group, committee minutes and approvals System definition documents and business cases	3	n/a
Systems	6.2.1	Has the organisation agreed to use the recommended electronic system ePS? (As a minimum, the Council should join ePS for Cat A, Cat B and Centres of Expertise commodities/services.)	System implementation/roll-out plan ePS membership subscription	3	10.1
	6.2.2	Has the organisation reviewed and re-engineered its buying processes to suit its chosen e-procurement solution?	Actual arrangements for: order creation, goods receipting, invoice authorisation and settlement Supplier adoption/integration plans Reviews and studies	3	5.2.1 5.5.4 5.5.5
	6.2.3	Has the organisation adopted a purchase card or similar efficient solution for all low value/one-off buying?	Procurement card policy/procedures Control and monitoring arrangements Transaction or savings targets	2	5.5.5 9.6.1
Tendering	6.3.1	Has the organisation put its buyer profile information on its public website?	Accessibility from www Responsibility for accuracy/updates References in tender documentation	2	n/a
	6.3.2	Has the organisation used public websites to promote available procurement opportunities?	Enquiries from prospective suppliers List of sites	1	n/a
	6.3.3	Has the organisation established e-tender evaluation arrangements?	Objective quality criteria (no intellectual component) Procedures for numeric evaluation Standing orders/financial regulations	2	n/a
	6.3.4	Has the organisation collaborated in or made practical use of e portals, e-tendering, e-auctions or dynamic purchasing?	Example procurements Procurement web pages Committee papers Meetings minutes	2	12.3

OBJECTIVE 7– The organisation can demonstrate that robust performance management of procurement and that this adds to organisation efficiency

<i>Aspect</i>	<i>KCQ Ref</i>	<i>Key Control Question</i>	<i>Evidence Available</i>	<i>SCORE</i>	<i>McClelland Reccs</i>
Procurement Plans	7.1.1	Is the extent of unofficial buying or off contract spend known?	Analysis of spending by contractor, commodity, department Audit reports Internal reports/analyses on off contract spending	2	5.5.4 9.3.1
	7.1.2	Have short and long term programmes of procurement activity been identified as part of the service planning process?	Procurement service and organisational plans Committee reports Financial Strategy Action plans	2	9.4.1 9.8.1
	7.1.3	Is the management of procurement activity fully integrated within the organisation's performance management and reporting framework?	Council-wide performance reports Procurement performance reports Web site information Public reports Efficiency registers	2	9.3.1 9.3.2 9.4.1
	7.1.4	Has baseline data has been specified and extracted?	Contracts registers; Financial system extracts; Reports/exercises re existing contracts soon to expire; spend by contractor, by service and by commodity; potential for re-packaging; use of data mgt tools	1	9.4.2
	7.1.5	Have procurement savings been linked to the long term financial strategy and are they regularly reported?	Financial Strategy Savings statements Efficiency registers	1	9.8.1

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Performance	7.2.1	Do selected workload/activity and performance measures reflect McClelland recommendations? <ul style="list-style-type: none"> Corporate Sectional 	Reports System extracts	2	9.4.2
	7.2.2	Have procurement service delivery standards/business conduct guidelines been set for contractors, suppliers and employees?	Intranet Core Briefs Reports/statements on objectives Statement of best practice/procurement manual National business conduct guidelines	1	5.6.1 9.1.1
	7.2.3	Does the organisation have in place benchmarking arrangements to compare or develop performance jointly?	Notes of meetings Correspondence File notes	0	9.5.1 9.5.2 9.5.3
Scrutiny and Monitoring	7.3.1	Have reviews of the procurement function been undertaken to ensure consistency and compliance with organisational policies, procedures and best practice?	Best Value reviews Reports	2	5.5.3 8.1
	7.3.2	Can the organisation demonstrate that procurement activity and performance is open to regular scrutiny, compared to best practice and is being improved?	Best Value review timetable Audit plans Procurement procedures and strategy Reports to CMT, Committee, SE and SPD	2	5.5.3 5.5.4 5.5.5
	7.3.3	Is there an advanced procurement plan and progress report incorporating milestones of progress and financial targets and savings?	Procurement project plan Financial/savings/efficiency plans	1	9.8.1
Assurance	7.4	Are arrangements in place to provide annual assurance as required by McClelland?	Reports Examples of assurance statements Audit Plans	1	5.1.1 5.7.1

Aspect	KCQ Ref	Key Control Question	Evidence Available	SCORE	McClelland Reccs
Savings and Efficiencies	7.5.1	Has a tracking system been established to identify cash and non-cash, (including time releasing) savings?	Financial working papers Working group papers Notes of meetings Reports	0	9.4.1
	7.5.2	Can the organisation demonstrate achievement of pre-planned procurement savings overall and for selected groups of commodities?	Committee papers Financial strategy working papers Evidence of quick wins Evidence of re-investment of savings Evidence of re-packaging	0	5.7.2 9.3.2 9.3.3
Commitment	7.6	Has the organisation adequately demonstrated overall improvements in its approach and delivery of procurement related activities since publication of McClelland?	Nil specified	2	Per 23.03.07 meeting of CIA group

‘End of Document’

Appendix H – McClelland Recommendation Review - WLC Compliance Status as at February 2011

Report Section	Recommendation	WLC Responsibility?	Compliance?	WLC Comments
5.1.1	Public sector organisations are obliged to meet the minimum governance and accountability requirements stipulated by the following documents: EU legislation for Public Procurement, "Scottish Public Finance Manual", Public Finance and Accountability (Scotland) Act 2000, The Independent Commission for Good Governance in Public Services 2004, Local Government in Scotland Act 2003, Guidance from Ministers on Local Government in Scotland Act 2003, Code of Conduct for Councillors May 2003, "Building a Better Scotland" Document 2004, Public Procurement Rules. Senior Executive certification of conformance must be provided by 30 June 2006.	Yes	??	Do not know if we provided certification by a Senior Executive member by the required date.
5.2.1	A programme of communication should be undertaken to highlight the priority of procurement and provide education and reconfirmation to those in leadership roles of the value attached to good procurement and the risks associated with insufficient prioritisation. It should reinforce the principles of compliance to 5.1.1 documentation and request that those at leadership level pursue not only conformance to basics but pursuit of best practice and associated Best Value.	Yes	Partial	Procurement within WLC must be re-prioritised. The Procurement Forum must have greater standing and the reports to CMT should have Procurement updates on a separate agenda item to Finance & Estates Services.
5.3.1	Head of Procurement should report as a minimum to an Officer that reports to the Chief Executive	Yes	Yes	Procurement Manager reports to Head of Finance & Estates that reports to the Chief Executive.
5.3.2	Head of Procurement must be responsible for Procurement Unit	Yes	No	Procurement Manager is not responsible for procurement out with his service.
5.3.3	A Central Procurement Unit must be created	Yes	Yes	Procurement Services exists, however central procurement unit must have responsibility for procurement corporately.
5.3.4	Procurement should be separate to other professional functions, such as Finance.	Yes	Partial	WLC cannot achieve optimum status, as long as they reside within Finance & Estates Services.

5.4.1	Contractual commitments in behalf of WLC should be performed by a "Procurement Officer". A Procurement Officer network should exist within WLC. Any devolved procurement units should have a formally delegated Procurement Officer in post.	Yes	Partial	"Procurement Officers" do not exist within devolved procurement units within WLC. It is also unknown if they comply with formal procurement responsibilities.
5.4.2	Devolved Units with authority to procure that do not have designated Procurement Officers should have this authority suspended.	Yes	No	Procurement Officers must exist within services with responsibilities for arranging contracts.
5.4.3	WLC should have a Chief Procurement Officer with responsibility for day-to-day procurement transactions and accountable for leading the Procurement Team.	Yes	Yes	Senior Procurement Officer is in post but unsure if MM's job description reflects these responsibilities.
5.4.4	Financial responsibilities and accountability requirements for officially designated Procurement Officers should be documented. The role definition should be finalised with the help of the Society of Procurement Officers and become a formal aspect of appointment to post. It will then apply to those formally authorised to procure, whether they are part of the central procurement unit or not.	Yes	No	WLC does not have a definitive list of procurement officers operating in an official procurement capacity.
5.5.1	Procurement activities and transactions should be conducted by appropriately staffed and skilled procurement officers. They should not be undertaken by non-procurement staff located centrally or employed in other parts of WLC.	Yes	No	An unknown number of people operate a procurement function and their skills are also unknown.
5.5.2	Where there are fully justified exceptions to the principle in 5.5.1, then formally documented delegated authorities must exist. Those to whom authority is delegated, are in effect full- or part-time "procurement officers" subject to the same professional standards, responsibilities and accountability requirements as those operating in the central procurement unit.	Yes	No	No official scheme of delegation exists for WLC.

5.5.3	WLC should comprehensively review their procurement activities and transactions to establish which service units are authorised to procure goods and services, in particular the creation of contracts and orders to external suppliers. The authority to procure should be justified and documented and regularly reviewed for ongoing validity. Its terms should include minimum requirements for sound business processes, practices, contracts and staffing. A full list of people within services that are authorised and responsible for procurement should be established and maintained. The specific individuals designated as "Procurement Officers" should be identified and should consider themselves as members of the internal network of procurement officers and subject to those disciplines and accountability. All other units and persons should be prohibited from engaging with suppliers in any communication or other activity that could represent, or be construed to represent, procurement tender, contract or related purchase commitments. This policy should be documented and circulated to employees.	Yes	No	A comprehensive review of procurement officers within WLC has not been performed. This is now part of the scope of the Modernising Procurement Review project. An annual review is however performed of those individuals within the council will access to requisition, invoice and approve on PECOS. This review process must be rolled out to cover all procurement systems within the council. Standing Order guidelines stipulate the requirements for procuring from external suppliers. They also state that Heads of Service must provide a list to the Head of Finance and Estates of all requisitioners and approvers within their service. This is done for services using PECOS, but not those using their own systems.
5.5.4	WLC should review controls and practices to ensure that it is not possible to pay invoices that do not have a pre-requisite order for the goods and services provided.	Yes	Yes	Standing orders stipulate that an official purchase order must be supplied to an external supplier before the goods, services or works can be delivered. Retrospective order monitoring is performed from PECOS every month, but is this process monitored in other service systems?
5.5.5	Where the procurement of low-value goods or services creates anomalies in administration cost versus value procured, then alternative methods such as payment on receipt should be developed and introduced within the principles of full procurement and financial controls. Emergency requirements may require a similar flexible but controlled alternative. Therefore, neither the value of the order nor the requirement for speed and flexibility should be reasons for complete circumvention of procurement controls.	Yes	Yes	Electronic invoicing and payment upon receipt for zero VAT goods and services are processed on PECOS. Additional roll out of this functionality is being adopted where possible. The use of Procurement cards within WLC also enables the use of correct procurement practises. While other service procurement systems are being used, use of eInvoicing and ERS functionality is restricted.

5.6.1	Business conduct guideline document should be developed and issued for all of the Public Sector in Scotland. The documents should clearly define all that is expected in the conduct of employees and or those involved in public funds, particularly in any contact or dealings with external parties. Compliance with the document should be a condition of employment or of funding and compliance with it should be regularly monitored. The development of the document and its distribution should be undertaken by the Scottish Executive's Procurement Directorate.	No	No	Not WLC Responsibility
5.7.1	WLC should confirm that their Internal Audit unit will certify annually that the following minimum audit activities have been covered and reported upon for procurement: Minimum accountability and governance conformance, Appropriate structure, organisation and staffing including authorised procurement officer structure, Existence of adequate systems and performance reports, Conduct of basic practices and processes including compliance with EU legislation, Compliance with "Procurement Policy Handbook".	Yes	Partial	PECOS is audited thoroughly each year. This ensures segregation of duties, robust processes for the maintenance of users and monitoring of non-compliance in the form of retrospective ordering. Procurement audits are also performed throughout the council which investigate compliance with legislation. Compliance with the Scottish Procurement Policy Handbook is not investigated during the internal audit process. It is also unknown if the audit process for PECOS is performed for other systems used for procurement practices within WLC.
5.7.2	Whilst conformance to governance and accountability requirements and the adequacy of basic practices and processes should be reported in Internal Audits, progress towards improved procurement including strategies, other action plans and Best Value savings achievements is planned to be consistently reviewed by Audit Scotland. This should include a commentary on current status of that organisation's contribution to the procurement savings element of the Efficient Government programme.	Yes	Partial	Audit Scotland do perform reviews of Procurement Practices, but it is not evident that Audit Scotland perform reviews which enable progress towards improved procurement strategies or best value savings actions, other than the need for WLC to increase its number of contracts.
6.1	Assign overall leadership for procurement in Scotland to the Scottish Procurement Directorate. A Scottish Procurement Policy Handbook should be deployed and become mandatory for WLC.	No	Yes	SPD has responsibility and handbook is available. Does WLC to comply with this?
6.2	The procurement leadership role should extend to those activities associated with functional excellence including staff communications, education and training, staff development, career paths, job gradings, salary scales and where appropriate workload balancing	Yes	Partial	No official staff development programme or career path in place for procurement professionals.

6.3	The SPD should define and agree a system of reporting Scottish Public Sector procurement results and information including progress towards previously agreed and published cost-savings targets.	No	Yes	BPIs are measured and reported by WLC.
7.1	A Scottish Procurement Policy Handbook should be established. The policy contents should be mandatory for implementation by WLC and compliance measured and reported upon during audits and reviews.	No	Partial	Handbook available for use, however not aware of WLC being audited for compliance.
7.2	Responsibility for developing, issuing and maintaining policy statements and guidelines is the responsibility of the SPD.	No	Yes	Guidance available, but not sure about WLC's conformance?
8.1	Each organisation within the public sector should review its procurement organisation to establish the adequacy or otherwise of the resources including skills levels dedicated to the procurement activity. This work should identify base requirements identified in Section 5, as well as the requirements to move the organisation towards improved performance, superior performance and Best Value. Broadly speaking there should be one procurement professional for every £15m of contracted spend.	Yes	Partial	A number of procurement reviews have been performed within WLC, although these have been limited to the Procurement Services team. Some opportunities for improvement have been identified and implemented, but further efficiencies are possible. £230m expenditure in 2009/10 for supplies, services and works equates to 15.3 FTE. The current Procurement Services team operates with 7.8 FTE, however they do not cover Social Care or Works contracts and what spend has been allocated to collaborative contracts. Additional analysis required to establish the total expenditure for works and social care. Total resource requirements must be established moving forward based on commodity analysis.
8.2	Additions required to staffing and skills levels must be addressed within organisations. Recognition must be given to the offsets in resource and skills requirements offered by improving systems and collaborative procurement. Skills levels of existing staff should be upgraded through professional training and development.	Yes	Yes	Where necessary, the Procurement Services team are working towards CIPS qualifications. However, the use of the Scotland Excel competency framework could bring benefits to the council by identifying the skills and competency levels required by all staff involved in the procurement process and assist individuals to improve their skills through training and personal development.

8.3	As an urgent priority, inject into an organisation the necessary resources and skills to bring standards up to a minimum. Executives should also consider the short term investment in procurement resources and skills as a means of providing a progression towards financial savings in the long term.	Yes	Yes	Additional procurement resources were introduced to WLC prior to the McClelland review and as such no further resources were brought in after the publication of the review. Investment in training is ongoing, as all non-CIPS qualified procurement officers are working towards their qualification.
8.4	A programme of liaison and career development should be established between the public sector and professional groups such as the Chartered Institute of Purchasing and Supply. It will arrange support for education and training of new and existing staff, to accommodate maintenance of resources and skills.	No	Yes	Staff development being offered through CIPS qualifications. Trainee procurement officer position has also been filled in the past.
8.5	Work should be undertaken to establish how a complete, cross-public sector career path or ladder can be established which will facilitate career management and employee development and retention.	No	Yes	WLC have enabled two procurement professionals to second to other procurement organisations within the public sector. One procurement officer was seconded to Scotland Excel and the Procurement Manager was seconded to the Scottish Government. Unfortunately, the PO did not return and in fact left the Scotland Excel post. The Procurement Manager is due to return in July 2011 after a two year secondment and shall bring back alternative ways of working and knowledge of government procurement practises.
8.6	Given the scarcity of skills and difficulty in recruitment, a review should be conducted of job gradings and salary scales to confirm whether these aspects are properly positioned to recognise the quality and experience required in public-sector procurement.	Yes	Yes	A review of job gradings and salary scales was conducted as part of single status. However, a review of the structure of the Procurement Services team shall be conducted during the Modernising Procurement project and this may impact upon posts of procurement professional within the team.

8.7	A centrally co-ordinated pool of skills should be established and deployed on an as required basis to organisations or groups within the sector to supplement existing capability where a special one-time effort or peak workload is causing difficulty. That pool of skills should be established, funded, managed and assigned to priorities by the Scottish Procurement Directorate.	No	??	Unsure if a pool of resources is available and if WLC has needed or asked for help.
8.8	The programme for Efficient Government within the Public Sector could lead to adjustments in resource levels in some areas. Where redeployment of people is a potential, then strong consideration should be given as to whether and if so how individuals from other functions could be retrained to take up procurement work.	Yes	No	No review of the redeployment list has been performed and no additional members have been added to the team.
9.1.1	The minimum content for standards of procurement practices and business processes should be documented, deployed and fully implemented within all of the Public Sector in Scotland. The practices within procurement essential to satisfy legislation, codes of conduct and financial guidelines applying to Accountable Officers and all others in executive and non-executive positions with responsibility for public funds and in particular procurement expenditure. These minimum requirements should also be a review item within internal audit programmes and other corporate level infrastructure reviews and reports.	Yes	Yes	Internal processes and procedures exist, however the policing of their compliance is a current problem. This needs to be addressed through the change to standard processes and procedures followed by all and the potential for a contracts advisory group to monitor all contract documentation. Also, greater control on compliance to contract use is required.
9.2.1	Organisations should strongly consider the establishment of internal "User Intelligence Groups" to help co-ordinate requirements and specifications so that the procurement functions can rationalise the content of tenders and contracts to obtain Best Value and to ensure specifications to suppliers are comprehensive and accurate from an early point in the process.	Yes	Partial	Although UIGs are attended by WLC for Scotland Excel and Procurement Scotland contracts, this method of identifying and agreeing tender specifications and evaluation criteria could be used more widely by WLC when arranging Cat C contracts internally. The set up of category management within Procurement could facilitate this process.
9.3.1	Every public-sector organisation should review and update their internal reporting on procurement. Also, the Scottish Procurement Directorate should develop, agree and publish the minimum reporting requirements that not only should be utilised effectively within organisations but also must be provided to SPD regularly so that they can assist the Scottish Executive to understand status and monitor progress towards already established financial targets within the Efficient Government programme.	No	Yes	Performance reporting provided internally and externally by WLC. This is a strong area for WLC, however it's the use of the information reported that needs to be developed further.

9.3.2	Each organisation within the Public Sector should be required to report quarterly on procurement cost savings achieved. The methodology used should be founded upon an agreed and clearly specified baseline which once established should be consistent year to year	Yes	Yes	WLC report on cost savings achieved through the establishment of contracts.
9.3.3	To ensure consistency in reporting and performance evaluation a standard "basket of goods/services" should be agreed and implemented within the public sector. This measurement should be used to report year-on-year savings in a consistent and comparable manner which can also be translated into, and reconcile with, absolute annual financial savings being claimed.	No	??	Not aware of the savings reported to the government.
9.4.1	Every public-sector organisation should have a formal programme of procurement internal efficiency measurement and management. The programme should also measure the effectiveness of procurement in terms of results achieved.	Yes	Yes	Performance reporting provided internally and externally by WLC. Areas for efficiency agreed in Procurement Strategy and reported annually.
9.4.2	In support of efficiency and effectiveness a standard set of key performance indicators (KPIs) should be developed and regularly measured by all units within the public sector.	Yes	Partial	A number of performance targets have been set and are measured by WLC. However, the list provided in the McClelland review recommendations are not all measured and reported. The introduction of category management would satisfy the requirements outstanding.
9.5.1	Absolute information and performance data should be exchanged and shared across the public sector in a formally co-ordinated procurement benchmarking programme.	No	Yes	Both Scotland Excel and eProcurement Scotland capture data from WLC which is then used to benchmark progress. Best practise councils have been identified and can offer assistance to others when requested.
9.5.2	The co-ordination of the benchmarking programme should be positioned centrally within each major element of the public sector.	No	Yes	Procurement Capability Assessment carried out each year for public sector organisations. Also procurement information provided to Audit Scotland and the Scottish Government.
9.5.3	A National Benchmarking and Best Practices Forum should be established and co-ordinated within the public sector. Its co-ordination should be undertaken by the Scottish Procurement Directorate and it should meet at least quarterly.	No	??	Not aware of any benchmarking / best practise forum.

9.5.4	As part of the benchmarking initiative one of the first areas which should be approached is that of numbers of skilled procurement professionals related to value spent.	No	Yes	We do measure the number of skilled procurement professionals operating within Procurement Services and this is lower than required, However, training is ongoing in an attempt to increase the qualifications within the team.
9.6.1	A programme to rapidly widen the use of procurement cards and payment on receipt should be initiated and organisations should be strongly encouraged to adopt their use.	Yes	Yes	Procurement cards area available for use within WLC. Also payment on receipt has been established for 30 suppliers on PECOS equating to 7000 invoices = £17m / yr. The re-introduction of embedded procurement cards within PECOS could also bring about efficiencies and this will need to be investigated further.
9.6.2	The Benchmarking and Best Practices Forum should include in its agenda the topic of innovative techniques so that this opportunity is addressed and pursued as needs evolve.	No	No	Not a WLC responsibility.
9.7.1	There should be a formal programme of EU legislation workshops. In addition to re-emphasising the strict legal and procedural requirements the workshop content should also focus on how Best Value can be achieved within their legal framework. Every procurement professional in the public sector should attend a workshop during 2006 and then at a minimum annually thereafter.	Yes	Partial	Unsure if all officers responsible for arranging contracts within the council attend EU workshops on an annual basis.
9.7.2	Conformance with EU legislation should be a subject of focus for all internal and external audits. Conformance levels should be covered as part of the internal reporting to Governance levels within the organisation. This information should also be made available to the Scottish Executive.	Yes	??	Conformance to EU legislation is not subject to all External audits, but has been covered by a number of Internal Audits. Conformance is not managed sufficiently and this needs to be addressed going forward.
9.8.1	Each organisation within the Public Sector in Scotland should develop, establish and pursue an advanced procurement plan. The plan should incorporate specific milestones of progress and financial savings targets year by year.	Yes	Yes	Procurement Strategy stipulates the procurement plans for the Procurement Services team and the savings they aim to achieve over three years. This strategy needs to be updated and incorporate the plans and targets for social care and works contracts moving forward.

9.9.1	corporate and social responsibilities should be translated into guidelines and a specific practices document for each organisation. The requirements of that document should be deployed for implementation by the procurement organisation.	Yes	Partial	The draft sustainable procurement policy and strategy are out for consultation prior to being presented the P & R PDSP in April.
10.1	eProcurement Scotland should be adopted as the standard within the Public Sector.	Yes	Yes	WLC were an early adopter of the ePS facility and have made good progress with the use of the systems.
10.2	An ePS Installation Task Force should be established under the leadership of the Scottish Executive's Procurement Directorate. This Task Force should be assigned as required to provide additional support and skills to the project teams at the individual organisation level.	No	Yes	Available but not required at WLC.
10.3	Serious consideration should be given to providing a specific sector-wide programme of turnkey funding to accelerate the acceptance and more rapid implementation of ePS and other procurement initiatives within any funding required to implement the recommendations of this review.	No	Yes	Funding for use of ePS service used by WLC. Various elements of the ePS service are currently out to tender and depending on the budget availability assigned by the Scottish Government, it might be the case that WLC will have to find some funding of their own to continue using the future ePS systems.
11.1	Procurement "Centres of Expertise" should be established on a commodity-by-commodity basis.	No	Yes	Procurement Scotland and Scotland Excel are used by WLC.
11.2	In establishing the central contracts in Categories A and B above, it is essential that councils buy their requirements for A and B commodities from these contracts and not from local contracts.	No	Yes	WLC use Procurement Scotland and Scotland Excel contracts where possible.
11.3	A level of mandatory compliance is required for the effective operation of the Centres of Procurement Expertise.	Yes	Yes	WLC is committed to using the contracts, however contract compliance needs to be assessed further.
11.4	A strategy for each A and B commodity or service should be developed including market intelligence, supplier strategies, economic modelling of demand and supply and recognition of other criteria and issues. These commodity strategies will have with them individual supplier strategies. These strategies should also address and accommodate the need for the existence and use of local supplier capability to deliver commodities and services.	No	Yes	WLC attend user intelligence groups and make the requirements for the use of local suppliers known.
11.5	The concept of National A and Sector Specific B commodities and services should have the support of a single electronic procurement system for a streamlined interface to suppliers and to facilitate the aggregation of contracts for A and B items.	No	Yes	WLC use the ePS systems and catalogues are provided in a suitable format for our use. As such orders are transmitted from PECOS where possible to the Cat A and B suppliers.

11.6	The Heads of Procurement responsible for the Centres of Expertise should undertake leadership roles for the procurement activities within the sectors served by their Centre of Expertise.	No	Yes	Leadership roles are provided and delivery plans are monitored and directed.
12.1	A Charter for Suppliers should be established for the complete public sector in Scotland.	No	Yes	Suppliers' Charter is available and WLC have signed up to complying with it.
12.2	Whilst recognising the diversity of operations there should be some standardisation across the public sector in Scotland of the Terms and Conditions required by the public sector from suppliers.	Yes	Yes	The Ts and Cs used by WLC do not appear to cause confusion of problems for suppliers. Procurement Services are however reviewing the content of their Ts and Cs for supplies and services and it is proposed that a suite of terms and conditions be used by all of the council, covering supplies, services, social care and works contracts. That would enable a more consistent approach for suppliers.
12.3	Therefore an open market environment supported by a single public sector "electronic portal" should be established. Suppliers must be able to access all essential information on opportunities to offer services and bid for contracts for the supply of commodities and services to the whole Public Sector in Scotland.	No	Partial	Public Contracts Scotland is used for all Procurement Services tenders and some tenders elsewhere in the council. It is not compulsory within the council, but this is being reviewed.
12.4	There should be total transparency in connection with procurement decisions. All awards should be formally notified to the successful bidder and then publicly through the Public Sector portal website. All unsuccessful bidders should have access to the decision principles and be able to understand why they were unsuccessful on this occasion. A closed loop is mandatory.	Yes	Partial	Public contracts Scotland must be used by all areas of WLC for this to be fully compliant. A common process for notifying suppliers should also be adopted.
12.5	Suppliers need to have a single point of enquiry within Scotland to which they can address concerns and obtain clarification of decisions and procedure related to public procurement.	No	No	Not WLC Responsibility
12.6	The Centres of Expertise should have commodity and supplier strategies. In support of this each Centre of Expertise should conduct regular "supplier forums" during which buyer and supplier issues can be exercised, logged and resolved.	No	Yes	Procurement Scotland and Scotland Excel meetings are held quarterly.
12.7	There should be a special effort to ensure that regional suppliers are developed to provide goods and services locally. The opportunity being created for local suppliers to competitively bid for all categories of commodities and services should be encouraged.	No	Yes	Scotland Excel contracts have been set up with suppliers local to WLC, however it is apparent from conversations with customers that they would like there to be more local suppliers winning SXL contracts.

13.1	The Gateway Process should be a mandatory part of the fabric for all public sector Estates, Construction and Capital projects over a value parameter. Its adoption must not be optional. Where in exceptional circumstances the specific "Gateway" process is not used organisations must substitute a documented equally effective capital project phase procedure.	Yes	??	The gateway review process is used within WLC (used for Civic Centre build), but not sure if it is compulsory.
13.2	Capital projects not supported directly by the procurement department must still be administered by an individual who has formally delegated authority and who is classified as a "Procurement Officer". This means that the authority to procure delegated to that department and the register of authorised procurement officers for the department should be formally documented.	Yes	Yes	Housing, Construction and Building Services have delegated authority to arrange contracts out with Procurement Services.
13.3	A Public Sector Capital Projects Committee should be formally established to share best practice and monitor market conditions and individual contractors.	No	??	Not WLC Responsibility
14.1	There should be a review of non-core activities to establish candidates for outsourcing evaluation.	Yes	No	WLC does not promote outsourcing.
14.2	Where there is a sound business case and internal resource issues are manageable then outsourcing strategies should be pursued.	Yes	No	Outsourcing strategies are not pursued.
15.1	To achieve savings in initial procurement of Information Technology and in life time running costs, and to assist in implementation timescales, industry standard or existing already designed applications should be procured from and, wherever possible, installed directly by the software company.	Yes	Yes	IT systems are procured and installed by suppliers, rather than have bespoke applications developed for the needs of WLC.
15.2	Maximum use of standardised and integrated applications for significant transaction-related aspects of public-sector business and not new bespoke or unique local systems. If this is not possible or practicable for the overall public sector then at a minimum a strategy for each major element of the sector (e.g. Health) should be adopted.	Yes	Yes	Where possible new IT systems are bought which interface to existing WLC systems. Also, IT systems are selected partly due to their use by other organisations, to enable efficiency.
15.3	The procurement of standard and generic applications such as for Finance or Human Resources should be regarded as a Category A item and be contracted for by the National Centre of Expertise. If this is not practicable then default should be to the B Category standard and generic applications should not be contracted locally at the individual unit level.	No	Yes	WLC not in a position to use any such contracts at the moment.

15.4	The procurement of other sector specific standard applications (e.g. for Health) should be categorised as B commodities and should have contracts established by the B Category Centres of Expertise.	No	??	Not sure if the contract for the new Housing & Building Services system would be covered until this recommendation? Not aware that Scotland Excel were approached about taking the lead on the contract, or even how that would work.
15.5	Although large-scale standard applications are often provided by multinational companies, it is also the case that specialised and innovative functions can be provided by niche applications from smaller companies.	Yes	Partial	WLC's new procurement card system was purchased from a local supplier.
16.1	Public Private Funding Partnerships - Engagement with, and guidance from, the FPU should be a mandatory requirement for all public sector capital projects that are potential candidates for public/private funding.	Yes	??	Not sure if this happens
19.1	A Public Procurement Reform Board should be formed. Its immediate prime responsibility is to oversee the successful implementation of the actions essential to address the basic issues in Public Sector procurement and to drive pursuit of the additional work and changes required to achieve improved performance.	No	Yes	Public Procurement Reform Board has been established and meets regularly. WLC's former Chief Executive was a board member.
19.2	Its membership should consist of executives from across the sector who understand the issues and priority required, and who can influence their own and other organisations in their drive to address basic weaknesses, and go on to capture the opportunities that lie beyond.	No	Yes	This is the case and this has driven WLC to buy into Procurement Scotland and Scotland Excel contracts.
19.3	The Board's remit should include the ongoing monitoring of results compared to savings targets already planned. It should also work within the public sector to develop and formalise the level of additional longer-term savings not currently planned.	No	??	Not sure of what is measured, but this is not a WLC responsibility.
19.4	The Public Procurement Reform Board should develop, as a first step, its detailed action plan.	No	Yes	Action plan developed and reform board meets regularly to review progress.
19.5	The Public Procurement Reform Board should interact with, and be advised by, a Public Procurement Advisory Group made up of business organisations within Scotland.	No	Yes	Public Procurement Reform Board has members from all aspects of public service.
19.6	Strong Ministerial support to this initiative is recommended.	No	Yes	Chaired by MSP

Appendix I – Procurement Capability Assessment 2010 Summary Letter

To: Chief Executive, West Lothian Council

Procurement Capability Assessment (PCA) Results for West Lothian Council

I would like to update you on the outcome of the recent Procurement Capability Assessment of your local authority. Firstly, thanks to you and your team for the effort that goes into preparing for the assessment. That effort is well-invested as the results will inform improvement plans for the sector as a whole as well as for your own organisation.

Tom Henderson and his colleagues presented evidence for the assessment on October 19th. Our assessors commended the open and honest approach which ensured an effective and constructive session.

The West Lothian score improved from 22% last year to 27% this year. The score reflects some progress on individual issues, but also that there is still a major challenge for the council in the lack of a corporate approach to management of procurement across the whole organisation. I have tried to highlight below the main actions that will deliver improved procurement performance and increased cash savings as well as reducing risk.

From our experience of the assessments, some of the actions to move forward are best addressed by you and your senior management team. They include:

1. Creation of a corporate procurement function that has early influence over all procurement activity in the organisation to reduce risk and maximise savings and quality
2. A structure that is resourced to support the corporate procurement team deliver the remit
3. Ensure that all Heads of Service and senior management actively support policy and practices promoted by the Corporate procurement team and engage on business planning and the re-engineering of services as they apply to procurement

It is clearly difficult during times of financial constraint to resource further investment in non-front-line services, but procurement is one of the few areas that can deliver substantial savings and reduce risk over the coming years. It is also worth noting that several councils have managed to improve performance through creative arrangements like shared procurement services or a shared head of service.

Actions that the procurement team need to address include:

4. Adoption of a consistent (corporate) set of processes and materials for the delivery of procurement across the organisation based on national good practice like the Procurement Journey (the Scottish Government's procurement toolkit).

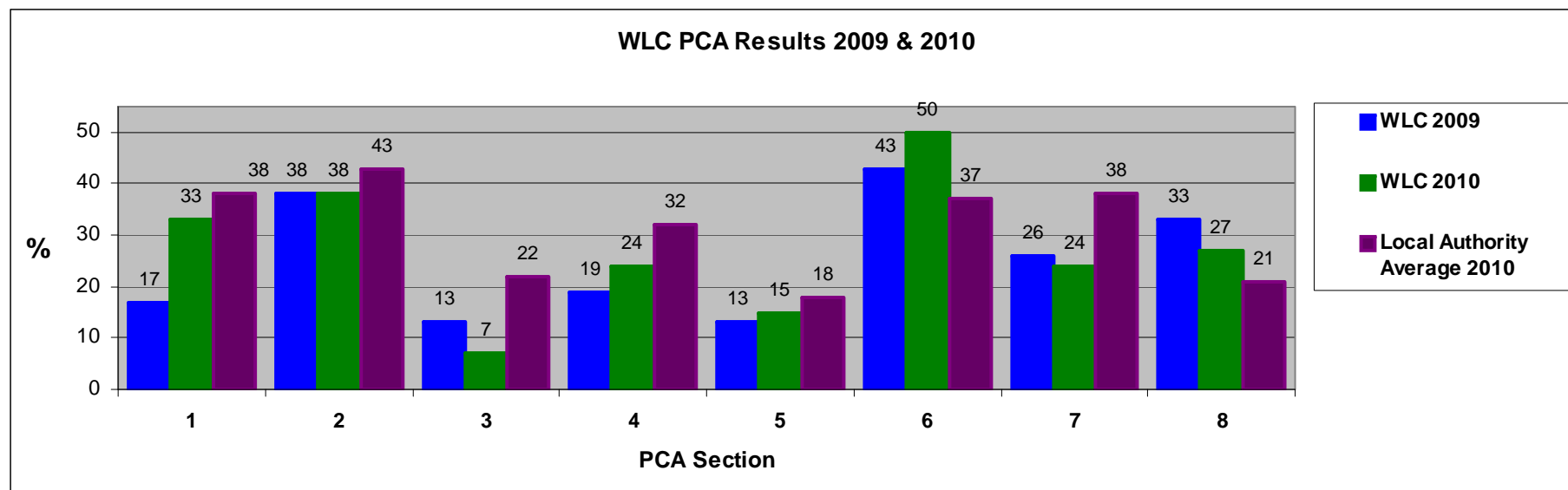
We hope your team find this aspect of the Scotland Excel service useful and we are looking forward to working with you to deliver your 2011 procurement priorities. Please don't hesitate to get in touch with any questions about the assessment or the improvement programme.

Appendix J - Procurement Capability Assessment - Action Plan 2010/2012



Procurement Capability Assessment - Action Plan 2010 → 2012

Purpose: To progress the development of strategic procurement within West Lothian Council and to improve on 2010/11 PCA score.



Section No	Section Title	WLC 2009 %	WLC 2010 %	LA Average 2010 %	WLC - LA Av. 2010 %
1	Procurement Leadership & Governance	17	33	38	-5
2	Procurement Strategy & Objectives	38	38	43	-5
3	Defining the Supply Need	13	7	22	-15
4	Procurement Commodity / Project Strategies & Collaborative Procurement	19	24	32	-8
5	Contract & Supplier Management	13	15	18	-3
6	Key Purchasing Processes & Systems	43	50	37	13
7	People	26	24	38	-14
8	Performance Measurement	33	27	21	6

Section 1 - Procurement Leadership & Governance

Areas Requiring Improvement	Action	Start Date	Due Date
Procurement not corporately controlled.	Undertake a review of council procurement : Modernising Procurement – Shaping The Future	Dec 2010	July 2011
	Develop new centralised procurement structure.	July 2011	July 2011
	Develop a 'gateway review' process for all contracts administered by WLC.	July 2011	Dec 2011
Procurement Manager does not have sufficient responsibility for, or knowledge of spend for all contracts arranged within WLC.	Ensure Procurement within WLC is regarded as a high priority strategic function and is given a high profile through support from Senior Management.	Oct 2010	Ongoing
	Develop strategic Contract Strategy and implement within WLC.	July 2011	Sept 2011
Insufficient reporting to Senior Management of procurement activity.	Initiate a quarterly Procurement Steering Group chaired by the Chief Executive and attended by senior managers throughout WLC.	Sept 2011	Ongoing
Insufficient management of internal stakeholders to ensure an effective procurement process.	Implement a rigorous and robust procurement journey for use with all contract types. Whole contract lifecycle documentation developed, including Contract & Supplier Management Strategy.	July 2011	Dec 2011
	Clarify roles and responsibilities with stakeholders.	July 2011	Dec 2011
Insufficient evidence that customer feedback is incorporated into everything done by Procurement.	Implement actions from previous WLAM and CSE assessments	Oct 2010	June 2011
	Issue customer surveys annually (as a minimum) and implement actions arising from feedback.	May 2011	Ongoing
Insufficient integration of procurement data within council systems.	Integrate Open Contractor with PECOS	Dec 2011	Mar 2012
	Integrate Axim with PECOS	July 2011	Dec 2011
	Roll out PECOS within Construction Maintenance.	April 2011	June 2011
	Implement a corporate contract register which is used and updated by all services.	June 2011	Ongoing
	Ensure that Covalent records details of all contracts and contracted spend within WLC.	July 2011	Ongoing
No clear system of delegation or authority for procurement.	Publish a Scheme of Delegation which clearly sets out authority levels and financial limits and review these regularly.	April 2011	July 2011
	Ensure that a separation of duties and authority levels are embedded into systems and these are reviewed regularly by Internal Audit.	April 2011	Dec 2011

Section 2 - Procurement Strategy and Objectives

Areas Requiring Improvement	Action	Start Date	Due Date
Availability of resources to determine need for process improvement, new policies and procedures and control.	Modernising Procurement Review project initiated with dedicated resources assigned.	Oct 2010	June 2011
Existing Procurement Strategy only affects Procurement Services deliverables and does not include a risk assessment, action plan or link to the business deliverables of the council.	Develop a new three year Procurement Strategy which affects supplies, services (including social care) and works contracts. Align Procurement Strategy with the council's Financial Strategy. Obtain CEC Strategy approval and communicate to all stakeholders.	April 2011	Aug 2011
	Corporate Procurement Unit review Procurement Strategy on a regular basis and performance is updated and reported quarterly to Senior Management.	July 2011	Ongoing
Procurement Reform Programme Required	Modernising Procurement Review project required to review procurement council wide. A report to Senior Management required highlighting areas for improvement.	Oct 2010	June 2011
	Modernising Procurement Review action plan to implement improvements approved by senior management.	July 2011	Mar 2012
Demonstration that Sustainable Procurement Strategy objectives are being met.	Procurement Sustainability Policy & Strategy requires to be approved by Council Executive	April 2011	August 2011
	Identification and nomination of Sustainable Procurement Champion at Head of Service / Director level	Sep 2010	Oct 2010
	Development of a Sustainable Procurement Action Plan	Sep 2010	Oct 2010
	Once approved, the objectives of the Procurement Sustainability Strategy must be reviewed and progress regularly reported to Senior Management.	Aug 2011	Ongoing
	Facilitation of Sustainable Procurement training	Aug 2011	Dec 2011
	Collaborative working with climate change policy officer	May 2010	Ongoing
	Investigate and make use of community benefit clauses within major contracts.	May 2011	Ongoing
	Implement the use of the Scottish Government's Quick Quote facility throughout council.	Jan 2011	Ongoing
	Issue annual questionnaire to local businesses / SME supplier and develop and monitor progress of subsequent action plan.	June 2010	Ongoing
	Perform initial assessment against Flexible Framework	Sep 2010	Oct 2010
	Achieve Level 3 against Flexible Framework	Dec 2011	Dec 2011
	Perform presentations to third sector and local business / SME community	May 2010	Ongoing
	Pursue "fair-trade" / ethically sourced goods and present / participate at Fairtrade Zone Steering Group	May 2010	Dec 2011
	Explore opportunities with working with the third sector	May 2011	Ongoing
	Hold Local Meet the Buyer Events in conjunction with the Economic Development Service	May 2011	Dec 2011
	Award of contract to a sheltered workshop	May 2011	Dec 2011
Inconsistent procedures, policies and processes used throughout council.	Implementation of a standard suite of procedures, policies and processes throughout the council with a clear message that they must be used. Reference - The Procurement Journey's	July 2011	Dec 2011

Section 3 – Defining the Supply Need

Areas Requiring Improvement	Action	Start Date	Due Date
Insufficient use of output specifications	Develop output specifications for contracts and ensure training is provided where necessary to ensure that all procurement professionals know what's expected in writing tender specifications.	Aug 2011	Dec 2011
Little innovation applied to tender specifications	Investigate the use of new products as a result of market research / supplier recommendations / contract strategy specifications.	Sept 2011	Ongoing
Lack of UIG involvement when investigating the use of new products / services	Corporate Procurement Unit must get involved with customers in challenging new and existing products and services on the market in an effort to improve council performance.	Sept 2011	Ongoing
Insufficient use of management information in developing enhanced commodity strategies and supplier management.	Need to promote the use of catalogue purchases where possible and monitor use of non-catalogue purchases for catalogue suppliers to enable catalogue enhancements.	Sept 2011	Ongoing
	Increase contract & supplier management activity to enhance catalogue content and drive down prices.	Sept 2011	Ongoing
Insufficient forecasting of demand for goods, services and works.	Category Managers need to meet with services to ascertain future requirements and provide guidance with regard to specifying requirements.	Sept 2011	Ongoing
	Use of management information from all procurement systems in place within the council to ascertain, develop and deliver contracts to meet needs.	Aug 2011	Ongoing

Section 4 – Procurement Commodity / Project Strategies & Collaborative Procurement

Areas Requiring Improvement	Action	Start Date	Due Date
Lack of understanding and use of the Scottish Procurement Directorate's Procurement Journeys.	Investigate the use of the Procurement Journeys 1, 2 & 3 and implement by December 2011	April 2011	Dec 2011
	Tailor Procurement Journey Route 1 procedures and templates for use within WLC.	April 2011	July 2011
	Roll out Procurement Journey Route 1 throughout the council	Aug 2011	Oct 2011
	Tailor Procurement Journey Routes 2 & 3 procedures and templates for use within WLC.	July 2011	Aug 2011
	Roll out Procurement Journey Routes 2 & 3 within the Corporate Procurement Unit	Sept 2011	Oct 2011
	Roll out Procurement Journey Routes 2 & 3 within the rest of the council	Nov 2011	Feb 2012
Lack of strategic approach to procurement.	Develop a Contract Strategy.	May 2011	July 2011
	Implement compulsory use of the Contract Strategy throughout council.	July 2011	Dec 2011
	Establish User Intelligence Groups with representation from key stakeholders, including service users and in respect of collaborative contracts, other organisation representation.	May 2011	Ongoing
	Create Benefits Tracking template to document contract responsibility, status, length, value, target and confirmed savings.	July 2011	Aug 2011
	Roll out compulsory use of Benefits Tracking within the Corporate Procurement Unit, which measures all contracts within the council.	Aug 2011	Ongoing
Inconsistent approach to measuring financial stability of suppliers.	Identify an appropriate financial checking process to measure the stability of all medium to high risk contract suppliers.	Aug 2011	Aug 2011
	Ensure that all medium and high risk contract suppliers have their financial stability checked regularly during the course of the contract.	Sept 2011	Ongoing
Inconsistent use of Terms and Conditions throughout the council.	Develop a standard suite of Terms and Conditions for use throughout the council.	April 2011	June 2011
	All contracts let by the council must adhere to a suitable set of Terms and Conditions from the suite.	July 2011	Ongoing
Lack of spend analysis at line item detail.	More analysis of line item details required to ascertain what we are buying from which suppliers, especially non-catalogue item analysis.	July 2011	Ongoing
Lack of supply market analysis and benchmarking.	Increased benchmarking by procurement staff throughout the contract lifecycle. Analyse Spikes Cavell to compare WLC to other councils.	July 2011	Ongoing
Inconsistent approach to using PQQs.	The use of PQQs should be consistently used throughout the council and managed by the Corporate Procurement Unit. Consistent use of the Scottish Procurement Directorate standardised PQQ when available	Aug 2011	Ongoing
Insufficient level of collaboration exists with regard to council contracts.	WLC to take a lead role in a Category C regional opportunity	April 2011	Sept 2011
	Collaboration with other organisations to be investigated as part of the Contract Strategy development process.	Aug 2011	Ongoing
	Analyse Spikes Cavell to ascertain potential collaboration opportunities.	Aug 2011	Ongoing
	Consider Shared Services with another Local Authority	Dec 2010	Dec 2011
Lack of understanding of the service standards expected of Scotland Excel and how WLC & SXL should work in partnership.	WLC to meet on a regular basis with representative from Scotland Excel. This should improve the expectations on both sides.	April 2010	Ongoing
	WLC must make every effort to attend UIGs organised by SXL to ensure that WLC get the	April 2010	Ongoing

most out of SXL contracts.		
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Section 5 – Contract & Supplier Management

Areas Requiring Improvement	Action	Start Date	Due Date
Lack of User Intelligence Groups associated with contracts.	Increase the number of UIGs to enable a more accurate evaluation of contract & supplier performance to be obtained from customers.	July 2011	Ongoing
	Consult with customers to develop a better understanding of needs and supplier deliverables.	July 2011	Ongoing
Insufficient SLAs / KPIs established with supplier during tender stage.	Increase the number of quantitative SLAs and KPIs agreed with supplier to enable increased supplier performance measurement.	July 2011	Ongoing
Insufficient number of contracts published on Public Contracts Scotland.	Develop procedures which promote the use of PCS and ensure that all possible contracts are advertised on this portal.	July 2011	Ongoing
Insufficient spend through catalogue ordering.	Increase number of catalogues available on PECOS and provide price lists to non-PECOS customers. Also investigate the publication of price lists on the intranet, to encourage catalogue ordering.	July 2011	Ongoing
Inconsistent approach to contract and supplier management throughout the council.	Develop a Contract & Supplier Management Strategy.	April 2011	June 2011
	Contract & Supplier Meeting Minutes / Action Note template produced for use at meetings.	April 2011	April 2011
Infrequent / non-existent meetings held with suppliers.	Monitor use of Contract & Supplier Strategy and ensure compliance with regard to supplier monitoring (scorecards and meeting minutes & actions).	July 2011	Ongoing
Insufficient spend data received to monitor contract & supplier compliance.	Obtain regular spend information from council systems and suppliers to enable conformance monitoring and ability to review contract content.	July 2011	Ongoing
Insufficient Communication with stakeholders with regard to contracts.	Develop a Communications Strategy to ensure that the correct audience are receiving the correct information at the correct time.	July 2011	Aug 2011
	Develop a Corporate Procurement Unit Newsletter and issue on a 6 monthly basis	Sept 2011	Ongoing
	Update Corporate Procurement Unit intranet and internet sites.	July 2011	Ongoing
Lack of negotiation with suppliers with regard to benefits from reduced payment terms.	Seek savings from suppliers as a result of payment in advance of standard 30 days.	Aug 2011	Ongoing

Section 6 – Key Purchasing processes and Systems

Areas Requiring Improvement	Action	Start Date	Due Date
Inconsistent use of procurement systems throughout council	Integrate legacy systems with PECOS.	June 2011	Mar 2012
Inability to measure matched first time invoices from PECOS.	Create a report which measures first time matched invoices with a target of >90%.	Mar 2011	April 2011
	Provide advice and FAQ guidance to customers to promote first time matching.	April 2011	April 2011
	Implement more efficient ordering and invoicing techniques within the council, which also encourage first time matching, e.g. ERS, cXML and embedded PCards within PECOS.	Oct 2010	Ongoing
Insufficient contract spend processed through ordering systems.	Implement more contracts and ensure that contract catalogues and price guides are available within procurement systems.	Jan 2011	Ongoing
Procurement Services and eProcurement intranet sites are separate and do not promote consistency of approach.	Development of a single procurement intranet site. Also link to the Financial management Unit intranet site to incorporate the payments element of the process.	July 2011	Sept 2011
	Contract award details, roles and responsibilities of Corporate Procurement Unit and guidance clearly visible to customers.	Aug 2011	Sept 2011

Section 7 – People

Areas Requiring Improvement	Action	Start Date	Due Date
Lack of clarity over roles and responsibilities of procurement professionals and customers.	Document the roles and responsibilities of the Corporate Procurement Unit and its service customers.	May 2011	June 2011
	Generate job descriptions for all members of the Corporate Procurement Unit.	May 2011	June 2011
Lack of structured procurement training for all procurement professionals.	Implement the use of Scotland Excel's competency framework within the council.	Sept 2011	Ongoing
	Create personal development plans for the Corporate Procurement Unit.	Oct 2011	Ongoing
	Review and update procurement procedures and guides for use throughout the council on an annual basis.	April 2011	Ongoing
	Training to achieve MCIPS qualification required by all Corporate Procurement Unit members.	July 2010	Mar 2012
Availability of online procurement training within council.	Invest in software and develop online training courses for procurement fundamentals and procurement system use.	July 2011	Mar 2012
Insufficient contact between Procurement Services and their customers.	The Corporate Procurement Unit to provide formally arranged presentations and drop in session availability to their customers.	Aug 2011	Ongoing
	Emphasise the importance of procurement during the council's induction process.	July 2011	Oct 2011
Opportunity for Procurement Services to contribute efficiency initiatives.	Procurement Services to provide details of opportunities for efficiency savings through formal interview process and staff survey.	Nov 2010	Jan 2011
	Corporate Procurement Unit to contribute ideas for efficiency savings as an agenda standing item to be discussed at team meetings.	July 2011	Ongoing
Inconsistent training provision for procurement professionals.	Determine training needs throughout the council and arrange formal training sessions that can be attended by all procurement professionals, not just the Corporate Procurement Unit.	Sept 2011	Ongoing
	Ensure that a specific budget is allocated for procurement training.	Aug 2011	Sept 2011
	Use Scotland Excel as the first choice for external procurement training provision throughout the council.	Sept 2011	Ongoing

Section 8 – Performance Measurement

Areas Requiring Improvement	Action	Start Date	Due Date
No concise reporting mechanism used across the council.	Develop standard performance reporting templates to be used by procurement professionals throughout council.	July 2011	Sept 2011
	Category Managers to report to Senior Management Team Meetings.	Aug 2011	Ongoing
	Report procurement status and developments at quarterly Procurement Steering Group.	Sept 2011	Ongoing
	Develop formal benefits tracking template and implement for all contract categories.	July 2011	Ongoing
	Create Corporate Procurement Strategy performance indicators on Covalent	Aug 2011	Aug 2011
	Update Covalent with performance and report at quarterly performance meetings.	Sept 2011	Ongoing
Insufficient contract details recorded.	Implementation of a corporate contract register with compulsory use by all procurement professionals within the council.	July 2011	Ongoing
Revision of Service Standards in line with new Corporate Procurement Strategy.	Introduction of new Service Standards which are measurable and meet the targets of the new Procurement Strategy.	April 2011	July 2011
More feedback required from stakeholders with regard to the performance of Procurement Services	Send annual surveys to customers and suppliers and create an action plan (You Said We Did) to implement service improvements.	June 2011	Ongoing

‘End of Document’

Appendix K – WLC High Level Procurement Roles and Responsibilities



Procurement Roles & Responsibilities

The Corporate Procurement Unit is West Lothian Council's "Centre of Procurement Expertise" and provides advice and guidance to customers, facilitates performance reviews and implements improvements to procurement processes, procedures and systems.

Although responsibility for procurement is centralised within the Corporate Procurement Unit, Social Policy and Operational Services and Housing, Construction & Building Services remain accountable for Social Care and Works contracts respectively.

However, all council employees have a role to play in the procurement process and clarity of expectation and understanding of responsibility and the potential consequences of non-compliance are essential.

Responsibility	Process
Elected Members	<ul style="list-style-type: none"> • <i>Leadership, through endorsement of the council's Procurement Strategy</i> • Formal acceptance of tender process and evaluation criteria • Delegate appropriate authority for Scottish Procurement, Scotland Excel and OGC Buying Solutions contracts and other permissible frameworks to Head of Finance & Estates (Supplies and Part A Services), the Head of Social Policy (Part B Services) and appropriate Deputy Chief Executive (Works)
Chief Officers	<ul style="list-style-type: none"> • <i>Implement and develop procurement strategy</i> • <i>Report to Council Executive</i> • <i>Delegate authority to Heads of Service</i> • <i>Appraise relevant members / committees</i>
Heads of Service	<ul style="list-style-type: none"> • <i>Define procurement business needs</i> • <i>Control and approve budgets</i> • <i>Authorise strategic procurement decisions</i> • <i>Support line managers</i>
Line Managers	<ul style="list-style-type: none"> • <i>Plan and deploy resources to procurement projects</i> • <i>Develop and assist with the development of procurement business case</i> • <i>Approve operational purchases</i> • <i>Responsible for quick quotes (on line low value/low complex requirements < £50k)</i> • <i>Budgetary control</i> • <i>Provide technical expertise</i>
Operational Staff	<ul style="list-style-type: none"> • <i>Initiate purchase and process orders</i> • <i>Monitor contracts and feedback supplier / contract performance to Corporate Procurement Unit</i> • <i>Provide technical knowledge</i> • <i>Attend council User Intelligence Groups</i>
Corporate Procurement Unit	<ul style="list-style-type: none"> • <i>Provide expertise and specialist procurement advice</i> • <i>Coordinate West Lothian Council representation at National, Sectoral and Regional User Intelligence Groups</i> • <i>Develop and award local and regional collaborative contracts</i> • <i>Assist and define specifications, manage supply base, contracts & procurement risk.</i> • <i>Report corporate procurement performance</i>

Responsibilities of all members and officers involved in the procurement process require a duty to:

- Comply with council Standing Orders and Financial Regulations
- Use the Quick Quote facility (Scottish Governments online quotation facility for low value/low complex purchases < £50k)
- Use available council contracts
- Follow procurement framework, as detailed in the Corporate Procurement Strategy 2011-2014
- Be aware of current and proposed UK and EU legislation in discharging procurement activity
- Ensure that all procurement activity is carried out with regard to the principles of non-discrimination, equal treatment, transparency, proportionality, mutual recognition and protection of the rights of individuals
- Provide procurement information in a timely manner
- Act fairly, openly, ethically and responsibly

'End of Document'

Appendix L – 2010-2011 Budget & Contracts Spend Analysis



Modernising
Procurement - Service

Appendix M – Contract & Supplier Management Strategy



Contract & Supplier Management Strategy

Author: **Merle Stevenson**

Document Version: **1.0**

Issue Date: **06/06/2011**

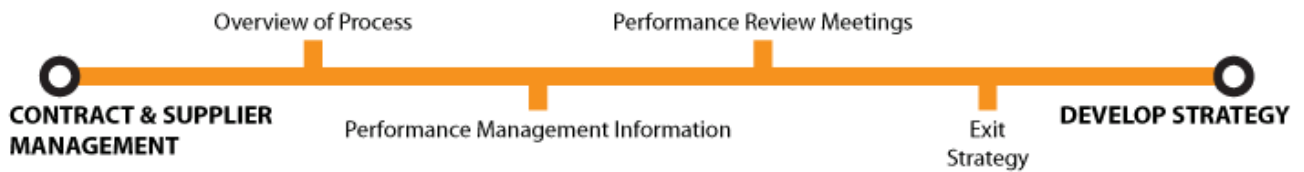
Procedural Note Approval		
Title	Printed Name	Date
Procurement Manager	Tom Henderson	06/06/2011

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1. Introduction

This strategy has been constructed in conjunction with, and complements the West Lothian Council Procurement Strategy 2011-2014. Furthermore, it recognises the aims and values set out within the Scottish Procurement Directorate (SPD) Supplier Charter, and encompasses best practice set out in the SPD [Procurement Journeys](#).



The Contract & Supplier Management Strategy sets a foundation for the implementation of a consistent approach to contract and supplier management across all service areas and commodities, in order to drive value from new and existing contracts.

As well as implementing consistent cross-service processes for contract and supplier management, West Lothian Council aims to improve existing supplier relationships through increased effective engagement, at the same time supporting local businesses and SMEs.

2. Purpose of Contract & Supplier Management

The function of Contract & Supplier Management is to:

- ensure a contract is successfully executed
- provide a formalised method of monitoring supplier performance against contract requirements
- ensure that there is clarity of the roles and responsibilities by all parties relating to contract and supplier management
- monitor overall compliance by all parties to the terms of the agreement and contract, refining and improving KPIs, SLAs and service delivery through honest, open communication between the supplier and the authority, delivering improvements to both parties
- improve and develop relationships with key supplier representatives based on mutual trust and understanding, open communications and a joint approach to managing delivery
- realise estimated and planned savings through continuous monitoring of spend mechanism
- identify potential additional savings and benefits through proactive contract and supplier management
- co-ordinate the supply chain
- provide a focus for development of initiatives / innovation
- deliver learning and knowledge transfer
- drive continual improvement

3. SPD Suppliers' Charter

West Lothian Council has signed up to the Scottish Procurement Directorate [Suppliers' Charter](#), which aims to facilitate access to public sector procurement opportunities.

Both public sector procurement organisations and suppliers accept that effective procurement practices are an important factor in ensuring a varied and competitive marketplace and creating opportunities for Small and Medium Enterprises (SMEs), as well as ensuring Best Value / Value for Money within the public sector.

We recognise the need, where practical, to simplify and standardise processes and to ensure consistency in order to provide a fair and open approach to tendering. With these aims in mind, West Lothian Council will:

- Consult with the business community to identify and reduce barriers to business
- Facilitate understanding of public sector procurement policy and legislation for relevant stakeholders
- Ensure that sourcing for individual contracts, including large contracts and framework agreements, is supported by a sound business case
- Keep the tender process as simple as possible, but consistent with achieving Best Value / value for money, to help minimise costs to suppliers
- Unless there are compelling business reasons to the contrary, ensure that adequate and appropriate publicity is given to contract opportunities that fall below the OJEU threshold limits or are otherwise exempt from the public procurement directives
- Commit to using a core pre-qualification questionnaire for routine procurements
- Offer meaningful feedback to suppliers on the evaluation of their proposal at the end of the tendering process
- Publish guidance for the business community on tendering opportunities
- Support training for procurement staff to develop consistency in the use of best practice procurement activity

4. Aims of this Document

Relationship Management is a key element of supply positioning and Contract and Supplier management, with an aim to embrace efficiency and make the processes and contracts between the Council and its suppliers and partners more effective. Relationship management is integral to Contract and Supplier management, demonstrating a comprehensive approach to managing the council's interactions with the organisations that supply the goods, works and services that it uses.

Supporting the objectives set out in the Procurement Strategy 2011-2014, this strategy aims to provide a standard approach and guidance to Contract and Supplier management, defining clear ownership for operational day-to-day management throughout the lifecycle of a contract and relationship by the Corporate Procurement Unit Category Managers and the Contract Managers responsible for Social Care and Works contracts.

This strategy will achieve its aims by defining the procedure for developing and maintaining close relationships with business partners and key providers, and creating a consistent, standard Contract and Supplier management process, applicable to all commodities.

5. Priorities

Priority areas to achieve contract and supplier management objectives include the:

- Agreed ownership of the Contract and Supplier management process by the Corporate Procurement Unit Category Managers (refer [Appendix A](#)) – Process Map.
- Implementation of a standardised agenda, minutes and action notes template for managing and documenting supplier meetings consistently across all commodity areas (see [Appendix B](#)).
- Implementation of a balanced scorecard for measuring supplier performance in terms of the supply of goods, services, works and social care contracts (see [Appendix B](#)).

- Incorporation of a mechanism to review council performance and feedback within review meetings
- Introduction of supplier management meetings with identified key suppliers for each category, with an aim to seek continuous improvement in the execution of contracts.
- Commencement of a revolving programme of contract and supplier review meetings with 3 suppliers from each category, and then rolling out to all high value / high risk suppliers by March 2012
- Regular review of both contract performance and supplier performance through structured joint and service-inclusive meetings to improve output, savings and knowledge, and to reduce risk
- Facilitation of ongoing supplier events for SME's to cover areas of concern and provide advice on how to become a supplier to the council, and other public bodies in Scotland via [PCS](#)
- Encouragement of prime contractors to engage with local suppliers and SME's through the inclusion of Community Benefit / Sustainability clauses, and early engagement in commodity strategies
- Standardisation of the supplier management process, and implementation of rigorous controls to manage the supplier database and transactions within Procurement systems.
- Moving away from, and ultimately remove the Approved List of Suppliers within various services within the council, to improve efficiency, increase transparency, and reduce the risk of challenge.
- Continual review of the contract and supplier management process to ensure it remains fit-for-purpose, remains consistent with Procurement Journeys 1, 2 and 3, and continues to deliver clear benefits.

6. Contract and Supplier Management Process

This document sets out the procedure that is used to manage contracts and the supplier relationship post-supplier selection and contract award. Equally, it applies to the management of existing contracts.

The Contract and Supplier Management process begins with migration and mobilisation, and continues through a post-contract award meeting with the successful supplier, which as a guideline, should be conducted within 1-3 weeks of the contract award. The purpose of this meeting is to discuss the contract implementation phase and agree roles, responsibilities, identify activities and agree SLA's, KPI's, timescales and expectations. It is important to keep in regular contact with the supplier during the contract implementation phase and to arrange meetings and maintain open dialogue throughout.

7. Contract Implementation

Contract Implementation consists of three distinct phases:

- **Mobilisation** - the process of moving from contract award to 'go-live' i.e. the point when a user can actually buy from the contract
- **Migration** - facilitating the movement of an organisation to a new contract post 'go-live'
- **Communication** – ensuring all stakeholders are aware of the contract and what it involves

Actions that should be considered to migrate to, and mobilise a contract at this stage include:

7.1 Catalogue Management

Catalogues are more usually related to contracts for goods. Strategic contracts, for example Social Care and Construction Projects are unlikely to involve catalogues. Standardised catalogue content for commodities that are easily validated should be produced and published in PECOS. Catalogue content may take the form of 'punch-out' from PECOS to a supplier's online catalogue. It may also form a product price list provided to those services yet to have an interface with PECOS.

The process of catalogue management can be very time-consuming, dependent on the size (number of line items) and number of catalogues involved. It will involve the receipt of initial catalogue data from suppliers, checking catalogue content, validation checks and testing, before making them available to end users through PECOS or manually issuing. It is therefore important that sufficient time is built in for Catalogue Management where required.

7.2 End-User Information Packs

An information pack may be required to communicate and publicise the contract to inform end-users of its content, which can contain key information about the use of the contract including:

- contract objectives,
- details of the goods and services available,
- prices,
- supplier contact details,
- ordering and invoice process,
- returns / complaints / escalation process,
- contract and supplier management process.

Any information pack should be proportionate to the contract, and should demonstrate how it delivers best value and provides information relating to the benefits of the contract, e.g. cost savings, KPIs, SLAs, improvements in quality and service.

7.3 Supplier / Buyer Events

Depending on the size, value and risk level involved with the contract, a useful way to raise awareness of the contract amongst end users is to organising a Supplier / Buyer 'launch' event to give stakeholders who have yet to meet as part of the selection and award stage, the opportunity to meet each other, and present details of the contract and what it affords. This is also an opportunity to distribute information packs / buyers guides. Where a large number of users are affected, it may be useful to also publish a news item via the Intranet.

8. Determine Level of Contract & Supplier Management

It is important when developing the Contract Strategy to determine the level of management required for the proposed contract once awarded, based on size, value and organisational risk, as this will influence and determine the frequency and content of supplier review meetings.

Guidelines from the Procurement Journey are given below, but each service, guided by the Category Manager, will need to consider the appropriate level of management required for individual contracts, by considering factors such as value and length of contract, business criticality and dependency, number of customers / end-users, public visibility, openness to complaints or challenges, risk, performance criteria and compliance with requirements of governing bodies e.g. Care Commission grades for Social Work contracts.

A tool to assist in determining the level of management is incorporated within the Contract and Supplier Management section of Procurement Journey 3 can be found in [Appendix B](#).

- **Low level** - ensuring compliance to the contract by monitoring management information from the supplier, end-user feedback, managing delivery and compliance of the contract using the 4 high level indicators from the balanced scorecard ([Appendix B](#)) i.e. cost, quality, delivery and service.
- **Medium level** - managing the performance of the contract and the supplier through management information monitoring, end-user feedback and by expanding the 4 high level indicators, coupled with a minimum of one performance review meeting held per annum.
- **High level** - managing the performance of the contract and the supplier using a combination of management information monitoring, use of the balanced scorecard to monitor performance in support of quarterly meetings.

9. The Contract & Supplier Management Plan

Once the contract implementation has been completed and the level of management determined, a Contract and Supplier Management Plan, see [Appendix C](#) for an example, should be constructed which outlines:

- Roles & responsibilities
- Agreed level of management (low/medium/high)
- Contract objectives
- Performance Management Framework, e.g. Use of balanced scorecard, KPIs & SLAs
- Mobilisation Plan
- Migration Plan
- Contract Compliance
- Escalation process (within supplier organisation and the council)
- Review meeting schedule
- Risks & issues

This will need to be agreed with your supplier. All of these, in particular, the routes for escalation and the review meeting schedule should have been built into the initial Contract(s) Strategy and tender, with reference to the fact that a Contract and Supplier Management plan will be developed.

10. Contract & Supplier Performance Review Meetings

Performance Review Meetings are an important part of the Contract & Supplier Management process and provide the Corporate Procurement Unit, Service Users and the Supplier with an opportunity to focus on what is going well, identify any problems at an early stage and agree opportunities for improvement and innovation.

The Scottish Procurement Directorate (SPD) suggests that, for contracts / suppliers where a medium level of management is being applied, there should be at least one performance review meeting per year. Meetings for Contracts / Suppliers where a high level of management is being applied should be held at least quarterly.

Standard templates for meeting agenda and minutes / action notes is available to assist in the management of performance review meetings and is supplemented by the balanced scorecard templates for goods, services, works and social care contracts. All are available on the Corporate Procurement Intranet site or via the links contained in [Appendix B](#).

These tools can be used by both Corporate Procurement Unit and the supplier in advance of meetings to provide a structure to the meeting, with the scorecards in particular used to gauge where performance is improving, remaining static or declining.

Meetings should focus on:

- i. Review of Actions and Minutes from previous meeting(s)
- ii. Supplier Business Review, with updates on new products / product developments, customer-affecting issues (e.g. product issues, recalls), complaints, etc.
- iii. Council Business Review / Service Improvement Plan Update
- iv. Scorecard review – (to determine current level of performance (Improving / Degrading)
- v. Benefits Realisation (e.g. Community Benefits, sustainability)
- vi. Review of risks and Issues
- vii. Issues for escalation
- viii. Financial Monitoring (Spend monitoring, P2P, Invoicing, financial stability).
- ix. Contract performance against target / SLA / KPIs
- x. Areas of Improvement (e.g. Innovation, new process)
- xi. Change Control

These are suggested agenda topics for discussion however these will need to be adapted for specific types of contract and / or suppliers.

The initial performance review or inaugural or kick-off meeting should also include a 'Lessons Learned' session with the supplier on the tendering and contract implementation process, and cover areas such as roles and responsibilities, performance levels, invoicing arrangements, etc.

Meetings should recur as agreed until the contract approaches its completion, and documented (minutes, actions, change in performance) throughout, with actions followed up as agreed. Minutes of meetings, agreed actions and scorecard results should be communicated to all stakeholders following each meeting (supplier, Corporate Procurement Unit & service area management).

11. Change Control

Changes (variations) to services, procedures or contracts are likely to occur throughout the lifecycle of a contract, especially lengthy and / or major, strategic contracts, which could have an effect on many aspects of the contract including:

- Service delivery
- Scope of work
- Performance
- Costs
- Product availability / changes to specification / obsolescence / revision of rates
- Whether the contract continues to represent value for money

The primary aim in managing variations is to minimise their likelihood, however change is inevitable, therefore the specification and management of change (Change Control) is an integral and important part of contract management and administration. Change control procedures should be included within the contract and discussed at the inaugural meeting. The respective roles and responsibilities of both parties in the change control process must be clearly identified, along with procedures for raising, evaluating, costing and approving change requests.

A single change control process should be applied to all contract changes. Flexibility does however need to be built into the process to deal with issues such as emergencies. A change control process should provide clear steps and clearly allocated ownership and responsibilities for:

- Requesting changes
- Assessment of impact
- Prioritisation & authorisation
- Agreement with provider
- Control of implementation
- Documentation and communication of change
- Updates to terms & conditions where applicable

If a specific change, or cumulative changes significantly increase or decrease the scale or scope of the contract, the responsible Category Manager / contract owner must question the contract's ability to achieve best value and value for money overall.

Similarly, the Category Manager / contract owner must also ensure that any changes do not take the contract outside the scope of the original tender in relation to the OJEU advertisement, or permitted extensions to contracts. When this is in doubt, the change should be referred to Legal Services for guidance.

The same level of diligence should be applied to contract variations as that applied to letting a contract.

12. Change Control Procedure

The change control procedure should be used by the council and supplier to enable changes to the contract, to provide clarity and documentary evidence of the change, and agreed actions:

1. A Contract Variation Document - See [Appendix E](#), should be completed and signed by parties to the contract. Documenting the change in this manner will ensure that involved parties have clarity and visibility of the change, which can be readily communicated to stakeholders. The contract variation document should be given a sequential number, logged in the variations log and should detail:
 - a. Contract Title, Originator of Change, Date Change Proposed
 - b. Reference to any attachments or addenda
 - c. The reason for the Proposed Change
 - d. Full details of the Proposed Change
 - e. Details of the Impact (financial / operational)
 - f. Date of Agreement of the Change
 - g. Name, Title, Date and Signature of contracting parties.
2. Signatory for the Council will normally be the Category Manager / contract owner, the Head of Corporate Procurement, or in cases where legal consultation has been sought, an appropriate member of Legal Services.
3. Until such time as the contract variation document is signed by contracting parties, it should be clarified to the Contractor that they will need to continue to provide and make available to the council the services as originally contracted.
4. Once the contract variation is agreed and signed, amendment to the contract can take place.
5. A signed copy of the contract variation document should be provided to the supplier, and a copy retained on Meridio with the original contract documents.
6. All stakeholders and end-users of the contract should be informed of the change

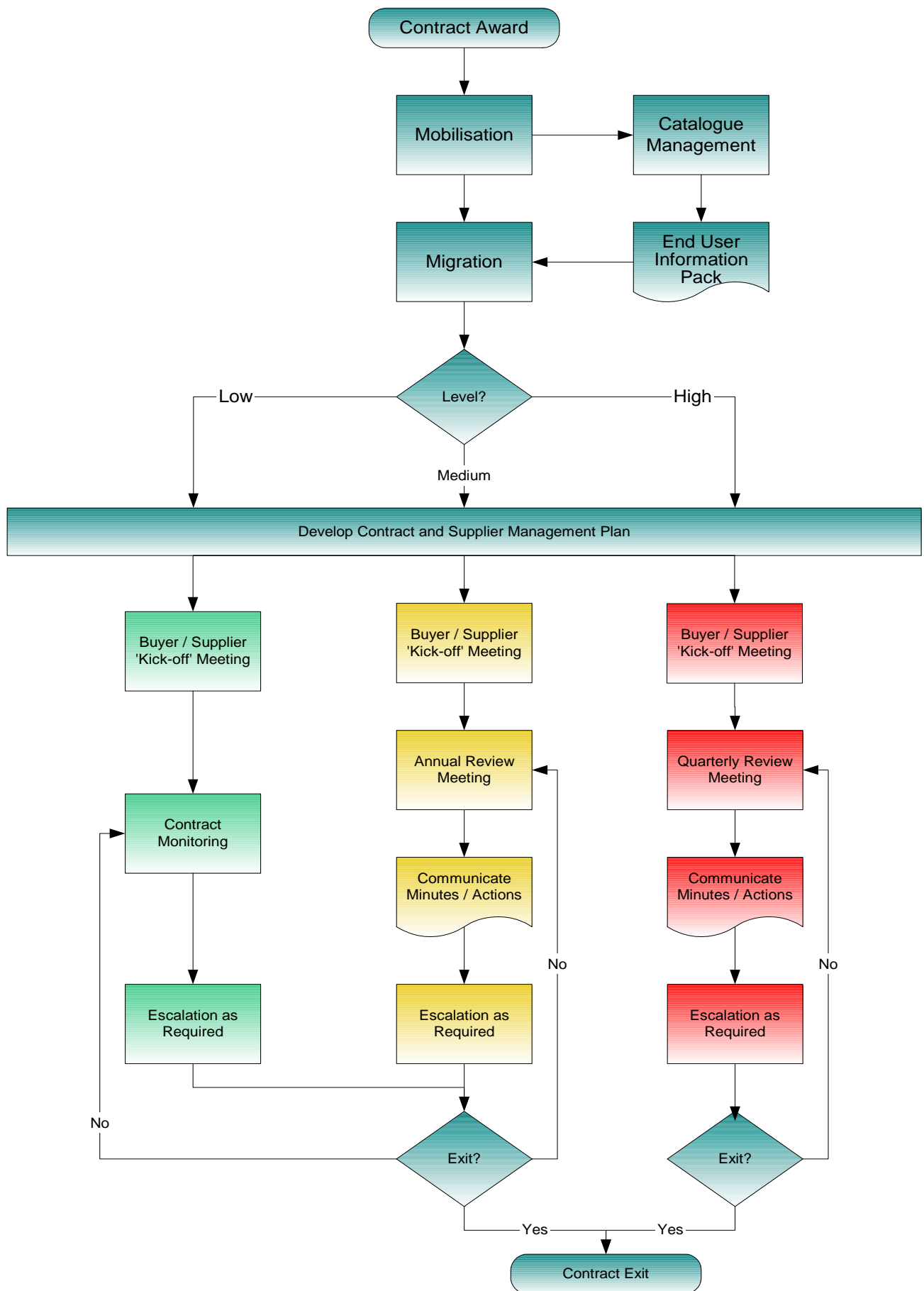
13. Exit Strategy

As a contract progresses, the Corporate Procurement Unit Category Managers or the Contract Managers responsible for Social Care or Works contracts will have responsibility for ensuring that both parties are working towards the planned fulfilment and exit of the contract, and the procurement process for securing subsequent supply arrangements if required.

The Exit Strategy should involve a full review of the contract and supplier's performance. This should include a 'lessons learned' review which incorporates feedback from end-users and the supplier.

The final review and lessons learned should be clearly documented and communicated to appropriate stakeholders, as it may inform any subsequent procurement for similar commodities in the future.

Appendix A – Contract & Supplier Management Process Map



Appendix B - Contract & Supplier Management Tools & Documents

1. [Contract and Supplier Management Level Identification Tool.](#)

2. Standard Meeting Agenda



Contract & Supplier
Management Meeting

3. Performance Review Meeting Minute / Action Note Template



Contract & Supplier
Management Meeting

4. Balanced Scorecards

Supplier Scorecard – Goods



Supplier
Management scoreca

Supplier Scorecard – Services

Supplier Scorecard – Works



Supplier
Management scoreca

Supplier Scorecard – Social Work

The latest versions of the above documents can be found on the Corporate Procurement Unit intranet.

Appendix C - Example Contract and Supplier Management Plan

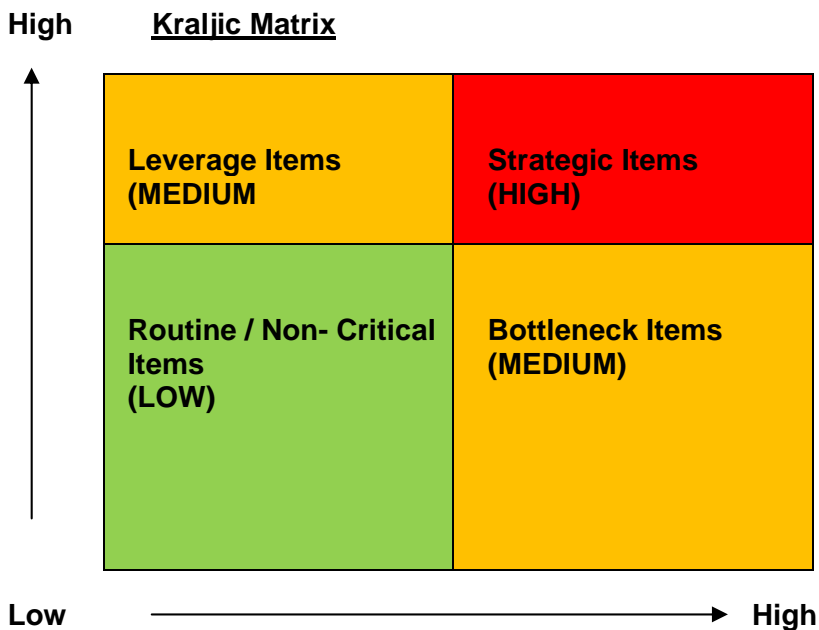
1.1 Owners / Key Representatives

Nominated contact	Role	Responsibility
	Lead Contracting Authority representative	
	Supplier Contract Manager	
	UIG Member(s)	
	Buying Organisation / End User	

A summary of the key roles and responsibilities for the various parties involved in the contract and supplier management process are provided in [Appendix D](#).

1.2 Level of Management required

Use the [Contract and Supplier Management Assessment tool](#) to determine whether the level of management required for a specific contract and supplier should be **HIGH / MEDIUM / LOW**. The assessment considers the potential impact on business based on criticality, dependency and the number of expected customers.



1.3 Contract Objectives

1.4 Performance Management Framework

1.5 Mobilisation Plan

1.6. Migration Plan

1.7 Contract Compliance

--

1.8 Escalation & Change Control Process

Supplier	Contracting Authority (Customer)

1.9 Exit Plan

--

1.10 Review Meetings

Proposed dates	Actual Dates

1.11 Issues / Risks

Issue Ref	Issue	Responsibility	Resolution	Date
Risk Ref.	Risk	Responsibility	Mitigating Action	Date

Appendix D - Contract & Supplier Management Roles & Responsibilities

A summary of the key roles and responsibilities for the various parties involved are provided below:

Key Roles	Responsibilities
Lead Contracting Authority	<ul style="list-style-type: none"> • facilitating and championing supply chain innovation, continuous improvement initiatives and best practice • monitoring of contract and supplier performance against KPIs and other specified performance indicators with UIG and Buying Organisations. • monitoring 'take-up' and spend through the framework by Buying Organisations • co-ordination and consolidation of management information from the Supplier (s) and Buying Organisations • chairing and managing performance reviews with the Supplier, including UIG input, and disseminating outcomes • managing any major performance issues and complaints • managing framework agreement variations, and disseminating outcomes • managing the extension of any optional extension periods (and/or the re-tender process and the Supplier Exit Strategy) including UIG input • providing guidance and advice to Buying Organisations as necessary
UIG	<ul style="list-style-type: none"> • supporting and championing supply chain innovation, continuous improvement initiatives and best practice • facilitating the validation of Buying Organisations feedback on contract and supplier performance • input to the monitoring of Supplier performance against KPIs and other specified performance indicators • input to performance reviews with the Supplier • participation in the annual performance review
Supplier	<ul style="list-style-type: none"> • lead, enable and support supply chain innovation, continuous improvement initiatives and best practice • meet the contractual obligations arising from the framework agreement • providing the required management information in a timely fashion to Lead Contracting Authority and Buying Organisations • attending performance review meetings • providing effective account management and customer services to both Lead Contracting Authority and Buying Organisations • development of key relationships with both Lead Contracting Authority and Buying Organisations
Buying Organisation (End User)	<ul style="list-style-type: none"> • leading, supporting and championing supply chain initiatives • managing supplier relationships relating specifically to operational issues • operational management of compliance, supply, demand and payment at a local level • providing contract/supplier performance data to Lead Contracting Authority

	referring Supplier performance issues to Lead Contracting Authority
--	---

Appendix E - Contract Variation Document

CONTRACT VARIATION REF: V XXXX/2011 Date: XX/XX/XX	CONTRACT TITLE: CONTRACT REFERENCE: PSXXXX CONTRACT TERM:
Between West Lothian Council (hereafter called "The Authority") and the Contractor as defined below.	
CONTRACTOR DETAILS	Name:
CONTRACTOR ADDRESS	Street: Town: Post Code:
DIRECT CONTACT DETAILS	Name: Direct Dial : Email:

Contract Variation Details (as selected)

EXTENSION TO CONTRACT TERM		From XX/XX/XX To XX/XX/XX	If YES, Number of Months XX months
PRICE VARIATION		Effective from XX/XX/XX	
VARIATION to: PRODUCT LIST or SPECIFICATION		Effective from XX/XX/XX	
VARIATION to: CONTRACT TERMS AND CONDITIONS		Effective from XX/XX/XX	
Any revised price list, revised specification or revised terms and conditions must be attached to, and will form part of, this variation document.			
<ul style="list-style-type: none"> Variations to the above contract are applied in accordance with section 36 of the Conditions of Contract. Words and expressions in this variation shall have the meanings applied to them in the original contract. The contract, including any previous variations, shall remain effective and unaltered except as amended by this variation. 			

Signed For the Authority:		Signed For the Contractor:	
By:		By:	
Full Name:		Full Name:	
Title:		Title:	
Date:		Date:	
Attached Documents: List below any documents that form part of this variation			

Appendix N – West Lothian Council Payment Procedures 2011/2012



**West Lothian
Council**

Finance & Estates Services

COUNCIL PAYMENT SYSTEMS PROCEDURE 2011/2012

Approved by	Head of Finance and Estates Services
Date approved	March 2011
Date procedure to be reviewed	March 2012

1. **INTRODUCTION**

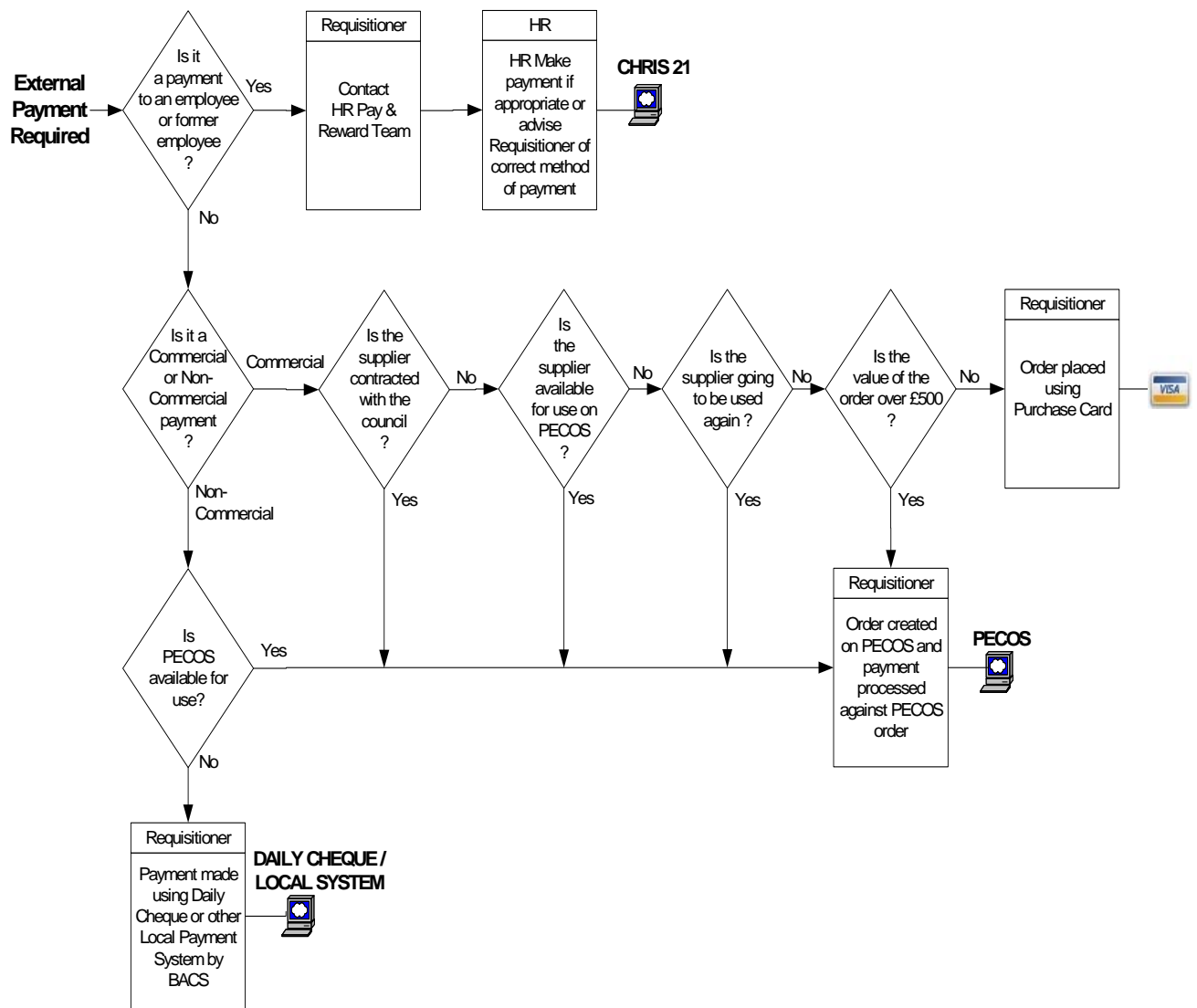
- 1.1 This document outlines the council's corporate procedure in relation to the most appropriate use of the councils' payment systems when making payments to third parties.
- 1.2 These procedures should be read in conjunction with procedures and guidelines in place for each of the systems noted under section 1.4 below.
- 1.3 Queries regarding this procedure should be forwarded to the relevant Service Accountant in the first instance who will be able to advise on the correct method of payment. Contact details are available on the Financial Management Unit intranet site:
<http://webwest1.app.westlothian.gov.uk/FinanceServices/FinanceServices/pdfs/FinancialManagementStaff.pdf>
- 1.4 Systems covered by this document (including any feeder systems) are as follows. A description of each of the systems is contained within the glossary.
 - PECOS
 - SEEMIS School Attendance
 - Purchase Cards
 - Petty Cash
 - CHRIS 21
 - Daily Cheques
 - Softbox
 - CHAPS
 - Smartstream
 - Axim
 - Contractor +
 - Housing Benefits by BACS
 - Clothing Grants

- Council Tax refunds
- *Recorder*
- *Profess*
- Foreign Drafts

2. **IDENTIFYING THE APPROPRIATE METHOD OF PAYMENT**

- 2.1 It is important staff consider the most appropriate method of making a payment to an external party.
- 2.2 In considering this, staff should ask the following questions:
- Step 1 - Is it a payment to an employee or former employee? If yes, the payment must be made via HR Pay & Reward. This is covered in section 3 of this procedure.
 - Step 2 – If the payment is not to an employee, the next question to consider is if the payment is a commercial or non-commercial payment.
 - Step 3 – If a payment is non-commercial, payment should be made by PECOS, other than in defined circumstances. Non-commercial payments are covered in section 4 of this procedure.
 - Step 4 – If a payment is commercial, payments should be made by PECOS other than in defined circumstances. This is covered in section 5 of this procedure.

The choices to be made in relation to payments are summarised below:



3. **PAYMENTS TO EMPLOYEES**

- 3.1 Payments to employees covering salaries and expense reimbursement must be arranged via HR Pay and Reward which will be processed via CHRIS21 to comply with tax legislation.
- 3.2 Emergency payments to employees can be made via daily cheque or CHAPS payments but must be arranged by HR Pay and Reward.

4. **NON-COMMERCIAL PAYMENTS**

- 4.1 The council processes various non-commercial payments. These are payments where the council does not receive an economic benefit in return for the payment. This will include paying money held on behalf of third parties and grant payments to individuals and organisations.
- 4.2 Non-commercial payments should normally be made via PECOS to allow commitment information to be included within the financial monitoring statements.
- 4.3 Some types of non-commercial payments are not suitable for processing via PECOS, for example Housing Benefit payments, service account refunds and

payments to individuals for social carers. These types of payments should be processed via daily cheque (or one of its feeder systems) or via a system that allows payments to be made by BACS or CHAPS.

5. PAYMENTS FOR SUPPLIES AND SERVICES

- 5.1 Commercial payments for supplies and services should be processed via PECOS.
- 5.2 The use of PECOS allows the council to analyse expenditure, negotiate best value through contracts and utilise electronic ordering.
- 5.3 PECOS also provides improved financial monitoring statements through commitment accounting. This allows budget holders to view spend available after deductions for orders yet to be delivered and receipts yet to be paid.
- 5.4 Some services are currently unable to fully utilise the PECOS system. The use of other systems to procure supplies and services must be agreed with the Procurement Manager in advance. Examples include food purchases for school kitchens and care homes and certain expenditure relating to Operational Services and Housing, Construction and Building Services that requires to be processed via a costing system.
- 5.5 In certain circumstances, purchase cards can be used to procure supplies and services. This should normally be for items with a low value, and guidance is contained within the Purchase Card operating procedures. The Purchase Card operating procedures are available from the Financial Management Unit and are available on the intranet ([Purchase Card Procedure](#)).
- 5.6 Petty cash can be used to facilitate low value purchases of an exceptional nature, which are not appropriate for processing via PECOS, daily cheques or purchase cards. It is anticipated that the use of petty cash should be the exception rather than the norm and local petty cash procedures will outline where this is appropriate.
- 5.7 Cash advances for items to be purchased via petty cash are not allowed. An employee incurring incidental expenditure is required to retain receipts and submit these to their local imprest officer for reimbursement.

6. CONCLUSION

- 6.1 This procedure outlines for staff the steps to undertake in choosing the appropriate payment method for external payments and sets out the relevant factors to take into account of when making such payments.
- 6.2 It is essential for governance, internal control and effective budget management that the correct payment method should be used.

GLOSSARY

Systems used for Commercial Payments

Purchase Cards (Similar to a credit card, used to purchase low value items)

PECOS – (Electronic procurement system used to purchase and arrange payment for supplies and services, can also be used for non commercial payments made on a regular basis)

Petty Cash (cash to facilitate low value purchases of an exceptional nature)

Smartstream (Corporate Accounts Payable Ledger)

Axim (Operational Services costing system, also used to pay invoices)

Contractor + (Housing, Building Services costing system, also used to pay invoices)

Foreign Drafts (cheques raised in a foreign currency)

Systems used for Non Commercial Payments

Housing Benefits by BACS (Housing Benefit payments)

Clothing Grants (system used by Education to make clothing grant payments)

Council Tax refunds (system to process council tax refunds)

Daily Cheques (cheques to be issued for non commercial payments)

Softbox (system used to make regular payments to individuals e.g. Social Policy clients)

CHAPS (an electronic payment made between bank accounts. The transfer occurs same day but a charge is incurred)

SEEMIS School Attendance (system used for paying Education Maintenance Allowance to school pupils)

PECOS – (Electronic procurement system used to purchase and arrange payment for supplies and services, can also be used for non commercial payments made on a regular basis)

Systems used to make payments to employees

CHRIS 21 (Council Human Resources system including payroll system)

‘End of Document’



West Lothian Council

Financial Management Unit

DAILY CHEQUE SYSTEM PROCEDURE 2011/2012

Approved by	Head of Finance and Estates Services
Date approved	March 2011
Date procedure to be reviewed	March 2012

INTRODUCTION

- 1.1 This procedure sets out revised regulations to services using the Daily Cheque payment system. All services should note section 2 'Allowable Expenditure to be processed via Daily Cheques'. If services have any doubt regarding the correct method of payment then advice should be sought from the Financial Management Unit.
- 1.2 The Daily Cheque system is to be used to facilitate non commercial payments outwith PECOS to various individuals or organisations. It should not be used for paying invoices or payments that could be processed through PECOS.
- 1.3 All employees using the daily cheque system are required to comply with these procedures.

ALLOWABLE EXPENDITURE TO BE PROCESSED VIA DAILY CHEQUES

- 2.1 The main purpose of the daily cheque system is to facilitate non commercial payments and these include:
 - Housing Benefit payments
 - Council Tax Refunds
 - Clothing Grants
 - Service account refunds
 - Petty Cash reimbursements to approved imprests
 - Payments to individuals for social carers
 - Payments to employees for payroll errors or amendments
- 2.2 Payments to employees or former employees via daily cheques should only be processed via HR Pay and Reward to ensure compliance with HMRC regulations.

2.3 Daily cheques should NOT be used for the following:

- Expense reimbursements to employees (which should be processed via HR Pay & Reward)
- Payments to suppliers (which should be processed via PECOS)
- Payments to contractors or individuals engaged in the provision of services to the council (which should be processed via HR Pay & Reward)
- Payment of grants to external organisations which could be processed via PECOS

3 ONLINE DAILY CHEQUE REQUESTS

- 3.1 All cheque payments are to be processed by services directly to the daily cheque system.
- 3.2 Services keying cheque requests directly to the system are required to maintain files containing supporting documentation for each request for six years (not including the current financial year).
- 3.3 The FMU will monitor online cheque requests for compliance with section 2 of the procedures.
- 3.4 New users to the system can be created by emailing form DC01 (attached to this procedure) to the Accounts Payable Team and stating whether the user requires access to input or access to authorise payments. Requests for user with authorising access must be requested by a senior manager.
- 3.5 On an annual basis, the Financial Management Unit will verify user access requirements with services to ensure the system is kept up to date.
- 3.6 To ensure segregation of duties is maintained throughout cheque processing, users must not share user accounts and passwords.

4 DAILY CHEQUES FEEDER FILES

- 4.1 The following systems interface directly into the daily cheque system:
- Housing Benefits
 - Council Tax Refunds
 - Clothing Grants
- 4.2 Other feeder files can be interfaced with the system from time to time to allow one off payments to be made, for example equal pay settlements.
- 4.3 It is the responsibility of services with feeder systems interfacing with daily cheques to maintain proper documentation, procedures and segregation of duties for the feeder systems.
- 4.4 Services with feeder files should ensure their coding structure i.e. subjective and cost centre is able to interface with the daily cheque system without transactions being rejected.



West Lothian Council

Financial Management Unit

DAILY CHEQUE SYSTEM

USER ACCOUNT ADMINISTRATION

FORM DC01

SECTION FOR SERVICE TO COMPLETE

EMPLOYEE NAME	
LOCATION	
SERVICE	
TELEPHONE	
EMAIL ADDRESS	
NT LOGIN ID	
NT DOMAIN	
TYPE OF EXPENDITURE EXPECTED TO BE PROCESSED	
NEW INSTALL YES/NO	
Access level required: Delete as necessary	Authoriser/Input

SECTION FOR FMU/IT TO COMPLETE

USER ENTITY	
LOGON ID	

Authorised by (refer to notes below)	
Date	23/06/2011

Notes

- Head of Service or other senior manager must approve the set up of accounts with authorising facility
- Input account set up can be approved by a line manager
- Deletions to accounts do not need to be approved by management
- New users account name and password will be advised by IT
- If form is incomplete or not properly certified the form will be not be processed and will be returned to the service

To be sent by email from the line manager/senior manager to 'Accounts Payable' mail box



West Lothian Council

Finance & Estates Services

COUNCIL CASH PROCEDURE 2011/2012

Approved by	Head of Finance and Estates Services
Date approved	March 2011
Date procedure to be reviewed	March 2012

1. **INTRODUCTION**

- 1.1 This procedure covers the handling of all cash within the council, including petty cash, floats held for cash registers or receiving income, cash held on behalf of third parties and imprests operated via a bank account. In addition the procedure outlines the council's procedure in relation to use and control of petty cash.
- 1.2 Definitions used in this procedure are contained within the glossary under section 9.

2. **PETTY CASH & IMPRESTS**

- 2.1 Petty Cash must only be used when the use of other methods of payment is not appropriate. Section 3 of this procedure gives guidance on expenditure to be processed via petty cash.
- 2.2 Imprests are arranged into six groups within the council, each having an approved officer with overall responsibility of overseeing the operations of the imprest, including satellite imprests reconciling into the main imprest:

IMPREST GROUP	RESPONSIBLE OFFICER	POST TITLE	SERVICES COVERED
Operational Services	Jamie Fisher	Cost/Finance Team Leader, Operational Services	Operational Services
Revenues & Benefits	Marie Dolan	Team Leader, Revenue and Benefits	Revenues & Benefits
Planning & Economic Development Services	Lesley Craig	Support Services Manager	Planning & Economic Development Services
Education Services	Zelia Hope	Group Accountant, Financial Management Unit	All Education except services residing in the Civic Centre
Social Policy	Bill Smith	Senior Finance Admin Manager, Social Policy	All Social Policy except services residing in the Civic

			Centre
Financial Management Unit	Lynda Ferguson	Technical Accountant, Financial Management Unit	All services in Civic Centre plus, Housing, Building and Construction Services and Corporate Services

- 2.3 The officers with responsibility for the above imprest groups must ensure that local procedures are drawn up in line with the Council Cash Procedure and in consultation with the Financial Management Unit. These procedures must be authorised by the Corporate Finance Manager on an annual basis.
- 2.4 In addition to the main imprests noted in section 2.2, services may choose to have satellite imprests held separately from the main imprest. These must in all cases reconcile into one of the main imprest groupings and the appropriate local procedure for the relevant one of the six groups will apply to such imprest, for example imprests held within schools should reconcile into the Education & Cultural imprest group.
- 2.5 All services are required to register with the Financial Management Unit imprest levels, locations and responsible officers for satellite imprests.
- 2.6 Any amendments to 2.5 and 2.6 must be notified to the Financial Management Unit so that the Corporate Imprest Register is kept up to date.
- 2.7 Imprest limits will be reviewed annually to ensure the appropriate imprest level is in place. This will be carried out by the Financial Management Unit.

3. EXPENDITURE TO BE PROCESSED VIA PETTY CASH

- 3.1 The main purpose of petty cash is to facilitate low value purchases of an exceptional nature, which are not appropriate for processing via PECOS, daily cheques or purchase cards.
- 3.2 In addition, cash floats are provided to services to operate cash registers, receive cash income and make emergency payments. Local petty cash procedures will outline where this is appropriate.
- 3.3 Items bought via petty cash should except in exceptional circumstances be of a value of less than £50 and must be supported by appropriate receipts.
- 3.4 Petty cash must not be used for the following:
- Travel and subsistence for council employees (which should be processed via HR Pay & Reward)
 - Items that should be purchased via PECOS or Purchase Cards as per Council Payment System Procedure
 - Expenditure that could be deemed to be a taxable benefit and which should be processed via HR Pay & Reward for example Travel and Subsistence
 - Hospitality and entertainment (which should be processed via HR Pay & Reward via Hospitality Expenditure form)
 - Expenditure where the council has approved contracts with suppliers

- 3.5 Cash advances for items to be purchased via petty cash are not allowed. An employee incurring incidental expenditure is required to retain receipts and submit these to their local imprest officer for reimbursement.

4. AUTHORISED SIGNATORIES FOR PETTY CASH

- 4.1 Petty cash claims must be authorised by an authorised signatory prior to reimbursement. Petty cash claims will be subject to review by Internal Audit and Financial Management staff.
- 4.2 The responsible officers noted in section 2.2 should maintain an authorised signatory list for their area.

5. IMPREST & CASH SECURITY

- 5.1 All cash must be held securely when not in use.
- Cash amounts under £200 must be kept in a locked container which must be kept in a secure location.
 - Cash over £200 must be kept in a secure safe. The Risk & Insurance Unit will provide advice regarding the suitability of safes.
 - Safes containing cash of £5,000 or more must be registered with the Risk and Insurance Manager so the safe is named on the council insurance policy.
 - In all cases, cash held should be kept to a minimum
 - Stamps and travel warrants should not be included in the imprest value but should be regarded as cash when determining the insurance limit of the safe.
- 5.2 Keys or combination codes for any locked containers or safes must not be kept on the premises over night or whilst the premises are closed and unattended.
- 5.3 Each imprest holder must maintain an authorised keyholder list for inspection. Keys or combination codes must not be left unattended whilst the premises are open for business.
- 5.4 For imprests operating via a bank account, access to chequebooks must be restricted to authorised cheque signatories and when not in use must be kept in a locked drawer or safe.
- 5.5 Imprest holders (including local imprests) must ensure that a petty cash reconciliation is undertaken on at least a monthly basis. This should include a reconciliation of the cash in hand, unclaimed expenditure and local record of any bank balance to the imprest amount.
- 5.6 Where practical, reconciliations should be undertaken by an independent person who has no day to day involvement in the operation of the imprest account. If an independent person does not undertake the reconciliation an independent person must check it.
- 5.7 Officers must not borrow or lend petty cash to top up another imprest. This includes mixing cash floats used for receiving income and petty cash for expenditure and also school fund accounts.
- 5.8 Any missing cash must be notified to the responsible officer in section 2.2 for investigation. If after investigation the missing amount is not found or a fraud

is suspected, the responsible officer must notify Internal Audit. Any loss of cash of £1,000 or more must be reported to the Risk and Insurance Unit immediately.

6. REPLENISHING IMPRESTS

- 6.1 Imprests can be replenished by cheque drawn on the council's main bank account and made payable to 'West Lothian Council - Cash' and by cashing the cheque at a Bank of Scotland branch. Officers are required to provide bank staff with their staff ID badge when cashing cheques at the Bank of Scotland Almondvale branch. At other branches registered signatories must be registered with the particular branch and be authorised to cash cheques. The Financial Management Unit can arrange this.
- 6.2 Cheques must not be made payable to 'Cash'. If cash is required for petty cash reimbursement it should be made payable to 'West Lothian Council - Cash'.
- 6.3 A cash security company must be used to move cash over £1,000 between the bank and council offices.
- 6.4 Bank transfers can be used to replenish imprests operated via a bank account. This should to be actioned by the Financial Management Unit. Alternatively a cheque can be made payable to the relevant imprest bank account

7. PROCESSING PETTY CASH EXPENDITURE TO LEDGER

- 7.1 Responsible officers indicated in section 2.2 are responsible for overseeing the processing of transactions to the ledger for their relevant area.
- 7.2 Responsible officers should ensure that appropriate segregation of duties exist between the different individuals with involvement in the petty cash process. This will be written into any local procedures.

8. CASH HELD ON BEHALF OF THIRD PARTIES

- 8.1 This section of the policy deals with cash held on behalf of a third party, for example School Fund Accounts and cash held on behalf of care home clients.
- 8.2 Cash held on behalf of third parties should be kept to a minimum at all times.
- 8.3 If cash is to be held on behalf of a third party, section 5 of this policy must be adhered to.
- 8.4 In addition, a record of the amount held, the owner of the cash and reason for holding must be given to the responsible officer in section 2.2.
- 8.5 For officers holding cash relating to care home clients, records and receipts should be kept in a suitable form to allow inspection and reconciliation to be carried out at any time.
- 8.6 Amounts held on behalf of third parties should not be included within the service imprest value.

9. GLOSSARY

CASH	Coinage and bank notes
PETTY CASH	A store of cash kept in hand or in a bank account to facilitate low value purchases of an exceptional nature which is not appropriate for processing via PECOS, daily cheques or purchase cards
IMPREST	A system used to reconcile petty cash. The amount of the system is agreed in advance and when a reconciliation is undertaken the cash in hand and expenditure not reimbursed should reconcile to the imprest value

Appendix O – New Supplier Form 2011



West Lothian
Council

Finance and Estates Services

REQUISITIONER REQUEST TO ADD A NEW SUPPLIER

Requisitioners shall use this form to request the addition of a non-catalogue supplier to the Council's finance systems.

The information provided by the supplier shall be used to configure a supplier profile on the relevant systems.

The form has two parts:

Part 1 – Guidance to the Requisitioner about adding a new supplier to and verification from the Requisitioner regarding further use of the required supplier.

Part 2 – Supplier configuration requirements. This should be completed by the Supplier and returned along with Company Letter Headed Paper, showing Bank Details to the Requisitioner.

If the supplier does not return the completed form and headed paper to the Requisitioner by email, then the Requisitioner shall be responsible for retyping the supplier's entries in to a new copy of the form and attaching the headed paper.

If the supplier submits Part 2 of the SF01 directly to Finance and Estates Services, it shall not be processed.

The Requisitioner is responsible for making sure that the supplier completes and returns the form in a timeous manner.

Should Finance and Estates Services reject the requisitioner's request to add the supplier, advice on a more appropriate source of supply shall be offered.

INFORMATION FOR REQUISITIONER

PECOS

If the supplier requires to be added to PECOS, the completed parts 1 and 2 of the SF01 and the headed paper showing the suppliers bank details should be attached to a PECOS non-catalogue order (leaving the supplier as "unknown").

Detailed instructions for adding a new supplier to PECOS can be found in the link below:
[PECOS Step-by-Step Guide - Adding a New Supplier to PECOS V4.0.doc](#)

Smartstream

If the supplier requires to be added to Smartstream (this shall happen automatically for PECOS suppliers), the completed parts 1 and 2 of the SF01 and the headed paper showing the suppliers bank details should be emailed to accountspayable@westlothian.gov.uk

**THIS PART OF THE SF01 FORM MUST BE COMPLETED BY THE WEST
LOTHIAN COUNCIL REQUISITIONER**
**(Failure to complete all sections of this form will result in the form being
rejected.)**

1.a	Justification and Business Case for Using Supplier (Please detail below)		
1.b	Frequency of Requirement (Please indicate below)		
On-going		One-Off	

2.a	Total Value of this Expenditure	£	
2.b	All documentation for the Procurement has been retained for Audit purposes (Please indicate below)		
Yes		No	

3.	These goods have already been supplied / This service has already been completed (Please indicate below)		
Yes		No	

4.	Service Area Requesting Supplier Addition

Important Certification

In submitting this new supplier form, I certify that I have checked the suppliers available and they cannot provide the goods / services required.	
--	--



Finance and Estates Services

West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54
6FF

Dear Sir / Madam

Use of eProcurement

West Lothian Council was one of the first public sector organisations to subscribe to the *e-Procurement Scotl@nd* programme and is now transacting electronically with over 4000 key suppliers via the e-Procurement service.

An e-Procurement solution has been established which is fully integrated with our corporate financial systems and in tandem with this, streamlines and standardises our processes in order to improve the efficiency of our organisation.

I would appreciate your immediate attention in providing the information detailed in the enclosed SF01 Form – Part 2, as we have a purchase order that we would like to send to you. It is of extreme importance that the completed SF01 form and Company Headed Paper showing bank details are returned to the person that originally issued it to your company. The data collected shall be used to build your supplier profile on the relevant finance systems allowing us to send you purchase orders and remittances by email or automated fax.

Acceptance of purchase orders implies acceptance of West Lothian Council's standard / amended Terms and Conditions, which can be viewed at <http://www.westlothian.gov.uk/potandc/>

If you would like to learn more about the e-Procurement Scotl@nd programme, please visit the programme website at <http://www.eprocurementscotland.com/>

Thank you for your co-operation.

Yours sincerely,
Neil Gubby
Procurement Manager



PLEASE COMPLETE AND RETURN ALONG WITH HEADED PAPER SHOWING BANK DETAILS.
FORM TO BE COMPLETED BY THE SUPPLIER ORGANISATION. SECTIONS 1-7 ARE MANDATORY.

SECTION 1

FOR PURCHASE ORDER RECEIPT (Please complete form in title case, e.g. West Lothian, not WEST LOTHIAN).			
Supplier Name	MAX 30 CHARACTERS		
Address Line 1			
Address Line 2			
City			
Postcode			
Sales Contact Name		Sales Telephone Number	
Sales email Address		Sales Fax Number	

SECTION 2

PREFERRED METHOD OF PURCHASE ORDER RECEIPT	
Please choose email or automated fax	

If you opt for orders to be received by e-mail, please be aware that they are transmitted by [PECOS eProcurement \[support@Elcom.com\]](mailto:support@Elcom.com) and will contain a PDF attachment. You may need to notify your IT department to make any necessary arrangements.

SECTION 3

PLEASE LIST THE TYPE OF GOODS OR SERVICES YOU SUPPLY TO WEST LOTHIAN COUNCIL			
Do you accept Credit Card Payments? (Please tick as appropriate)	Yes		No

SECTION 4

REGISTERED COMPANY INFORMATION			
Company Registration Number			
VAT Reg. Number			
APPLICABLE TO CONSTRUCTION INDUSTRY VENDORS ONLY			
UTR Type (Gross / Net)		UTR Number	
N.I. Number			

SECTION 5 - please complete if different from SECTION 1

FOR THE RECEIPT OF PAYMENT	
Supplier Name	
Address Line 1	
Address Line 2	
City	
County	
Country	
Postcode	

SECTION 6

PAYMENT DETAILS	
Accounts Payable Contact Name	
Accounts Payable Phone Number	
Payee Name	
Name of Bank	
Bank Branch	
Sort Code	
Account Number	
Remittance email Address	

SECTION 7

CERTIFICATION	
I certify that these details are correct, that I am authorised by the organisation above to instruct payment as detailed in Section 6 and that I have read, understood and accept West Lothian Council's Terms and Conditions.	
Please print name	Date

SECTION 8

DOCUMENT CONTROL – WEST LOTHIAN COUNCIL, FINANCE SERVICES USE ONLY			
Supplier Validated By		Vendor Number (VN)	
Date Supplier Validated		VN Assigned By	
Thomson Classification		Date VN Assigned	
Contracted / Non-Contracted		Details Added to Access By	
Catalogue Collection (Non-IT, Procurement, IT, etc.)		Details Added to PECOS By	
PECOS Purchase Order Number	WLC		

Appendix P – Marketing West Lothian Council Procurement

Overview

Strategic procurement involves significant stakeholder engagement, market analysis and ensuring that contracts continue to meet customer requirements after contract award.

Effective communication is fundamental to strategic procurement as this ensures that the right messages are relayed to the right people at the right time, using the most appropriate channels. Information exchange is a two-way process and informing sharing, listening, responding and feedback are all important.

Improvements to procurement processes and the cascade of best practice also require effective communication.

Effective communications and a procurement marketing strategy are essential if West Lothian Council are to successfully assess need, plan and procure supplies, services and works. Communication is integral to a modern, forward thinking council that puts customers first and is crucial to building and maintaining confidence in the delivery of an effective service. Good communication is also important to understand other viewpoints, build trust, and enhance relationships. This will be necessary as we manage procurement change.

Current Procurement Marketing Tools and Techniques

Internet

The West Lothian Online site is used to publish the Procurement Strategy and Policy, as well as terms and conditions for supplies and services contracts awarded by Procurement Services. There is a link from the tenders and contracts page to the council's Business Portal for Procurement and Contracts.

The Business Portal displays contact details for Procurement and Construction Services. Additionally, a link to the Public Contracts Scotland site promotes contract opportunities and awards. A number of information screens can also be accessed to assist future and existing suppliers.

Intranet

Due to the historical relationship between the eProcurement service provision and Procurement Services, separate intranet sites currently exist for Procurement Services and eProcurement.

- Procurement Services - The intranet is used to provide contact details and high level responsibilities for Procurement Services. A list of current council contracts and associated suppliers is available. The Procurement Strategy, Policy and Standing Orders are accessible via links on the Procurement Services homepage and a number of guidance documents and performance records can be also be accessed..
- eProcurement – The facility to contact suppliers is available from the homepage, along with links to all Step-By-Step Guides, Frequently Asked Questions and minutes from eProcurement meetings. Online forms for registering new PECOS suppliers, changes and queries can be downloaded. Access to an archive of all emails issued to PECOS users is also available.

Procurement Promotion Events

The Procurement Manager and the e-Procurement Administrator have previously given and continue to give procurement related presentations to various audiences (Chamber of Commerce, Local businesses, the Voluntary Sector and council customers etc). Procurement Services also attended a number of promotional events during 2010.

Working with Suppliers

A Procurement Surgery is held monthly to offer public procurement advice to local businesses. This facility is well attended and offers local suppliers and SMEs guidance relating to tendering for future council contracts.

Recommendations for Consideration

Procurement Services Unit – New Name

Consideration should be given to the future name of Procurement Services. The message that Procurement Services offer guidance and influence corporately should be reflected within their name, e.g. Corporate Services, Corporate Communications. The change of service unit name also emphasises that changes are taking place to the service provision. A number of council's operating a successful procurement service use the name "Corporate Procurement Unit". This name should be considered for West Lothian Council's Procurement Service.

Communications Strategy

Critical to the marketing of Procurement is the need to develop a Procurement Communications Strategy which will set out a framework for ensuring communications meet the following criteria:

- Give clear consistent messages
- Keep customers, stakeholders and suppliers suitably informed
- Project and reinforce a positive reputation
- Build pro-active supplier relationships

Procurement activity within the council is not all performed by Procurement professionals. However, as procurement is a profession, it is important that a strategy is developed for communicating the message that procurement is a strategic value added function and explain the range of services that the Corporate Unit can offer, and that all individuals with responsibility for procurement are fully empowered.

The Procurement Communication Strategy will identify a clear process and ownership for communicating pertinent procurement related information to services. It must also promote guidance and highlight training availability.

The provision of a Procurement Communications Strategy is a critical task that needs urgent attention, to assist in addressing any resistance to change and to promote the introduction of corporate procurement within the council.

Marketing procurement processes and systems and selling the benefits of good procurement practices will be aided through effective communication skills and tools. Internal customers and stakeholders should receive effective communication to ensure that they are kept informed of news and developments. Any new Corporate Procurement Unit will work with Services to create a communication process to ensure that new contracts, updates to information on PECOS and procurement performance are communicated effectively.

Accordingly, a variety of communication techniques will be required to both understand and be understood. The Procurement Communications Strategy will include a communication programme identifying the following:

- Communication Medium
- Target Audience
- Purpose
- Content
- Date / Frequency
- Responsible Officer

Procurement Strategy

All council staff involved in any aspect of procurement activity should be totally committed and aware of the wider implications of the Procurement Strategy and their responsibility. The 2011-2014 Procurement Strategy will make reference to the importance of communication and incorporate a link to the new Procurement Communication Strategy.

Corporate Procurement Unit Structure

The Procurement Manager remains the council's figurehead for Procurement, however more clarity is required in relation to the marketing roles and responsibilities of other members of the Procurement team, as the marketing of procurement should be the responsibility of everyone who is involved in procurement and who will be expected to be ambassadors for their profession. All Procurement professionals should be expected, welcome the opportunity and be prepared to market procurement and perform presentations to a variety of audiences.

Management Team Meetings

Strategic procurement has much to offer the council in terms of potential procurement cashable savings and the minimisation of commercial and legal risk. However, it is always best supported with commitment from senior management. Other professional services eg HR, Financial Management and IT have representation at regular management team meetings. Representatives from the Corporate Procurement Unit should seek attendance at such meetings to discuss procurement related issues.

Customer Meetings and Surveys

Historically, customer interviews have not been comprehensively performed by Procurement Services. Therefore, a number of customer and key stakeholder interviews must commence and be conducted regularly in the future. Customers will be selected to be interviewed and adopting full listening mode, the feedback will be used to develop an action plan. A systematic regular interview schedule should be implemented to complement surveys.

A close working relationship between procurement staff and customers will encourage procurement requirements planning. Making better use of available management information and the implementation of a Category Management Strategy should support a close working relationship. Listening to customers helps to ensure that requirements, procedures and potential benefits are logical to them and that they understand how they will be benefited directly.

The potential benefits of meeting with customers, suppliers and other stakeholders will be maximised through knowledge sharing, collaboration and cross-service dialogue. Working closely with others will help to capture opportunities for increased efficiency and effectiveness. Customers will increase their confidence in the procurement service delivered, as they should perceive that their contribution is valued and has been given appropriate consideration.

The new procurement culture will be developed to empower customers and stakeholders to contribute and air concerns, feedback and suggestions for improvement, with the expectation that their views and proposals will be received, respected and acted upon.

Internet

The West Lothian Online site should urgently be updated to reflect the introduction of the new Corporate Procurement Unit. Potential for the use of social marketing media, e.g. facebook should be explored.

Intranet

Procurement Services do have an important message to tell and a regular update (bi-monthly or quarterly) should be placed on the Procurement intranet site, accessed through the Latest Additions section. This will enable the Corporate Procurement Unit to shout about and celebrate successes, provide an update on procurement developments, while promoting procurement events and training sessions. The amalgamation of the Procurement and eProcurement intranet sites is not possible until IT Services implement a Mediasurface upgrade. Once available, work to produce a single site must be a priority. In the meantime, both intranets must be updated with the new strategies and information produced from the Modernising Procurement Review.

eLearning

Technology must be explored to ensure that key messages are being conveyed and to assist with education and training. Investment in eLearning tools is required to supplement training given by the Corporate Procurement Unit. Other council's have introduced successful online training and there is available material which West Lothian Council could expand upon.

Council Induction

To emphasise the importance of public procurement and Standing Orders, Procurement Services requested a ten minute slot on the Corporate Induction Programme. This request was politely declined, although Procurement Services now provide a one page document for inclusion within the induction pack.

The presence of a representative from the Corporate Procurement Unit on the Corporate Induction Programme must be revisited.

Procurement Promotion Events

The Corporate Procurement Unit needs to be available to meet its customers and procurement staff should arrange events at which they will be able to offer advice and guidance on all public procurement related issues. In addition to attendance at any service specific events (e.g. Primary and Secondary Teachers Meetings), council wide Meet the Buyer Events, or similar should be arranged. A procurement surgery for staff could also be investigated as a short term measure; however, this may not be necessary if the Corporate Procurement Unit is successful in marketing.

The eProcurement Administrator is due to commence PECOS Bite Size sessions in April. Procurement staff should also plan to present procurement related topics on a rota basis. The use of Quick Quote (the Scottish Government's online request for quotation facility) and the Procurement Journey Routes 1, 2 and 3 guidance need to be cascaded to appropriate individuals and the Bite Size sessions provide an opportunity to support their roll out within the council.

Procurement Manual

A Procurement Manual based on the Procurement Journeys should be developed and maintained.

Internal Procurement Training – Specialist Knowledge

The current economic climate has meant that budgets for training maybe limited. However, this may be an ideal opportunity for Procurement professionals to pass on their knowledge and expertise to council customers through organising and presenting various procurement related matters, for example, The Remedies Directive. This is an opportunity to save the council money on training, reduce legal and commercial risk and obtain potential procurement efficiencies. It is also a useful marketing and networking opportunity.

Working with Local Suppliers and SMEs

The Corporate Procurement Unit should be proactive in its dealings with small and local businesses, the voluntary and third sectors and, should arrange and host a number of Events throughout each year: The calendar of Events should be published on the intranet and internet.

The Corporate Procurement Unit should investigate increasing its working relationship with the local Chamber of Commerce & Business Gateway, as well as attending external 'Meet the Buyer' and similar events.

The council has recently joined the Supplier Development Programme and Procurement will participate and be an active member.

WLC Corporate Communications

It is recommended that the Corporate Procurement Unit work closely with the council's Corporate Communications team to ensure appropriate marketing of the procurement service, facilities and events.

Customer Service Centre

The Customer Service Centre deals with telephone, email and online enquiries on behalf of a number of different services. Improved contact information must be communicated to the CSC to ensure that procurement enquiries are routed appropriately.

'End of Document'

'End of Modernising Procurement Review'

¹ The Flexible Framework www.actionsustainability.com/evaluation/flexible_framework/

² Sustainable Procurement Action Plan for Scotland
<http://www.scotland.gov.uk/Publications/2009/10/sspap>

³ Government Buying Standards :
<http://www.defra.gov.uk/sustainable/government/advice/public/buying/index.htm>

⁴ The Flexible Framework www.actionsustainability.com/evaluation/flexible_framework/



COUNCIL EXECUTIVE

RISK MANAGEMENT

REPORT BY HEAD OF FINANCE & ESTATES

A. PURPOSE OF REPORT

To advise the Council Executive of action taken to implement the Council's Risk Management Plan during 2010/11 and to consider the Plan for 2011/12.

B. RECOMMENDATION

1. To note the activities undertaken in 2010/11 in pursuit of the Risk Management Policy and Strategy.
2. To approve the Risk Management Plan for 2011/12.

C. SUMMARY OF IMPLICATIONS

I Council Values	Making the best use of our resources. Working in Partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Risk Management Policy forms one of the policies of the council and is an integral part of the Code of Corporate Governance.
III Resources - (Financial, Staffing and Property)	The execution of the Risk Management Plan will be done within existing budgets, but will require staffing input to secure its delivery.
IV Consultations	Aon Ltd., Association of Local Authority Risk Managers, Risk Management Partners, Gallagher Bassett. The P&R PDSP considered the report on 13 May and was supportive of the report going to the Council Executive in June.

D. TERMS OF REPORT

1. Background.

The Council's Risk Management Policy and Strategy requires an annual report to the Council Executive on risk management. This report fulfils that obligation and provides the Council Executive with the opportunity to review progress in 2010/11 and to consider the plan for the coming year.

2. Activity During 2010/11

Continued Work

a) Sickness Absence

Objective:

To Improve attendance levels.

There has been a big improvement in sickness absence levels following the introduction of the revised Policy and Procedure on Managing Sickness Absence on 1 May 2010 together with the introduction of a dedicated sickness absence management team within HR Services. The improvement in absence rates within the council is shown in Appendix 1.

As at 31 March 2011 the sickness absence SPI for the full council was 4.30%. This shows a significant reduction from the same period in 2010 where the rate was 5.02%.

The council is able to benchmark performance in relation to sickness absence with other Local Authorities via SPI figures published by Audit Scotland. Unfortunately figures for 2010/11 will not be available until later in the year so it is not possible to compare performance for the year. The figures available for 2009/10 showed West Lothian Council as being ranked 30th out of the 32 local authorities in Scotland for non-teaching staff and 12th for teaching staff.

However it is important to note that these figures relate to 2009/10, predating the introduction of the revised Policy and Procedure on Managing Sickness Absence, and therefore do not reflect the improvements noted above. It is therefore anticipated that an improvement will be seen in the council's ranking when the 2010/11 figures are published.

b) Partnership Risks

Objective:

To ensure that partnerships are properly managed and supported by effective guidance.

The Corporate governance group guidance was completed and issued to all services. Representatives from service areas received specialist training on risk management in relation to the risks of partnership and collaborative working.

c) Business Continuity Management

Objective:

To complete the Strategic and Tactical plans and agree the plan for the Civic Centre with the council's partners.

The Tactical plan has been completed and the Civic Centre plan was tested by a live incident on 19 July 2010. All those affected were consulted on the improvements needed for the future and plans will be accordingly amended.

The Depute Chief Executive Corporate, Operational and Housing Services is responsible for business continuity arrangements.

The restructure of the council and reduction in the number of senior managers impacted on the ability of the council to manage business continuity in line with the current strategy. A revised strategy combining the duties of the Strategic and Tactical Teams has been prepared. Once approved, the new Civic Centre plan protocol will be agreed with the council's partners.

d) Motor Fleet Risks

Objective:

To work with Operational Services and Housing, Construction and Building Services on the causes of accidents and losses and agree measures to reduce the cost and number of accidents.

Despite the efforts being taken the claims frequency has not improved. The severe weather has had less of an impact than expected against previous years. Claims frequency remains stubbornly high at one for every two vehicles. Controls have been developed to manage the risks associated with the green fleet but there is a need for improvement to reduce the cost of motor policy excesses. An improvement plan is in place that includes various measures including vehicle spot checks, error identifications and driver retraining. This will be remitted to the Transport users group.

e) Health & Safety

Objectives:

To work with Health & Safety Services to reduce the number of reportable incidents and claims and minimise the risk of prosecution.

To avoid Prosecution.

The council's Health & Safety Policy has been updated and was approved by the Council Executive in March 2011.

In addition, a wide ranging programme of work has been carried out to improve Health and Safety Risks. This includes audits to ensure that arrangements and evidence are in place for the management of Health and Safety, to identify areas of good practice and to highlight areas where improvement is required.

No prohibition notices or improvement notices were served by the Health & Safety executive, but the council was prosecuted for an accident that occurred in July 2009.

The three year trend shows a decrease in the number of incidents and a significant reduction in the number of serious accidents, which have been reduced from 16 in 2008/9 to 3 in 2010/11.

New Work 2010/11

f) Economic Risk

Objectives:

To identify significant risks arising from the national economic position and develop risk mitigation.

To ensure that appropriate risk assessments and risk controls are in place in respect of new working practices.

Economic Risks have been assessed and risk mitigation strategies developed. Key Economic risks are included in Appendix 2.

g) New Risk Management Policy and Strategy

Objective:

To comply with the British Standard, 'Risk Management Code of Practice'

The plan to update the current Risk Management Policy and strategy in line with the British Standard has been reviewed. The council has access to free training with accreditation by the Institute of Risk Management as part of its insurance programme. This training is based on the International Organisation for Standardisation standard ISO 3100 so it will be more appropriate to revise the policy and strategy in line with this international standard and to reflect the recent and planned changes in the council's structure and staffing. The international standard encompasses the standards in the British Standard and also incorporates Business Continuity Planning.

Two training courses were successfully completed by service risk champions and internal auditors during the year, Essentials of Enterprise Risk Management and Managing the Risks of Partnership and Collaborative Working.

h) Property Risks

Objective:

To work with officers to identify causes of loss and agree actions to reduce the number and cost of property losses.

A working group in Housing and Housing, Construction and Building Services with partners from the Police and Fire Service is addressing the problems of increasing numbers of fires in council housing especially those arising from wilful fire-raising. The number of fires has reduced from 32 in 2009/10 to 27 reported at 31 March 2011. The severity of the fires has reduced significantly with costs of £550,000 in 2009/10 reducing to an £197,000 for 2010/11.

A high level review of property risk control measures has commenced with the Estates Manager.

Key Business Risks

The Executive Management Team has reviewed the Key Risks and identified new key risks. The Key risks and changes since the 2010 review are shown in Appendix 2.

3. Claims Experience

The triennial actuarial review of the adequacy of the insurance fund against its liabilities since 1996 at 31 March 2010 was completed satisfactorily. Further work has been carried out to ensure that the reserves for historical risks are reasonable. These risks include risks inherited from predecessor authorities where no insurance is in place or where the insurance policies cannot be traced. There is considerable uncertainty about some areas of historical risk largely relating to diseases related to contaminants, e.g., Asbestos.

The administration of claims on the fund was also subject to an internal audit and the August 2010 report concluded that the level of control was effective.

- **Employers Liability (Appendices 3a & 3b)**

The trend of the incidence of accident claims, which relate to failure in current controls, is reducing. The work carried out by Health and Safety has facilitated this downward trend.

The incidence of industrial disease claims being reported is gradually reducing. Disease claims arise from errors made in the past and procedures have been put in place to reduce the probability of more such claims arising in the future. However recent changes in legislation regarding asbestos related conditions may result in new claims being reported. Many of these claims may be uninsured.

- **Public Liability (Appendix 4)**

There is continued improvement in the reduction of the number of claims. The cost of injury claims continues to rise and the council has no control over these changes. Claim numbers for 2010/11 will increase further as there is always a delay in reporting liability claims. The number of claims directly relating to the snow and frost earlier in the year is currently much lower than expected compared to the last two years. (2008/9 31 claims, 2009/10 48 claims, 2010/11 received to 31 March, 17 claims).

- **Property (Appendix 5)**

Year on year Property claims are subject to volatility in both number and cost as the figures can be affected by one or two serious incidents or a weather event affecting many properties. The cost peak in 2005 includes the damage at St Mary's Primary School and that in 2007 includes the loss of Longridge Hall. The claims in the last two years have been affected by adverse winter weather. This in conjunction with the increased number of housing fires in 2009 has triggered the stop loss in the insurance programme for both years. The stop loss is a mechanism to ensure that a high number of claims below the policy excess do not amount to an unacceptable sum, thus protecting the insurance fund and council budgets. It also means that the insurers will closely check all claims made below the excess to ensure that they are valid and properly supported by paperwork.

- **Motor (Appendix 6)**

Claims frequency continues to be an issue and average claims costs for losses funded by the council are also increasing. The graph shows the number of vehicles and the related number of accidents.

4. Insurance Arrangements for 2011/12

Renewal terms for the council's major insurance covers have been received within the terms of the long term agreements.

The engineering inspection contract has been retendered. Service will continue to be provided by Royal Sun Alliance with more detailed electrical reports to save subcontracting work and reduce the carbon footprint associated with the follow through of identified faults.

5. Risk Management Plan 2011/12

Risk Management arrangements within the council have been reorganised in view of the significant changes to the structure and staffing of the council. Instead of the Steering Group, there will be two groups, a high level board covering Risk Management and Business Continuity Planning led by the Depute Chief Executive Corporate, Housing and Operations and a practitioners group comprising Service Risk and Business Continuity Champions chaired by the Internal Audit Manager. Once constituted the groups will consider the work required. Key items will include:

- a) Approval of the revised Risk Management Policy and Strategy
- b) Risk Register transfer to Covalent for all services
- c) Approval of the revised Business Continuity Management Strategy.
- d) Review of the Corporate Business Continuity Plan
- e) Ensuring that all services have an up to date Business Continuity Plan in Place.

E. CONCLUSION

There has been encouraging progress in areas such as sickness absence management, business continuity management, housing fires, the reduction in the numbers of accidents and of legal liability claims. Action plans will be implemented to reduce motor fleet risks and other property related risks. Economic Risks will be monitored and action taken as required. Challenges for the future will be in maintaining the improvements with reduced staffing and financial resources and dealing with staff related risks arising from the extent of change over the next few years. Further work will be undertaken to ensure that business continuity management arrangements are effective and kept up to date.

F. BACKGROUND REFERENCES

- Risk Management Policy and Strategy
- BS2599 - 1:2006 Business Continuity Management. Code of Practice
- BS2599 – 2:2007 Specification for Business Continuity Management
- BS31100:2008 Risk Management Code of Practice
- ISO 31000:2009 Risk management - Principles and guidelines

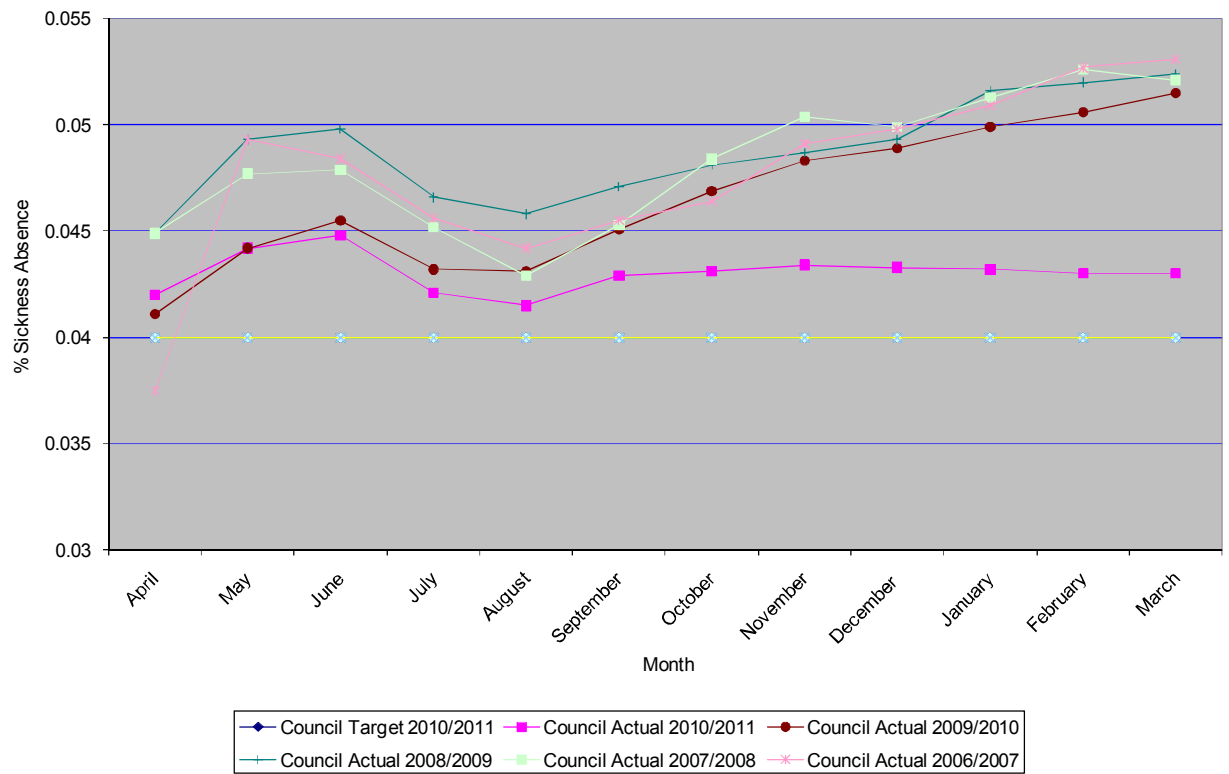
Appendices/Attachments: 6

Contact Person: Chris Haywood, Telephone 01506 281900

Donald Forrest, Head of Finance and Estates

Date: 20 June 2011

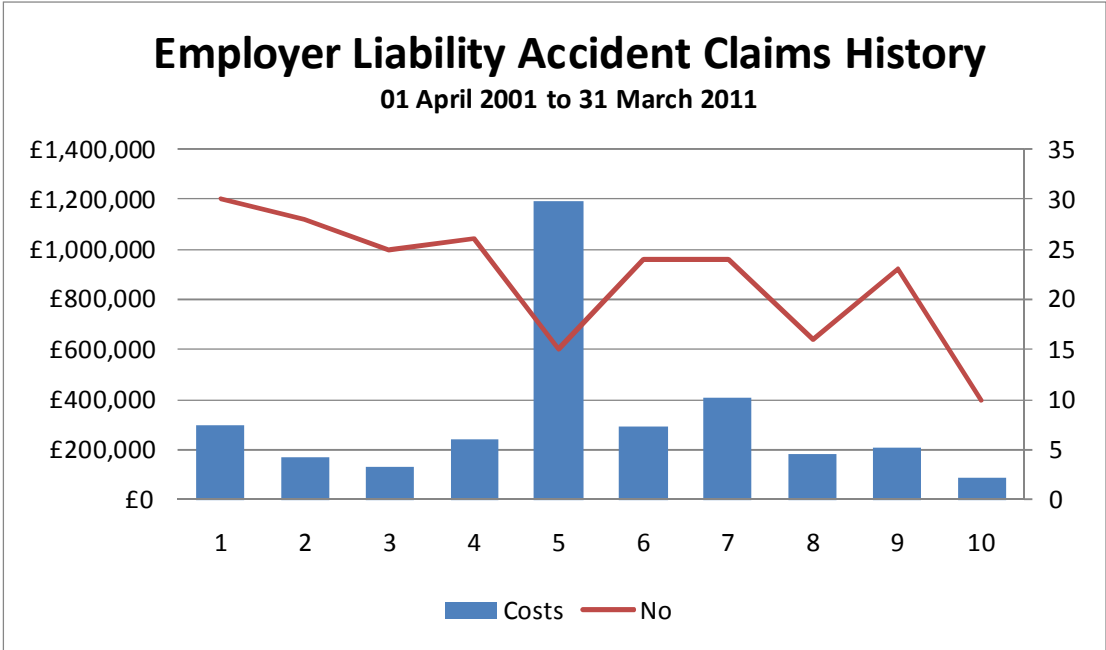
Sickness Absence SPI% History Full Council



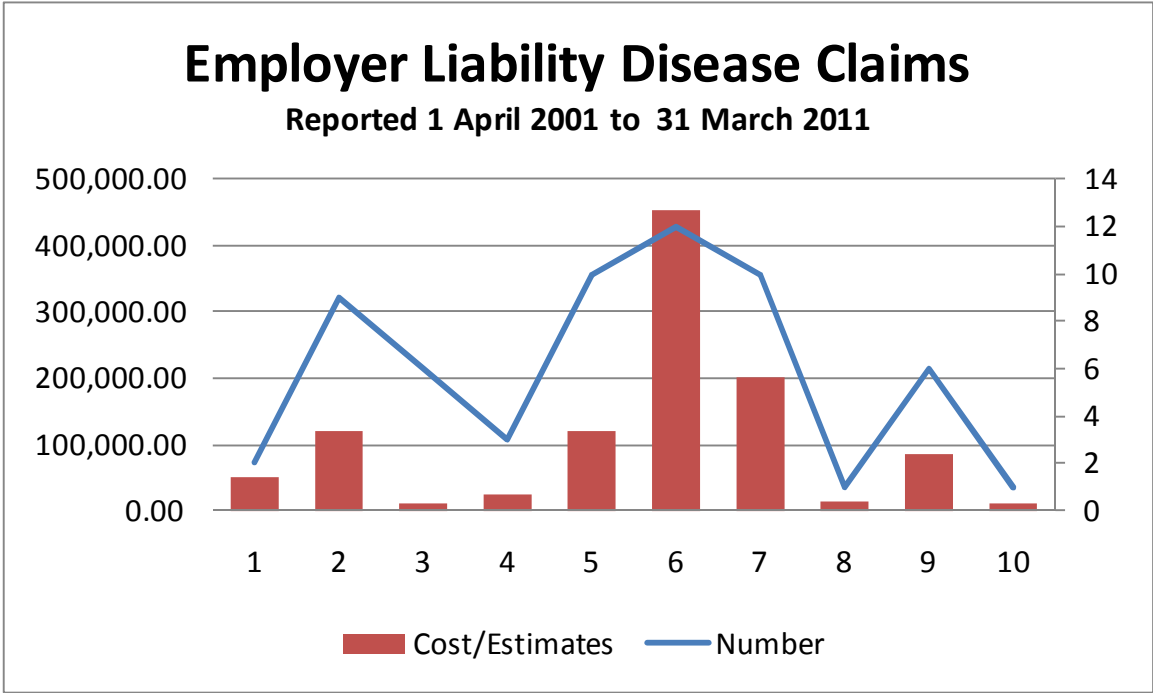
Key Risks

Appendix 2

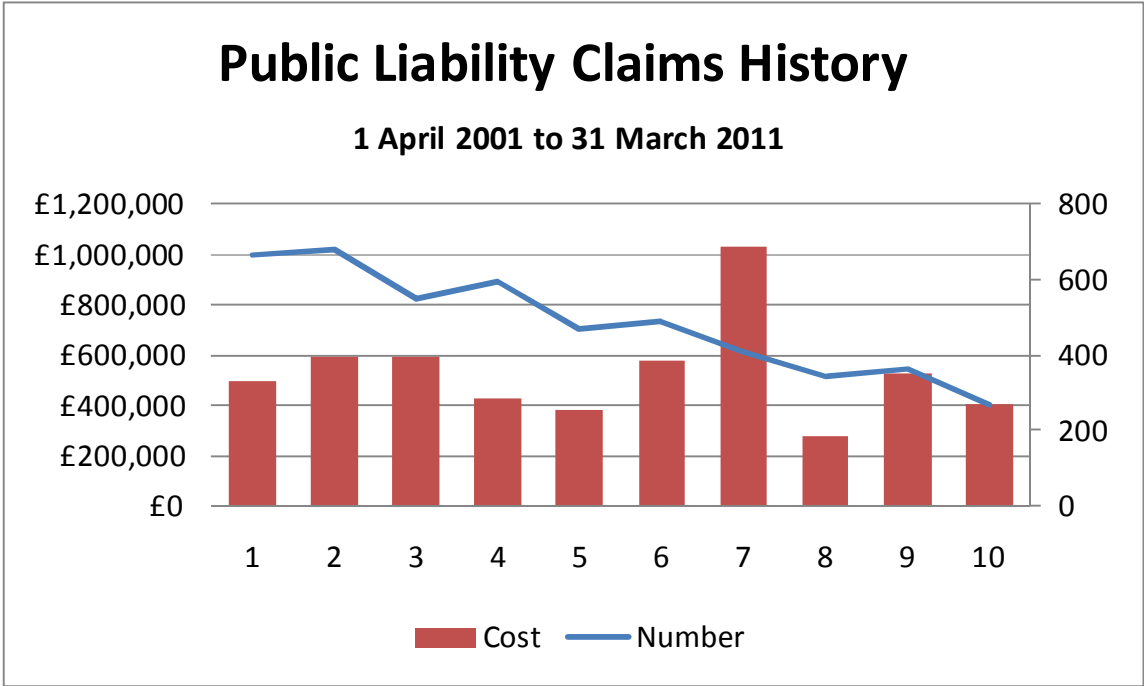
Objective	Detail	Current Risk	Movement on last review
Delivery of the Corporate Plan	Adverse impact of the economic climate on council services and the community		NEW
To comply with Statutory Obligations	Failure to meet the legislative requirements of the Scottish Housing Quality Standard by 2015	Medium	Reduced
Implementation of the Lothian Structures Plan	Failure to deliver the local structure plan because of infrastructure overload	High	Unaltered
To comply with Statutory Obligations	Delay or failure of the waste disposal project resulting in failure to meet EH Landfill Directive targets and Scottish Govt targets	High	Unaltered
Delivery of the Corporate Plan	Impact of national policy changes on the council's ability to meet its objectives	High	NEW
To ensure continuity of Critical Services	Inadequate Business Continuity Plans for Key Services	Medium High	Unaltered
Delivery of the Outcome Agreement	Failure to manage the adverse impact of budget restrictions on council performance and standards	Medium High	Reduced
Delivery of the Outcome Agreement	Failure to respond to in year reduction in funding for 2010 deferred to 2011	Medium High	Withdrawn
Delivery of the Outcome Agreement	Failure to adhere to new budget for service delivery for 2011-12	Medium High	Unaltered
Delivery of the Outcome Agreement	Failure to receive anticipated level of grant	Medium High	Withdrawn
Delivery of the Corporate Plan	Failure to manage the increased speed of modernisation and change necessitated by the economical and political climate	Medium High	NEW
To comply with Statutory Obligations	Failure to meet legislative requirement for Homeless Housing by 2012	Medium	Unaltered
Delivery of the Corporate Plan	Change of government Policy regarding the Prudential Code affecting the Capital Plan 2008-1019	Medium	Reduced
The Availability Integrity and confidentiality of council information	Failure of the Internet connection	Medium	Unaltered
Working in partnership to meet the needs of the community	Partnership failure	Medium	Unaltered



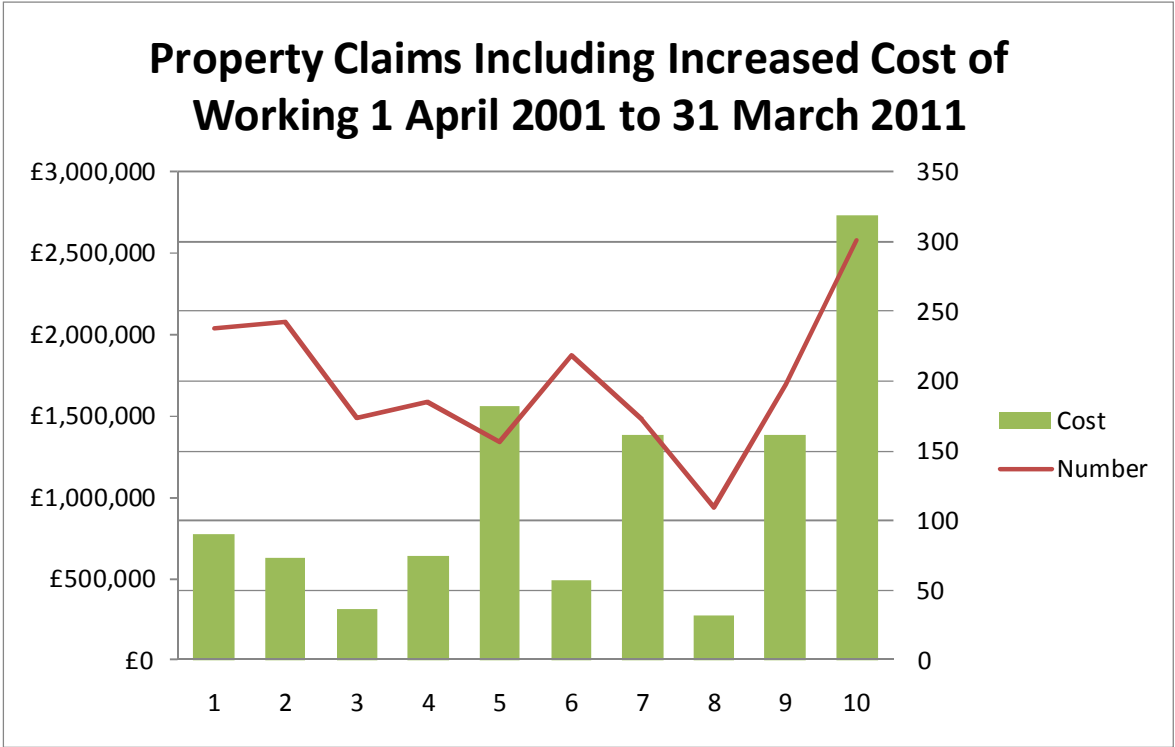
The numbers reflect the number of claims reported between 01/04/2001 and 31/03/2011. Costs Include reserves for outstanding claims. As claimants mainly have three years from the date of the accident to bring a claim, the numbers for recent years may increase.



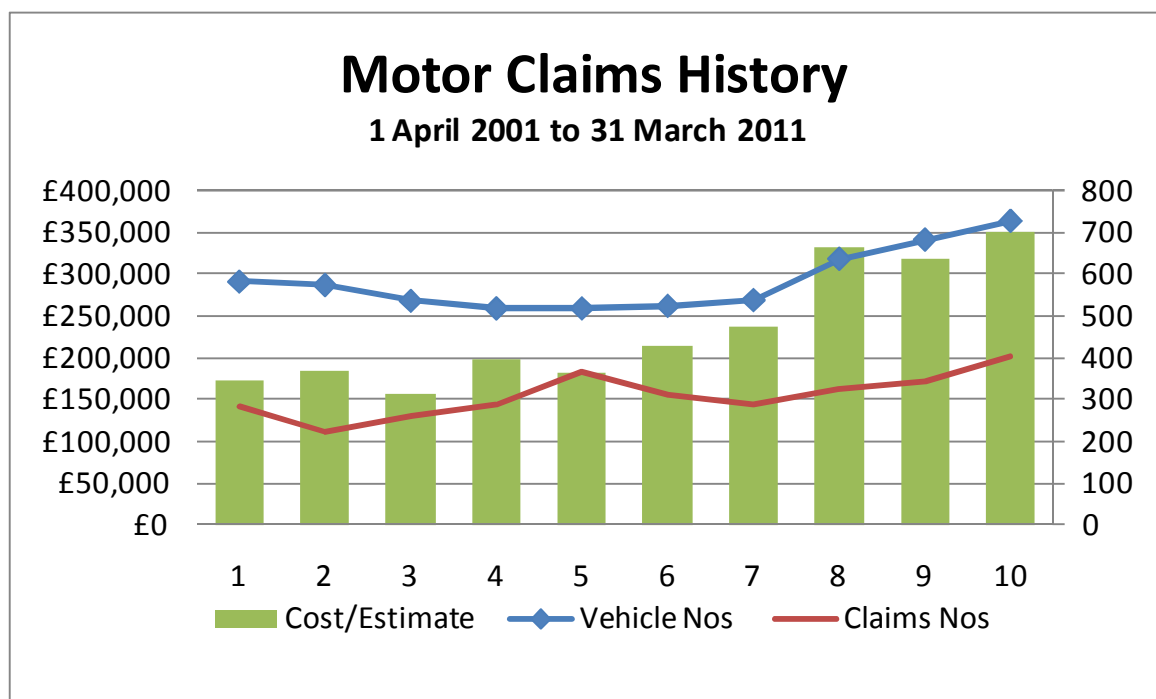
Costs include reserves for outstanding claims. These claims relate to historic issues such as deafness, hand arm vibration and asbestos related diseases.



Costs Include reserves for outstanding claims. As claimants mainly have three years from the date of the accident to bring an injury claim, the numbers for recent years may increase.



Costs Include reserves for outstanding claims.



Costs include reserves for outstanding claims. Claims are shown against the number of vehicles to give a truer position in relation to any increase or decrease in claims numbers.



West Lothian
Council

COUNCIL EXECUTIVE

CIVIC CENTRE CAR PARKING

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To provide the Council Executive with a report on car parking issues at the Civic Centre in response to a remit from West Lothian Council at its meeting of 25th January 2011.

B. RECOMMENDATION

Council Executive is recommended to approve the contents of this report, including the proposals for improvement contained within it.

C. SUMMARY OF IMPLICATIONS

I Council Values	Making best use of our resources
	Working in partnership
	Being honest, open and accountable
	Focusing on our customers' needs
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III Resources - (Financial, Staffing and Property)	All resources contained within existing budgets.
IV Consultations	Council staff; elected members; Lothian & Borders Police; Scottish Court Services; Procurator Fiscal Service; SCRA; CHCP and other users of the Civic Centre, colleagues in Transportation; trades unions. Partnership and Resources Policy and Development Scrutiny Panel – 17 th June 2011

D. TERMS OF REPORT

Background

West Lothian Council, at its meeting on 25th January 2011, instructed the Head of Finance and Estates “ to prepare a report reviewing the operation of car parking at the Civic Centre and assessing scope for any improvements to current operations. The review should be carried out in consultation with Civic Centre partners and other relevant stakeholders and should be presented in the first instance to the Policy and Resources PDSP.”

Car Parking Assets at Civic Centre, or in close proximity

The planning consent for the Civic Centre allows for a total parking provision of 355 spaces which breaks down as follows:-

Private parking – not open to the public

Secure car park (immediately behind Police Station and used by Police and Justice partners) – 107 spaces

East car park (used by the council and other partners excluding Police) – total of 191 spaces (including 7 disabled) Of this total, 147 spaces are for council use with the remaining 44 spaces allocated to the Scottish Court Service; Procurator Fiscal Service; Scottish Childrens’ Reporter and Lothian and Borders Fire and Rescue Service.

West car park (elected members) – 32 spaces

Public parking

West car park (short stay visitor spaces) – 18 spaces

West car park (disabled spaces) – 7 spaces

Other car parking

In addition to the above, but in close proximity to the Civic Centre the following car parks are available:

North car park – 41 spaces;

Terrace car park – 306 spaces (93 available to the public);

Football Club - 200 spaces;

Adjoining Club Earth - 20 spaces.

Appendix 4 to this report shows the various locations of the car parks mentioned above.

This provides a total of 567 additional spaces available to Civic Centre users, with some 364 of these available to the public.

In addition to all of the above there are various other public car parks in and around Livingston Town Centre, although these are further away from the Civic Centre.

Town Centre Parking/ Terrace Car Park

As part of the original Civic Centre proposals, the council obtained a Stopping Up Order for the Terrace Car park with the intention of installing barrier controlled access. This work has been completed in advance of the introduction of car parking charges for the town centre car parks by Land Securities on 1st June 2011. As a result, the top two tiers of the Terrace Car Park are accessible only through the barrier entry system with the lowest tier being unrestricted for general parking and in order to facilitate access and egress for the adjoining office buildings (Arrochar and Torridon Houses). At the same time, the council has provided lining to formalise additional spaces on the lowest tier which takes the total nominal capacity of the car park from 280 to 306 spaces.

At the moment, all Council staff who work at the Civic Centre, as well as those in New Cheviot, Lennox House and other council staff who visit the Civic Centre regularly have access rights to the barriered areas of the Terrace car park. All pool cars from other locations will also have access rights. These access rights do not guarantee a parking space, merely access to the protected areas.

Consultations

As part of the review process, a consultation exercise was carried out with staff, partners, users and other stakeholders by means of an electronic survey questionnaire. The final number of responses received was 520, 82.7% of whom were either WLC staff or elected members. A full copy of the results, together with the main findings are attached as Appendix 3 to this report. However, the main findings can be summarised as follows:

- almost 80% of respondents work at the Civic Centre
- 76.3% of respondents visit the Civic Centre every day
- Of those travelling to the Civic Centre, the highest percentage – 29.7% - travel between 6 and 10 miles to get there
- 79.4% of those travelling to the Civic Centre do so by car with only one person in the vehicle
- No respondents to the survey travelled to the Civic Centre by train
- The Terrace Car park was the single most popular car park for those parking at the Civic Centre with 53.3% using it most often

- 81.7% of respondents agreed or strongly agreed that they were normally able to find a parking space in the car park which they used most often
- 74.3% of respondents agreed or strongly agreed that the car park they normally used was generally safe and secure
- 81.4% of respondents agreed or strongly agreed that the car park they normally used was well maintained
- The three most popular suggestions by people responding to the survey regarding possible improvements to Civic Centre car parking were:
 - Improved lighting on pedestrian routes from car parks to the Civic Centre – 277 people chose this
 - CCTV coverage of car parks where none exists at present – 228 people chose this
 - Improved lighting on satellite car parks – 167 chose this as their preferred improvement

Survey information

The survey information on West and East car parks for the period from January/February to the end of May 2011 is attached as Appendices 1 and 2 to this report. In broad terms this shows the following:

- that the East (staff) car park is at capacity
- That the West (elected members) car park is considerably under utilised
- That the West (visitor short stay) car park is performing its intended role with spaces generally available at most times of the day but can be at capacity some days at 10.00am
- That the West (disabled) car park is often at capacity at 10.00am and 2.00pm with spaces available at most other times.

Management and operation of car parks

East Car Park

When it was opened, the Council took the decision to allocate its share of spaces in the east car park on the basis of a one to one ratio. i.e. one access pass per available car space. Priority for gaining access was given in the first instance to people car sharing. One result of the method of allocation has been that large areas of the car park have appeared empty when staff have been out on business. This has increased public perception that the car park is under used and that these spaces should be available for the public. This perception has been further heightened following the introduction of pool cars.

Recent Action – The ratio of permits per space has been increased from 1 to 1.5 (allowing for 62 spaces being dedicated for pool car parking). This has allowed a more intensive use of the car park so that far fewer spaces (excluding pool spaces), if any, are vacant during the working day. Those with access through car sharing have retained these rights.

West Car Park - Elected Members Car Park

The elected members car park at the west end of the building which is secured by a barrier, was also allocated on the basis of one space to each elected member. Again, on many occasions when elected members are not in the Civic Centre, this car park has a high number of vacant spaces, and, given its location next to the Visitor Spaces this is particularly visible to the public. The monthly average of vacant spaces during the months from January to May 2011, as measured by a daily survey, varied between 69.48% and 75.26%.

Possible Action – see other potential areas for improvement below

Visitor Spaces

The situation with the short stay Visitor Spaces is slightly different. It was always anticipated the 18 spaces would be available on a limited waiting time to prevent them being occupied by the same vehicle all day. Following the opening of the Civic Centre this was a common source of complaint from members of the public coming to the building for a variety of reasons and unable to park even for a short term.

Recent Action – since the introduction of a formal traffic regulation scheme in October/November of last year, enforcement of the short term parking period of 45 minutes has been implemented. This has led to a substantial reduction in abuse of the available spaces such that there is a constant turnover of spaces with vacant spaces generally available at all times of the day. Enforcement also applies to the 7 disabled spaces to ensure that they are correctly used by Blue Badge holders.

Green Transport Strategy

The Green Transport Strategy was introduced on 1st April 2011. As a result, some 62 pool cars have been deployed in the east car park. These spaces are specifically reserved for pool cars. This coupled with the increased ratio of access passes to spaces being increased has reduced the number of vacant spaces in those areas of the east car park under Council control to very small numbers, and, on some days, those parts of the car park are full. Other aspects of the scheme have shown an increase in the demand for showers by those walking, running or cycling to work. This will present a challenge in management terms moving forward.

It is worth noting that in a previous survey of council staff carried out prior to the opening of the Civic Centre, indicated that if pool cars were deployed then more than 20% of respondents would consider not driving to work.

Proposals for improvement

Following the completion of the consultation and the review of current operations, the following list of improvements and further actions are proposed:

1. Introduction of CCTV coverage in the Terrace Car Park and on pedestrian access routes between this car park and the Civic Centre. These works are estimated to cost £68000.
2. Improvements to footpath lighting between the Civic Centre and the car park at Livingston Football Club. These works are estimated to cost £6000.
3. A review of lighting and CCTV coverage on other car parks in close proximity to the Civic Centre
4. Introduce the use of St Margaret's Academy bus parking area as overflow parking during school holiday periods
5. Increase in locker capacity in male and female shower rooms to ease capacity issues. These works will cost £1500.
6. West Car Park (elected members) – use of this car park, or part of it, say 15 spaces for restricted visitors to the Civic Centre (e.g. business meetings, wedding parties and others visiting Registration Services, senior representatives from other organisations visiting the building, Heads of Service and Managers from other council buildings) except on days when Council Executive or Full Council meet or at other peak times for usage.
7. West Car Park (disabled spaces) – divert those disabled badge holders who already have a designated space or access to an alternative disabled space to these areas in order to free up the maximum number of disabled spaces for public use
8. Carry out a review of the Civic Centre Travel Plan to try and identify further opportunities for alternative means of travel and/or changes to work practices for staff working in the Civic Centre to reduce both demand for car parking and carbon emissions.
9. A part of 9 above, Worksmart West Lothian promotes mobile and flexible workers changing the way they undertake their work through the use of drop in desks and remote technical access to corporate systems. Mobile and flexible workers should be encouraged to sign up and make use of these facilities to reduce journeys wherever possible.

E. CONCLUSION

The results of the recent car parking consultation exercise were generally very positive. However, it is clear that there is more that can be done to use the car parks at the Civic Centre more efficiently, and to “sweat the asset.” In this regard, the range of measures outlined above for implementation and review aim to address this issue and present a sound platform from which to move forward.

Appendices/Attachments: Appendix 1 – results of West car park surveys – Jan-May 2011
Appendix 2 – results of East car park usage surveys – February-
May 2011
Appendix 3 – results of Civic Centre car parking consultations
Appendix 4 – Civic Centre car parks – location plan

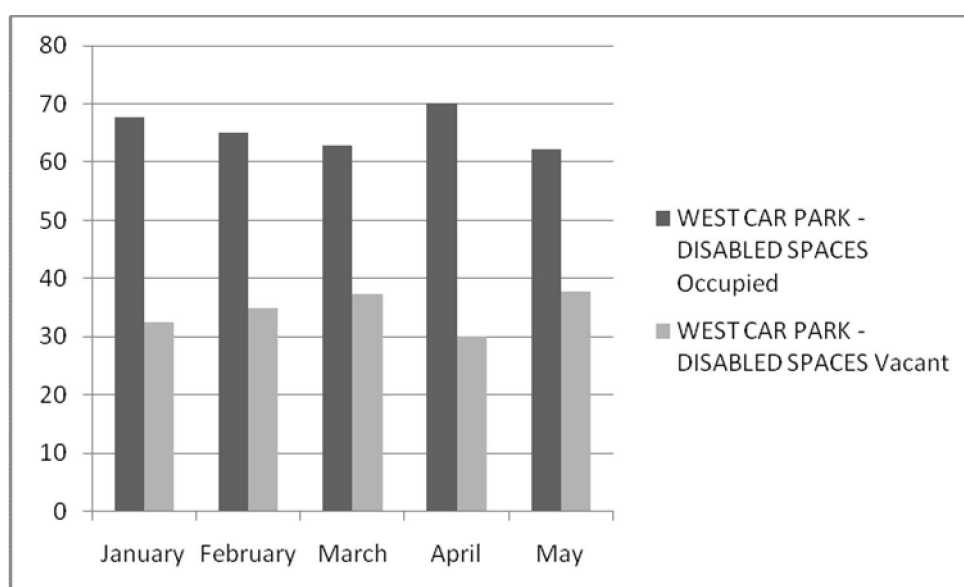
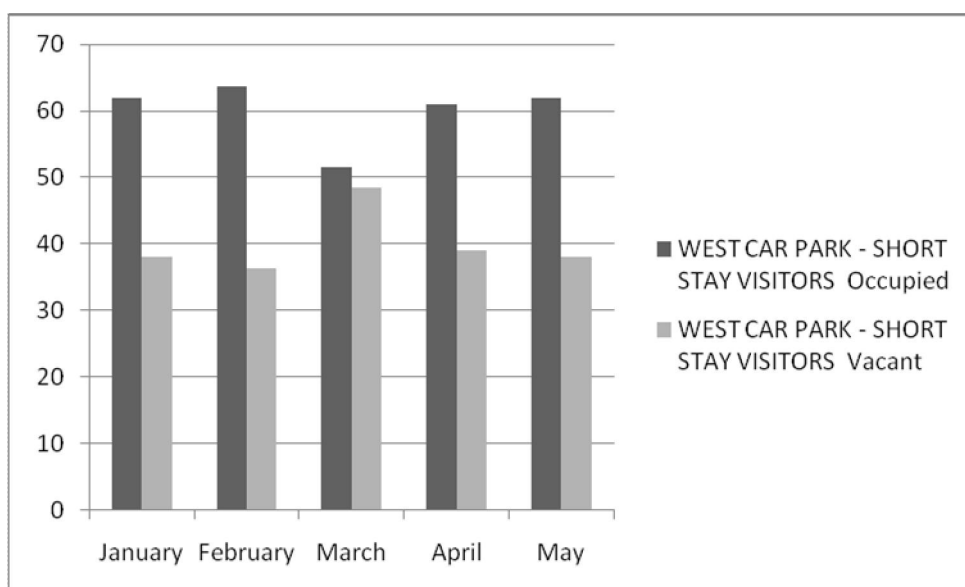
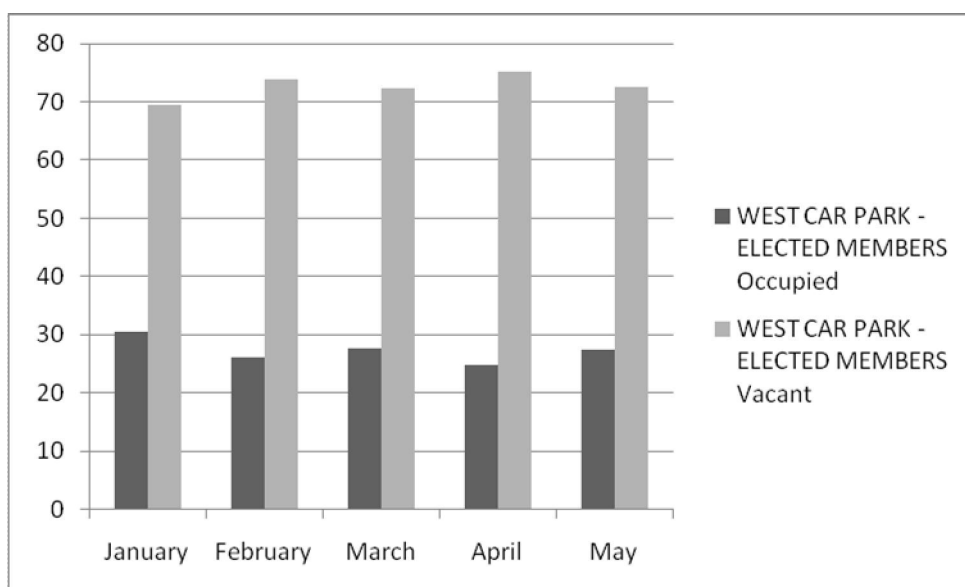
Contact Person: Jack Orr, Estates Manager. Tel. 01506 281829
Email jack.orr@westlothian.gov.uk

Donald Forrest, Head of Finance and Estates

Date: 20 June 2011

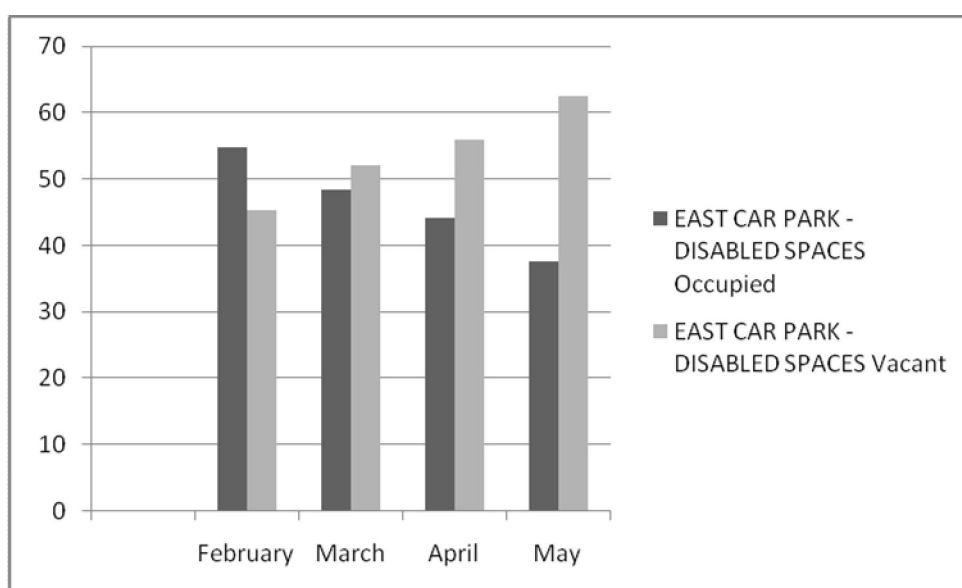
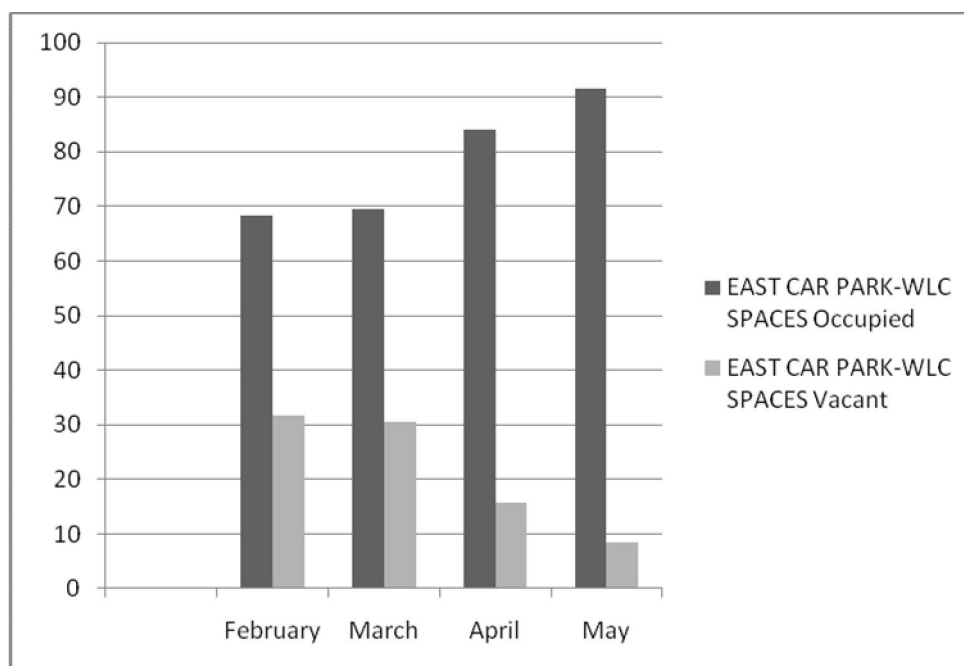
APPENDIX 1

CIVIC CENTRE - WEST CAR PARK - USAGE SURVEY RESULTS












APPENDIX 2



CIVIC CENTRE - EAST CAR PARK - USAGE SURVEY RESULTS









1. Which one of the following organisations are you from?

		Response Percent	Response Count
West Lothian Council		81.5%	423
Lothian & Borders Police		13.1%	68
Scottish Courts Service		0.2%	1
CHCP/NHS		1.9%	10
Procurator Fiscal		0.2%	1
SCRA		0.2%	1
Lothian & Borders Fire and Rescue Service		0.2%	1
Elected member		1.2%	6
Member of the Public		0.0%	0
Other		1.5%	8
answered question			519
skipped question			1





2. Are you

		Response Percent	Response Count
Male		41.0%	205
Female		59.0%	295
answered question			500
skipped question			20







3. What is your normal reason for visiting the Civic Centre? Please choose only one option which is your most common reason for visiting the Civic Centre.

		Response Percent	Response Count
I work there		79.9%	413
To attend meetings (from another office of the Council or one of the partners)		15.3%	79
To attend meetings (from outwith the area)		1.4%	7
To collect a pool car (coming from another office outwith the Civic Centre)		2.5%	13
To attend a court hearing		0.6%	3
To carry out or transact some form of business with the Council or one of the other partners located at the Civic Centre (e.g pay a bill or fine)		0.4%	2
To carry out some form of personal business (e.g. register a birth, death or marriage)		0.0%	0
answered question			517
skipped question			3



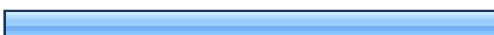


4. How often do you visit the Civic Centre?

		Response Percent	Response Count
Every day		76.3%	393
Once a week		7.0%	36
Once a month		5.6%	29
Other		11.1%	57
answered question			515
skipped question			5

5. Approximately how far do you travel in order to get to the Civic Centre?

		Response Percent	Response Count
Less than 1 mile		2.9%	15
Between 1 and 5 miles		26.1%	135
Between 6 and 10 miles		29.7%	154
Between 11 and 15 miles		15.6%	81
Between 16 and 20 miles		13.1%	68
Over 20 miles		12.5%	65
answered question			518
skipped question			2












6. Which is the principal means of transport you use to travel to the Civic Centre (i.e. for the longest part of your journey)?

		Response Percent	Response Count
Walk		2.9%	15
Cycle		1.2%	6
By car (only 1 person in the car)		79.4%	408
By car (more than 1 person in the car)		15.8%	81
By bus		0.8%	4
By train		0.0%	0
answered question			514
skipped question			6





7. Which of the car parks below do you use? Please tick up to 3 boxes.

		Response Percent	Response Count
West Car Park (short stay visitor spaces at main entrance)	<input type="checkbox"/>	7.4%	38
West car park (disabled spaces)	<input type="checkbox"/>	0.8%	4
West car park (elected members)	<input type="checkbox"/>	1.4%	7
Secure car park/compound	<input type="checkbox"/>	5.9%	30
East Car Park (staff car park)	<input type="checkbox"/>	18.2%	93
North Car Park	<input type="checkbox"/>	10.5%	54
Terrace Car Park	<input type="checkbox"/>	71.9%	368
Town Centre multi storey	<input type="checkbox"/>	37.1%	190
Livingston Football Club	<input type="checkbox"/>	9.0%	46
Adjoining Club Earth	<input type="checkbox"/>	3.9%	20
Other	<input type="checkbox"/>	8.6%	44
answered question			512
skipped question			8





8. Which of the car parks from Q.7 above, do you use most often?

		Response Percent	Response Count
West Car Park (short stay visitor spaces at main entrance)		1.8%	9
West car park (disabled spaces)		0.8%	4
West car park (elected members)		1.0%	5
Secure car park/compound		3.9%	20
East Car Park (staff car park)		15.9%	81
North car park		4.3%	22
Terrace Car Park		53.3%	272
Town Centre multi storey		10.2%	52
Livingston Football Club		2.9%	15
Adjoining Club earth		1.2%	6
Other		4.7%	24
answered question			510
skipped question			10

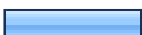
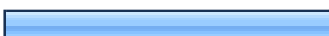
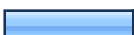

9. The car park that I use most often is easy to find and is easily accessible

		Response Percent	Response Count
Strongly agree		45.0%	231
Agree		46.4%	238
Disagree		5.8%	30
Strongly disagree		2.7%	14
answered question			513
skipped question			7



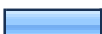

10. I am normally able to find a parking space in the car park I use most often

		Response Percent	Response Count
Strongly agree		35.1%	180
Agree		46.6%	239
Disagree		15.0%	77
Strongly disagree		3.3%	17
answered question			513
skipped question			7











11. The car park which I use most often is generally safe and secure?

		Response Percent	Response Count
Strongly agree		21.8%	110
Agree		52.5%	265
Disagree		20.2%	102
Strongly disagree		5.5%	28
answered question			505
skipped question			15

12. The car park which I use most often is well maintained?

		Response Percent	Response Count
Strongly agree		23.0%	116
Agree		58.4%	295
Disagree		15.2%	77
Strongly disagree		3.4%	17
answered question			505
skipped question			15

13. My suggestions for improving Civic Centre car parking (finance and resources permitting) would be - please tick a maximum of 3 boxes.

		Response Percent	Response Count
More intensive use of existing car parks		24.8%	121
Opening some closed car parks to the public at weekends		14.8%	72
Removal of existing waiting restrictions on short stay visitor spaces after 5.00pm on weekdays		19.5%	95
Removal of existing waiting restrictions on short stay visitor spaces at weekends.		10.5%	51
Improved lighting on satellite car parks		34.2%	167
Improved lighting on pedestrian routes from car parks to Civic Centre		56.8%	277
CCTV coverage of car parks where none exists		46.7%	228
Bookable visitor spaces in East car park for those attending Civic Centre on official business		27.0%	132
Allocation of additional car sharing spaces in Civic Centre East car park		23.6%	115
Other, please specify as answer to next question		12.7%	62
answered question			488
skipped question			32

14. Do you have any other comments/suggestions regarding the management and use of those car parks listed in Q.7 above

**Response
Count**

191

answered question 191

skipped question 329

15. Do you have any other comments/suggestions relating to travel to and from the Civic Centre?

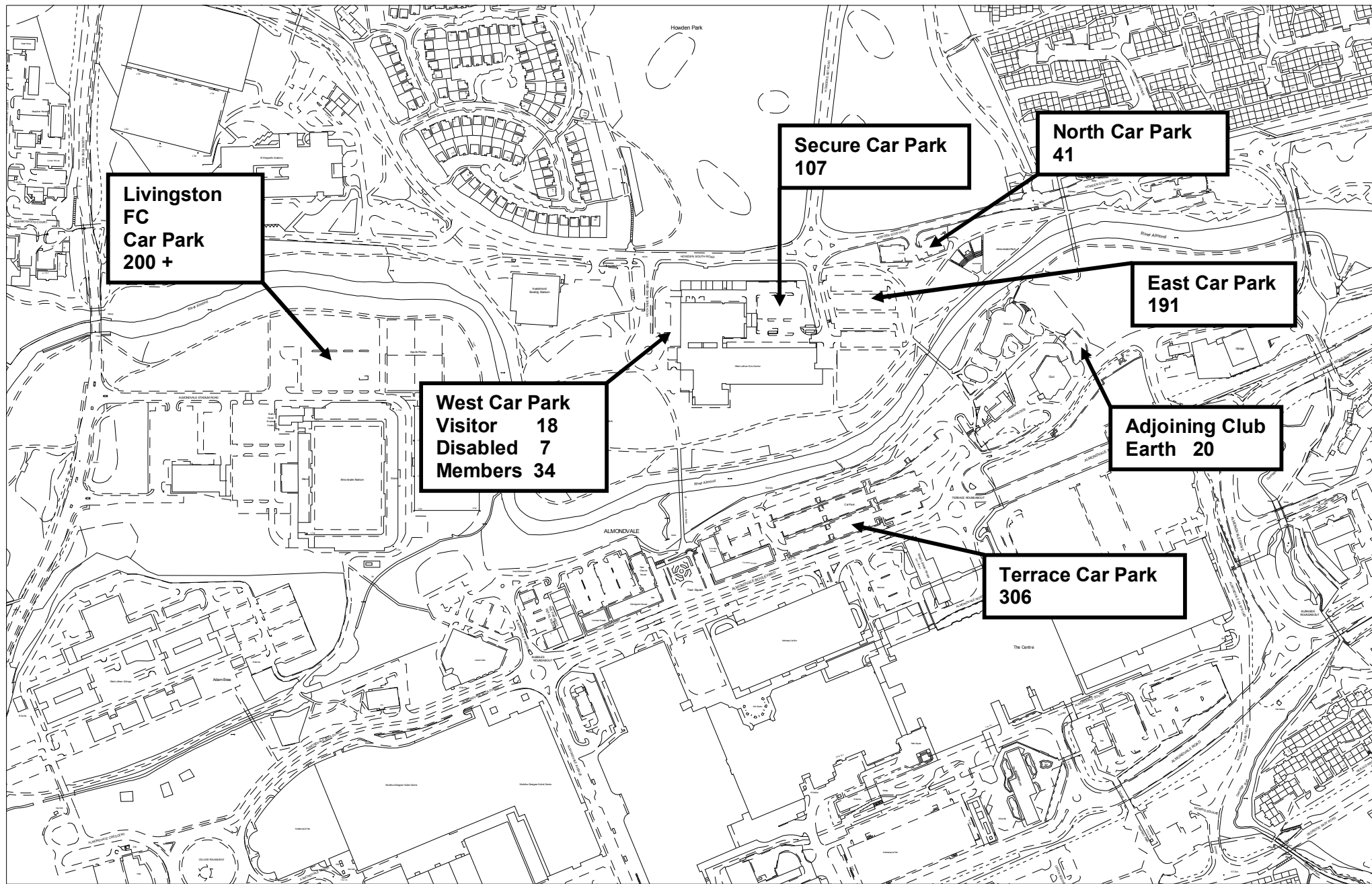
**Response
Count**



152

answered question 152

skipped question 368

APPENDIX 4 – CIVIC CENTRE CAR PARKS – LOCATION PLAN



	Car Parking, Civic Centre, Livingston		1:5000		
	Property Management & Development, Civic Centre, Livingston, West Lothian, EH54 6FF.		11:08	10/06/2011	



COUNCIL EXECUTIVE

METHODS OF PAYMENT

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To provide the Executive with an update on the findings of the working group which was set up to develop options for methods of payment across the authority.

B. RECOMMENDATION

It is recommended that the Executive:

- note the findings of the group
- Approve the immediate changes detailed in section 4 of the report

C. SUMMARY OF IMPLICATIONS

I Council Values	Focussing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	To ensure equality issues are addressed, there would need to be appropriate payment facilities available.
III Resources - (Financial, Staffing and Property)	Proposals are outlined to improve the efficiency of payment collection by the council. Options outlined for future years would require to be fully evaluated for impact on collection rates.
IV Consultations	<p>Consultation has been undertaken with officers in various service areas. This report was considered by the Partnership and Resources PDSP on 17th June and it was agreed that it should proceed to Council Executive subject to two issues being addressed; a possible future option requiring new council tenants to pay by direct debit was to be removed and further information on payment by standing orders was to be provided.</p> <p>Options outlined for future years will require further consultation with stakeholders, including customers, tenants panel, elected members, trade unions and local businesses.</p>

D. TERMS OF REPORT

1. Background

The Council offers a variety of payment options to customers at various sites around West Lothian. Customers can pay a wide range of funds at these collection offices. However in transaction terms the two major sources of income are council tax and rent. The predominant method of payment in transaction terms is cash.

Customer Services Centres accept payment over the telephone and it is also possible for customers to self serve via the internet. There are also automatic payments such as Direct Debits and Standing Orders.

Payments are also accepted by Banks, Post Office and through the use of payzone in local shops.

There is a significant level of overlap in some areas and the cost of collection varies widely between methods of payment, with Direct Debits being by far the most cost effective. The 2009/10 cost per method is set out in the table below

Method	Total Number of Transactions	Income (£million)	Cost (£)	Cost per Transaction (£)	Cost per £ Collected
Direct Debit	500,402	93.300	15,900	0.03	0.0002
Girobank/ Post Office	140,966	7.500	78,100	0.55	0.01
Revenues	27,061	10.100	18,000	0.66	0.002
CIS	261,636	21.000	340,030	1.34	0.01
CSC	19,545	2.700	94,500	4.83	0.035
Internet	22,378	3.200	68,000	3.03	0.02
Bank	42,184	58.300	46,600	1.10	0.001

A report was presented to the Partnership and Resources PDSP on 30 September 2010 detailing the above and recommending that a review should be undertaken and a further report presented to PDSP outlining options for future development of the service. A short life working group was established to take this forward.

2. Channel Shift Options

The working group looked at options for rationalising the payment methods within West Lothian with a view to achieving greater efficiency and generating budget savings. As part of this process the group gave consideration to options for immediate consideration and others for the future:

Options for Immediate consideration

- Direct Debit Campaign
- Revised Council Tax arrears procedure
- Removal of standing order option for Council Tax
- New tenants being encouraged to pay by Direct Debit

Options for future consideration

- Redesign of Council online payments – greater use of IT solutions
- Rationalisation of payment facilities accepting cash payments and greater use of other payment sites e.g. Post Office and Payzone
- Automated telephone payments facility
- Self serve terminals
- Put cash collection out to tender

4. Options for Immediate Consideration

Council Tax Direct Debits

While the Council will continue with the Direct Debit campaign it has run in recent years, including the use of new media such as Facebook, the take up of council tax direct debit has reached a plateau with an increase in take up of less than 4% in the last five years. To further encourage the take up of direct debit and reduce the costs to the council the following strategy is proposed.

Earlier Arrears Intervention

Currently the Council does not issue a statutory recovery notice until the Council Tax payer is more than one instalment in arrears with their account. The vast majority of non direct debit payers are due to pay their instalments for Council Tax on the first day of the month from April to January each year. Such a delay has a negative impact in a number of ways:

- it goes against recognised best practice that debt be tackled at the earliest opportunity,
- reduced cash flow to the council, and
- no incentive to pay by direct debit

By issuing statutory recovery notices 14 days after the instalment becomes overdue (this will allow for any delay in the administration of a payment transaction reaching the Council Tax payers account) it is expected that:

- Council Tax payers who are having financial difficulty will be known at the earliest opportunity and debt support measures can be identified,
- there will be an improved cash flow to the Council as those who can pay will pay earlier in the arrears recovery cycle, and
- it will encourage the take up of direct debit as a method of paying Council Tax as there are a number of payment dates available in recognition of the convenience and cost effectiveness of this method of payment. The payment dates currently offered are the 8th, 16th, 24th and last day of the month. Payments can also be extended over a 12 month period rather than the statutory 10 month period.

Withdraw the option to Pay Council Tax by Standing Order

Approximately 600 Council Tax payers pay by standing order. This method of payment places a higher administrative burden on the council as well as being more costly, £1.10 per transaction compared with the direct debit transaction cost of £0.03. This gives rise to an increased cost of approximately £5,000 per annum. There is also a manual resource element required to deal with payments that cannot be allocated due to incorrect referencing, while this is fully automated with Direct Debits. A further point of note is that Direct Debit payers do not enter into the recovery cycle, while last year 19% of Standing Order payers were issued with recovery notices. Half of these proceeded to the issue of a summary warrant. It is estimated that the issue of these recovery notices cost the Council in the region of £1,650. This does not account for the further administration required as a result of telephone calls in relation to the debt.

If paying by direct debit banks and building societies who take part in the scheme offer the Council Tax payer a guarantee that:

- If the amounts to be paid or the payment dates change the council will give the Council Tax payer five working days notice in advance of their account being debited.
- If the council, the Council Tax payers bank or building society make an error they are guaranteed a full and immediate refund from their branch of the amount paid.
- The Council Tax payer can cancel a direct debit at any time by writing to their bank or building society.

Standing order is no longer actively promoted as a payment option for Council Tax. The migration of standing order payers to direct debit should be easier than converting customers who pay by cash as they already use the bank process to pay their Council Tax. It is recommended that the Council cease to offer standing orders as a payment option to new customers with immediate effect and that notice be given that Standing Orders are to be phased out by 1st April 2012.

Council Rent Direct Debits

Payment of rent by Direct Debit is significantly lower for rent collection than Council Tax with levels at only 10.5% of transactions, equating to £3.061 million, 18% of total value. This has always historically been the most challenging area to tackle, there are however options that could be considered

Offering payments dates and schedules to match payment habits.

It is possible to offer weekly payment by direct debit and this already happened for some Council Tax customers. The qualifying criterion for access to this option is that the payee is in receipt of benefits. It would also be possible to offer dates which match their current cash payment habits, e.g. weekly or middle or end of month etc. Staff should also take every opportunity to promote direct debits when talking with tenants.

Reducing Cash Payments

Cash customers might also be encouraged to pay by debit card to reduce the burden of cash handling. It would be useful to undertake an exercise to ascertain the number of tenants who have an active bank account, to consult with banks regarding the criteria and procedures in place when an individual opens a new account and to consider other options such as working with credit unions.

New Council Tenants being encouraged to pay by Direct Debit

It may be possible to increase the level of Direct Debits amongst council tenants by encouraging new tenants to pay by Direct Debit. This would require council staff to explain the benefits of Direct Debit payments to new tenants and encourage them to choose direct debits as their preferred method of payment.

5. Options for Future Consideration

IT Solutions

The Council currently offer an online payment option, however this is not currently widely used and the cost of transaction is consequently fairly high due to the fixed costs involved. It is proposed that customers should be encouraged to make greater use of this facility. This would be done by way of an advertising campaign as well as giving the payment facility greater prominence on the front page of West Lothian Council's website. A redesign of the payment screen on the website to make it more user friendly might also encourage customers to use it more regularly.

The development of a Smartphone Application could potentially allow access to both Council information and payment facilities and could also provide a simple easy to use payment option. However this option would require significant input and development from Information Services and should be seen as a longer term option.

Rationalisation of Payment Facilities and Greater Use of Other Payment Sites

The Council currently offer payment facilities at eight CIS offices and also offer payment over the telephone via the Customer Services Centre. An examination of user statistics and relative use of the different facilities (attached at appendix 1) demonstrates varying levels of demand at the different offices. There may be scope to look at how the Council delivers cash payment services in some areas, linking in with current developments in Area Services. Further consideration should also be given to self serve terminals at the busy offices for customers wishing to pay by card. Any developments in this area would be subject to full consultation with customers, staff and trade unions. There may also be potential to make greater use of other cash payment facilities such as the Post Office and high street banks and Payzone. It would be useful to investigate whether these facilities could be developed to also be able to advise customers of outstanding balances on their accounts. A map is attached at appendix 2 showing the sites where these facilities are currently located.

Tender for Payment Facilities

This paper has examined a number of constructive options and it is felt that it is not necessary to pursue external tendering at this time.

Phasing out of Cheques

A further point to note is that the banking system intends to phase out the facility to pay by cheques by October 2018 and the cheque guarantee scheme closes as of 30th June this year. This effectively means that customers will no longer be able to guarantee the acceptance of their cheques by banks by presenting their cards to retailers. While the closure of the guarantee scheme is not a particular issue for the Council it does mean that high street retailers will no longer accept cheques after the end of June effectively hastening the rate at which individuals cease to use cheques.

6. Overall Benefits

Public sector organisations, including this council, have a mandatory obligation to ensure value for money.

Modernisation of methods of payments can yield long term financial benefits and realisation of targeted cost savings.

The development of IT solutions would also provide benefits to our customers by way of greater accessibility on a 24 hour basis.

7. Recommendations and Future Actions

Immediate Actions

It is felt that a move to bring the Councils arrears intervention in to line with recognised best practice will have a positive impact on Direct Debit uptake as will agreement to withdraw the option to pay Council tax by Standing Order. A Direct Debit campaign aimed at encouraging customers to move to this method of payment should also be run over the next 12 months. Further emphasis should also be put upon trying to encourage new council tenants to agree to pay by direct debit as our preferred method of payment.

Future Actions

The implementation and impact of the immediate actions detailed above should be monitored and a further report submitted to the Partnership and Resources PDSP in 2012 at which point it is proposed that the other options outlined in this report are given consideration.

E. CONCLUSION

By modernising the range of payment options available to West Lothian Council customers, while still providing a convenient mix of options across the county there is the opportunity to realise significant savings while not adversely impacting on the customers ability to pay. It is also felt that it is not necessary to progress the option of tendering for cash collection at this time.

F. BACKGROUND REFERENCES

Report to Partnership and Resources PDSP 30 September 2010

Appendices:

Appendix 1: Summary of CIS Transactions 2010/11

Appendix 2: Map of West Lothian Payment Facilities

Contact Person: Douglas Pirie, Accountant, Financial Management Unit

Donald Forrest

Head of Finance and Estates

Date: 22 June 2011

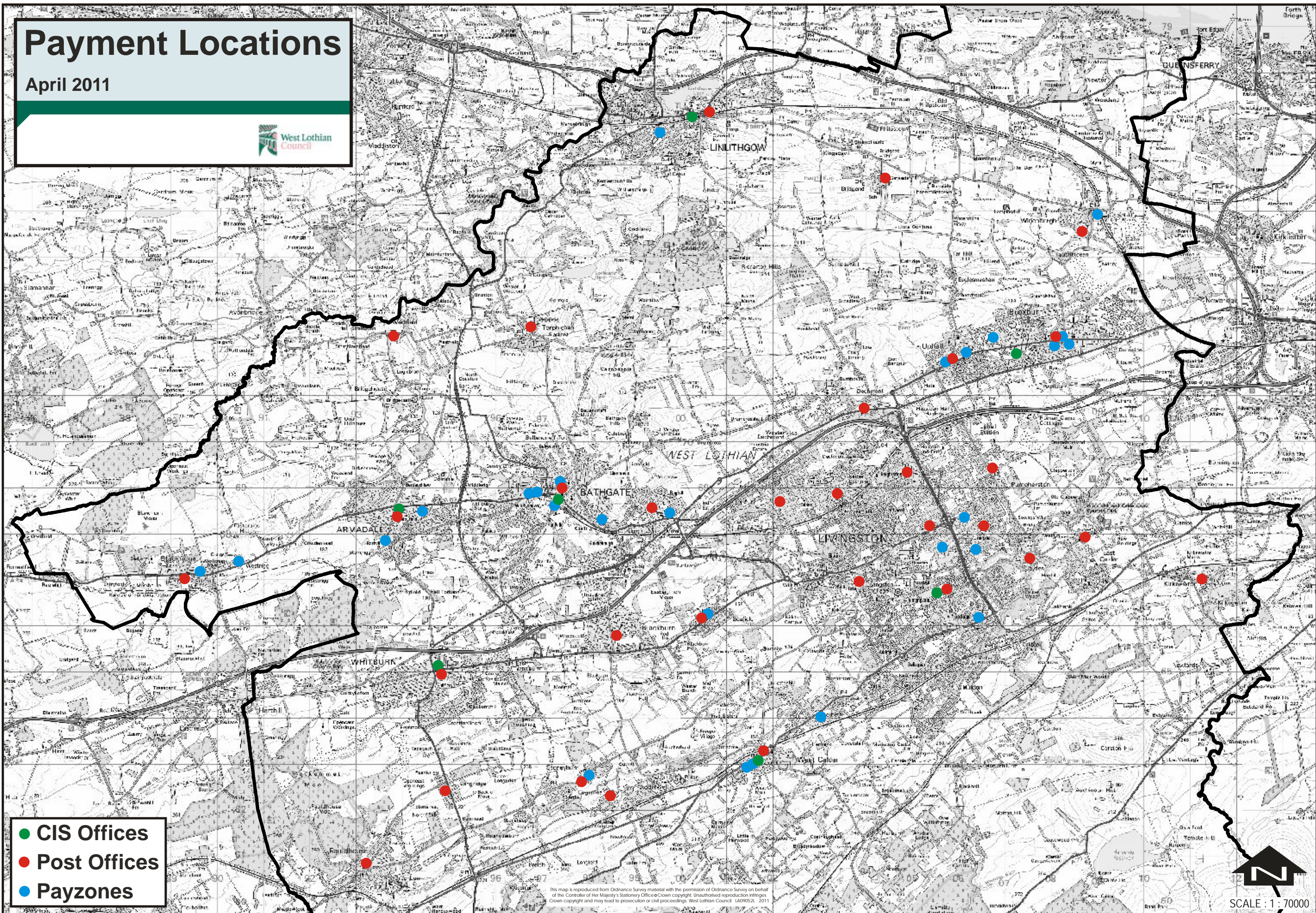
Summary of CIS Transactions 2010/11

Appendix 1

	WL Connected		Armadale		Broxburn		Bathgate		Cash Kiosk		Linlithgow		West Calder		Whitburn	
	Total Transactions		Total Transactions		Total Transactions		Total Transactions		Total Transactions		Total Transactions		Total Transactions		Total Transactions	
	No.	Value £	No.	Value £	No.	Value £	No.	Value £	No.	Value £	No.	Value £	No.	Value £	No.	Value £
Apr-10	5,344	465,476	2,957	184,025	2,181	171,077	3,335	282,263	306	23,651	1,398	257,163	1,292	97,032	4,163	261,446
May-10	5,197	437,038	2,835	175,506	2,132	227,442	3,364	258,858	301	24,254	1,357	227,378	1,258	92,991	4,080	244,192
Jun-10	5,890	485,510	2,954	196,952	2,323	203,700	3,486	272,447	145	12,147	1,350	233,517	1,318	98,644	4,315	263,965
Jul-10	5,669	474,455	3,009	191,195	2,296	237,239	3,405	258,079	276	21,547	1,374	223,444	1,338	98,247	4,355	265,215
Aug-10	5,737	481,792	2,968	183,906	2,288	176,582	3,410	257,941	286	21,866	1,398	193,389	1,329	97,857	4,384	262,586
Sep-10	5,560	485,032	2,855	184,127	2,156	202,044	3,246	257,435	292	22,689	1,461	378,291	1,298	95,591	4,193	247,817
Oct-10	5,762	507,758	2,837	190,117	2,132	171,280	3,261	256,575	312	25,246	1,319	429,294	1,220	91,035	4,220	267,354
Nov-10	5,470	456,707	3,155	199,105	1,747	200,777	3,105	252,919	276	24,642	1,351	267,181	1,210	82,481	4,046	247,208
Dec-10	4,754	430,334	2,217	148,094	1,570	141,472	2,246	188,275	176	14,504	1,016	128,551	912	71,273	3,215	213,270
Jan-11	4,715	411,331	2,449	189,207	1,775	174,941	2,761	231,477	232	21,019	1,157	151,167	1,061	82,157	3,622	229,347
Feb-11	3,502	274,312	1,834	107,695	1,298	136,577	2,010	164,171	165	11,420	833	115,291	689	52,533	2,712	154,630
Mar-11	3,784	338,543	1,732	115,517	1,298	123,585	2,069	161,400	155	11,722	828	144,208	742	68,520	2,629	171,746
TOTAL	61,384	5,248,287	31,802	2,065,447	23,196	2,166,717	35,698	2,841,840	2,922	234,707	14,842	2,748,875	13,667	1,028,361	45,934	2,828,777

Payment Locations

April 2011



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COUNCIL EXECUTIVE

**PROCUREMENT ARRANGEMENTS – SUPPLY OF STRATHBROCK BUNGALOW SHORT
BREAK CARE AND MANAGEMENT SERVICES FOR CHILDREN AND YOUNG ADULTS.**

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To seek the Council Executive's approval to award a contract for the supply of Short Break Care and Management Services for Children and Young Adults.

B. RECOMMENDATION

The Council Executive is requested to approve the award of a three year contract, with an estimated value of £345,000, for the period 12th July 2011, to 11th July 2014, with a three year contract extension option in accordance with Appendix 1, to Barnardo's

C. SUMMARY OF IMPLICATIONS

I Council Values	Making best use of our resources, focusing on our customers' needs, and being honest, open and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or RiskAssessment)	Tenders were received and analysed in accordance with Standing Orders of West Lothian Council and the Public Contracts (Scotland) Regulations 2006 .
III Changes to Scheme of Delegations to Officers or Scheme of Administration	None
IV Resources - (Financial, Staffing and Property)	Full budget provision is contained within the Social Policy budget.
V Consultations	The specification was provided by Social Policy Services who also participated in the evaluation. The Corporate Finance Manager was consulted on budget implications.

D. TERMS OF REPORT

Background Information

West Lothian Council, over a number of years, has explored options for the local delivery of a service providing short breaks from caring for the families of children and young people with disability, thus avoiding the need for many children to use services provided outwith West Lothian, which incurs additional disruption to families and additional transport costs.

The opportunity has recently arisen to use the council owned bungalow adjacent to the Strathbrock Family Unit for this purpose. The bungalow has been modified to meet the Care Commission's standards for registration. Having considered options in terms of how best to manage and operate this service, it has been decided to seek the partnership of an experienced external agency to operate the service on behalf of the council.

Procurement Issues

A business case presented by Jennifer Scott, Head of Service, recommended that cost should not be the primary consideration in tendering for this service, which requires the quality of care to children and young people with disability to meet high standards, required by the council, the Care Commission, the Scottish Social Services Council and parents. Therefore the price : quality ratio was agreed at 30:70.

The requirement was advertised in accordance with the European Union Directives. Invitations to tender were issued to thirty-five potential suppliers, six of whom returned a tender for evaluation. The evaluation criteria listed below were adopted following consultation with the service and to ascertain the submissions that offered best value to the council.

The evaluation process consisted of three stages:

Stage 1

Written evidence of financial viability, levels of insurance liability and business probity. Only responses that achieved a "pass" against all of the above criteria progressed to Stage 2.

Stage 2

Written evidence of experience and expertise with service user group, staff development, proposed staffing levels and performance evaluation carried out by the Care Commission and similar services as well as price.

Evaluation criteria:

Price	30%
Quality	70%

The leading tender and all tenders within 150 points of the highest scored tender were shortlisted and progressed to Stage 3.

Stage 3

Presentation and Question & Answer 150 points

The presentation focused on working in partnership with stakeholders; involved professionals, parents/carers.

The Q&A session focused on the tenderer's strategies for coping with individual care plans, managing challenging needs and behaviours, methods of engagement and communication , engaging with the local community and retaining its local identity, capacity to meet key operational aspects, with continuous service development and ensuring quality assurance

The evaluation panel consisted of three people representing Social Policy and one person from Signpost, a West Lothian voluntary group representing parents and service users. Evaluation was carried out independently, without discussion with other evaluators and scoring was based on content and not presentation skills

The evaluation criteria and staged process was specified in the contract notice and tender documents.

Budget Implications

The cost of providing the respite unit at Strathbrock is provided for within the Social Policy budget. In addition this unit is listed as a £70,000 budget reduction in Social Policy's Tough Choice proposals and it is anticipated that this £70,000 saving will be delivered fully in the 2013/14 financial year, taking account of the timing of care packages being transferred from current providers to the new resource. It is envisaged that the ability to provide families coping with the demands of a disabled child with regular short breaks within West Lothian would help maintain the child in the family home. This would result in a reduction in high cost residential packages later on in the child's life.

E. CONCLUSION

As a result of the tender evaluation it is recommended that the Council Executive approves the award of contract to Barnardo's.

F. BACKGROUND REFERENCES

A copy of the tender evaluation is available on request from Procurement Services.

Contact Person: Maria Dick

Email: maria.dick@westlothian.gov.uk

Tel: (01506) 281803

Donald Forrest

Head of Finance and Estates .

Date: 9th June 2011

Evaluation Breakdown Top Three Suppliers

Company	Price	Quality	Total (1000)	Presentation / Q&A	Total (1150)
Maximum Score Available	300	700	1000	150	1150
Barnardo's Edinburgh EH12 7AR	196	522	718	139	857
Capability Scotland Glasgow G38DZ	300	468	768	87	855
Action for Children Glasgow G31 3AU	155	508	663	130	793

Barnardo's have one establishment within West Lothian.

Unsuccessful tenders were also received from:

Cornerstone, Glasgow, G311JF
 FTS Care Ltd, Denny, FK16 6NR
 The Action Group, Edinburgh, EH7 5QY



COUNCIL EXECUTIVE

COUNCIL'S CODE OF CORPORATE GOVERNANCE – ANNUAL REVIEW

REPORT BY CHIEF LEGAL OFFICER

A. PURPOSE OF REPORT

To submit the outcome of the annual review of the council's compliance with its Code of Corporate Governance.

B. RECOMMENDATIONS

1. To note that the revised Code has increased the number of governance requirements significantly compared to the previous Code, and that the governance approach requirements of the Code were substantially met in 2010/11.
2. To agree that the items in the current Code identified by the Corporate Governance Working Group as no longer required be deleted for 2011/12.
3. To note that the Corporate Management Team (CMT) has agreed that the current guidance relating to the committee report template should be expanded, to reflect the requirement for committee reports to identify –
 - any changes required to the council's Scheme of Delegation to Officers,
 - implications for implementation of the Single Outcome Agreement, and
 - implications for performance indicators for service delivery.
4. To note that the corporate governance arrangements within the council will continue to be a key strategic priority for the council in the year ahead, particularly having regard to the current financial climate of reduced funding and increased demand for services.
5. To agree that the focus in 2011/12 should be on ensuring that the revised Code is embedded across the whole council and the necessary reviews of governance systems and procedures take place when required.

C. SUMMARY OF IMPLICATIONS

I Council Values	Being honest, open and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The council has adopted a local Code of Corporate Governance compliance with which is audited by the council's external auditor as part of the council's statutory audit of accounts.
III Resources - (Financial, Staffing and Property)	Within existing resources.
IV Consultations	Working Group of Officers on Corporate Governance, individual Depute Chief Executives and Heads of Service, Internal Audit Manager, Chief Solicitor and the CMT. The P&R PDSP considered this report on 17 June 2011 and agreed that it be submitted to the Council Executive for consideration.

D TERMS OF REPORT

Introduction –

1. A new Framework, Delivering Good Governance in Local Government, was produced by CIPFA/SOLACE which changed the emphasis of corporate governance from one focused on the rigour of processes (the 2001 framework) to one focused on achieving outcomes. The council in June 2010 adopted a revised Code based on this new Framework. The Chief Legal Officer is designated to oversee the implementation and monitoring of the Code and to co-ordinate and carry out the annual review of compliance with the Code, which requires a report to the council annually within three months of the end of the financial year.

Evidence of Compliance for 2009/10 –

2. In previous years, Internal Audit conducted an annual review of the council's corporate governance arrangements, taking a different section of the Code each year. All five sections of the council's previous Code were subject to review by Internal Audit with findings that the levels of control were good. Audit work for 2009/10 involved reviewing compliance with the Employee Code of Conduct. This Code is currently being reviewed by Corporate Services (HR) in order to implement Internal Audit's recommendations. In 2010/11, Internal Audit reviewed the process by which the annual statements of compliance listed in paragraph 12 of this report were compiled by the various responsible officers. Internal Audit's recommendations have been implemented in producing these annual statements for this report.

3. In the External Auditor's report on the council's 2009/10 accounts, reported to the council on 26 October 2010, the Auditor reported on the council's governance systems. The assessment identified areas for improvement but overall the results suggested that the council has a sound governance framework. The assurance and improvement plan assessed the council as having no significant risks in this area. Public performance reporting was one area identified for improvement. An action plan has been agreed and implemented.
4. Audit Scotland in their overview report on local government in Scotland for 2010 reported that the current financial context and increasingly varied models of service delivery require an increased focus on governance. The report also made significant reference to the roles and working relationships between councillors and officers, and listed a number of issues upon which they recommended councils canvass views. A survey of councillors and relevant officers is currently under way.
5. West Lothian Council's new Code of Corporate Governance represents a complete revision from the previous Code encompassing not only the means of detailed assessment but the fundamental structure of the Code. The new Code requires assessment in considerably more detail and whereas the old Code comprised of 158 individual items, the new Code has 370 items assessed across three aspects – approach, deployment and review.
6. In the first year of scoring only the approach levels have been assessed due to the significantly greater detail of the new Code. Work has started on extending the assessment to deployment and to review, and evidence of compliance with these factors will be reported in next year's annual report.
7. Each item of the Code has been assessed in turn in respect of the approach aspect using the following scoring structure.

0 – No evidence or anecdotal
1 – Some evidence
2 – Evidence
3 – Clear evidence
4 – Comprehensive evidence

Levels 0, 1 and 2 represent processes which are either new to the Code or / and are subject to a quality improvement programme.
8. The individual scores and supporting evidence for each item are contained in a separate full assessment report available for inspection from Committee Services (contact person Anne Higgins).
9. The percentage score given in the attached summary [Appendix 1] represents the total score assessed per section as a percentage of the maximum possible score for each section. The overall compliance score is 87%.

10. The full assessment report highlights a number of entries in the existing Code which the Corporate Governance Working Group found were no longer applicable for the reasons stated in the Admin. Notes for each such section. It is recommended that these entries are deleted from the current Code for 2011/12.
11. The Corporate Governance Working Group has concluded that the governance approach requirements of the Code were substantially met in 2010/11.

Issues addressed during 2010/11 –

12. A number of specific issues were addressed by the Working Group during 2010/11. These were:-

(1) Risk Management and Business Continuity Planning -

A revised combined policy and strategy is being prepared. The new policy and strategy will take into account recommended practice and guidance from a variety of sources including the Accounts Commission, CIPFA, the Institute of Risk Management and the International Standards Organisation standard ISO 31000: Risk Management –Code of Practice, the British Standards BS25999 :Business Continuity Management and BS ISO/IEC 27001:2005;Information Security Standards. It will also reflect the changes in the council's structure. Work will be undertaken to change working methods and plans to comply with the approved policy and strategy during 2011-12.

(2) Partnership Working -

The guidance on Partnership working approved in June 2010 has been issued to all service management teams. In addition key staff members from each service group have received risk management training relating to partnership and collaborative working to enable them to provide support and guidance to their colleagues.

(3) Committee Report Template and Guidance –

The Corporate Management Team has agreed that the current guidance relating to the committee report template used by services for submitting reports to committee should be expanded to reflect the requirement on authors of these reports to identify any implications for –

- the council's Scheme of Delegation to Officers in order to facilitate the need to keep this Scheme up to date;
- the implementation of the Single Outcome Agreement; and
- the performance indicators for service delivery.

13. The council's Code on Corporate Governance requires an annual statement of compliance to be made by the relevant responsible officer on a number of issues. These are: -

	Subject	Responsible Officer
1.	Freedom of Information (reported on separately)	Chief Legal Officer
2..	Councillors' Code of Conduct (reported on separately)	Chief Legal Officer
3.	Breaches of the law	Chief Legal Officer
4.	EC Procurement Rules for Contracts for Construction and Works	Depute Chief Executive (Corporate, Operational & Housing)
5.	EC Procurement Rules for Contracts for Supplies and Services	Head of Finance & Estates
6.	Anti-fraud and Corruption Strategy	Head of Finance & Estates
7.	Fraud Policy and Strategy for Housing Benefit and Council Tax Benefit	Head of Finance & Estates
8.	Benefit Fraud Prosecution and Sanction Policy	Head of Finance & Estates
9.	Whistle Blowing Policy and Procedures	Head of Corporate Services
10.	Disciplinary and Grievance Procedures	Head of Corporate Services
11.	Occupational Health & Safety Policy	Head of Corporate Services
12.	Child Protection Arrangements	Head of Corporate Services
13.	Information Security	Head of Corporate Services

These annual statements, except the first two which are reported on separately, are contained in Appendix 2.

Each of these annual statements of compliance concludes that the council's policies and procedures are operating satisfactorily or effectively and any breaches or areas of improvement have been

identified. None of the breaches highlighted is considered to have had, or to have a material or significant impact on the operations or finances of the council.

14. The statement on compliance with EU procurement regulations for contracts for supplies and services highlights a number of breaches of those rules and confirms that remedial steps are or have been taken.
15. The statement on the council's Whistle Blowing Policy and Procedure confirms that, whilst there were no issues reported under the policy during 2010/11, it would benefit from being further publicised to employees.
16. The Occupational Health and Safety statement highlights that there were seven visits from the Health and Safety Executive during 2010/11 three of which resulted in action plans being developed to ensure that the recommendations made were put in place. One serious incident in 2009, reported in this statement last year, resulted in the council being fined £80,000 in respect of a breach of the health and safety legislation. The need for managers to ensure that the requirements of the council's health and safety policy and procedures are complied with is highlighted.
17. The statement on Child Protection Arrangements highlights that one referral was made to the List of Individuals Disqualified from Working with Children during 2010/11. The protection of children legislation has been extended from March 2011 to include vulnerable adults, and as a result a new Policy and Procedure on Protecting Vulnerable Groups is being developed.
18. The annual statement on compliance with the council's policy on information security is a new statement agreed by the Council Executive in June 2010. It highlights that 239 incidents were recorded in 2010/11, an increase on the previous year's total of 74, mirroring a general industry wide increase in the volume of viruses. None of the incidents required notification to the UK Information Commissioner as all data losses were contained, recovered and internal processes updated as an outcome.

Future Development -

19. Audit Scotland in their report on the council's accounts for 2009/10 stated that -
 - councils are large complex organisations and so good governance is critically important; and
 - governance and accountability issues are likely to be prominent as the council's operating environment and economic position become more difficult and the development

of working in partnership with others increases.

20. The following activities will be pursued by the Corporate Governance Working Group in 2011/12 to ensure governance requirements are given the appropriate attention -

- better awareness of governance issues through improved training and access to the key governance policies and procedures on the council's intranet and web site;
- gathering of both deployment evidence and review evidence across the whole council; and
- identification of the implications for the council's governance policies and procedures of the Bribery Act 2010 which introduced corporate liability for failing to prevent bribery, and preparation of appropriate guidance for services.

E CONCLUSION

1. The council's arrangements for corporate governance have operated well and the approach requirements of the council's revised Code of Corporate Governance have been substantially met in 2010/11.
2. During the year ahead, the focus will be on ensuring that the revised Code is embedded across the whole council and the necessary reviews of governance systems and procedures take place when required.

F BACKGROUND REFERENCES

1. Minutes of the following meetings –
 - Council Executive of 29 June 2010
 - West Lothian Council of 26 October 2010
2. Report by Audit Scotland dated October 2010 to Members and the Controller of Audit on the 2009/10 Audit of the council's accounts.
3. Delivering Good Governance in Local Government Framework issued by CIPFA and SOLACE in 2007 and endorsed by UK and Scottish Ministers.
4. Audit Scotland's overview report, dated January 2011, on local government in Scotland for 2010
5. Council's Code of Corporate Governance showing full assessment of individual scores of compliance and supporting evidence for 2010/11, for each item in the Code.
6. Corporate Governance Working Group Action Notes of meetings (held

on file).

Appendices/Attachments: 2

Contact Person: Gordon Blair
Chief Legal Officer
gordon.blair@westlothian.gov.uk

Date: 17 June 2011

List of Appendices

Appendix 1 – Summary of percentage scores for corporate governance approach.



Appendix 1
Summary of Percent.

Appendix 2 - Annual statements of compliance on specific issues.



Appendix 2
Individual Stateme..

APPENDIX 1	
1. Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area.	83%
1.1 Exercising strategic leadership by developing and clearly communicating the authority's purpose and vision and its intended outcomes for citizens and service users.	88%
1.2 Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.	73%
1.3 Ensuring that the authority makes best use of resources and that tax payers and service users receive excellent value for money.	85%
1.4 Exercising strategic leadership by developing and clearly communicating the authority's civil emergency plans.	75%
2. Members and officers working together to achieve a common purpose with clearly defined functions and roles.	90%
2.1 Ensuring effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function.	89%
2.2 Ensuring that a constructive working relationship exists between members and officers and that the responsibilities of authority members and officers are carried out to a high standard.	97%
2.3 Ensuring relationships between the authority, its partners and the public are clear so that each know what to expect of the other.	87%
3. Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.	86%
3.1 Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance.	88%
3.2 Ensuring that organisational values are put into practice and are effective.	83%
4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.	89%
4.1 Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny.	89%
4.2 Having good-quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs.	92%
4.3 Ensuring that an effective risk management system is in place.	89%
4.4 Using their legal powers to the full benefit of the citizens and communities in their area.	83%
5. Developing the capacity and capability of members and officers to be effective.	90%
5.1 Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles.	89%
5.2 Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.	98%
5.3 Encouraging new talent for membership of the authority so that best use can be made of individuals' skills and resources in balancing continuity and renewal.	82%
6. Engaging with local people and other stakeholders to ensure robust public accountability.	83%
6.1 Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships.	96%
6.2 Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by the authority, in partnership or by commissioning.	78%
6.3 Making best use of human resources by taking an active and planned approach to meet responsibility to staff.	75%

Overall Score	87%
----------------------	------------

Local Code of Corporate Governance - Annual Statement of Compliance 2011

Name of Policy or Procedure:	Breaches of the Law
Responsible Officer:	Gordon Blair – Chief Legal Officer/Monitoring Officer
Stated Requirement in Code:	Annual Review of the council's performance in relation to breaches of the law.
Report required by:	Corporate Management Team Meeting May 2011
Review Date	Previous review in May 2010. Next review May 2012.
Report by Chief Legal Officer on Statements of Compliance with the law received from other Heads of Service in West Lothian Council	<p>Having consulted with Heads of Service, the Chief Solicitor and the Internal Audit Manager, I can confirm that I am not aware of any actual or potential breaches of the law by the council in 2010/11 which have or will have a material or significant impact on the operations or finances of the council.</p> <p>The annual statements of compliance for 2010/11 by the Heads of Finance & Estates and Corporate Services highlight breaches of the law in respect of the EU procurement regulations for supplies and services and health and safety legislation. Whilst serious within the context of the relevant services, none of those breaches is considered material or significant to the overall finances or operations of the council.</p>

**Conclusions Drawn
from Report**

There have been no material or significant breaches of the law by the council in 2010/11 which have or will have a material or significant impact on the operations or finances of the council.

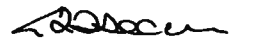
**Matters for Forward
Periods**

None

**Certificate by Chief
Legal
Officer/Monitoring
Officer**

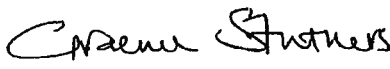
The council is complying in all material respects with its legal requirements.

Signature



Date 19 May 2011

**Local Code of Corporate Governance - Annual Statement of Compliance
2010/11**

Name of Policy or Procedure:	Compliance with European Union Procurement Regulations for Construction and Works	
Responsible Officer:	John Hill -- Depute Chief Executive	
Stated Requirement in Code:	1. Annual Statement of Compliance 2. Review policy every administrative term	
Report required by:	Corporate Management Team	April 2011 Meeting Next report due April 2012
Report by Depute Chief Executive on Statements of Compliance with arrangements	Having reviewed the capital programme for 2010/11, I can confirm that the procurement of construction works and construction works consultancy contracts was carried out in accordance with EU Procurement directives and with the Council's Standing Orders.	
Conclusions Drawn from Report	The Council is complying with EU Procurement Regulations and the Council's Standing Orders.	
Matters for Forward Periods	None.	
Certificate by Depute Chief Executive	I certify that the Council is complying with EU Procurement Regulations and the Council's Standing Orders and that the associated procedures are operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.	
Signature		Date 19/5/11

Local Code of Corporate Governance – Statement of Compliance 2010/11

Name of Policy or Procedure:	<u>Compliance with European Union Procurement Rules and Standing Orders for Contracts for Supplies and Services</u>
Responsible Officer:	<u>Donald Forrest – Head of Finance & Estates</u>
Stated Requirement in Code:	1. Annual statement of compliance 2. Review policy every administrative term
Report Required by:	Corporate Management Team – May 2011 Meeting
Review Date:	Review of policy is currently ongoing and due for completion in 2011/12.
Report by Head of Finance and Estates on Statements of Compliance with Regulations and Policy Received from Other Heads of Service in West Lothian Council:	<p>In March 2011, I made enquiries of all West Lothian Council Heads of Service and the Interim Procurement Manager to obtain a demonstration of compliance with EU Procurement Rules, for purchases over £156,442 and with the Council's Standing Orders for supplies and services. During 2010/11, there was compliance with the large majority of contracts throughout the council, however exceptions were identified. These included contracts for street lighting and automatic public conveniences which was reported to Audit Committee in December 2010 and June 2011 respectively.</p> <p>Appropriate action has been taken to ensure compliance for any exceptions, including a local bus contract, the agency services contract, IT hardware and peripherals contract, and the residential school contract.</p> <p>Following the disclosure in the 2009/10 statement of compliance regarding the Multi Functional Device framework contract, a revised MFD contract was retendered and awarded in November 2010. In terms of analytical services, which was also included in the 2009/10 report, a non competitive action form has been completed to continue with the current service pending the outcome of a Scotland wide review of analytical services.</p> <p>Controls have now been implemented to eliminate the practice of unofficial contract extensions and all future contract extensions require written authorisation from the Head of Finance and Estates Services.</p> <p>A full scale review of Procurement is currently being undertaken to ensure that systems are in place to secure full compliance across the council. Any issues of non compliance identified will be addressed for all future contracts.</p>
Conclusions:	During 2010/11, there was compliance with the large majority of contracts throughout the council however exceptions have been identified. Appropriate action has been taken to ensure that systems and controls are in place to prevent such exceptions taking place in the future.

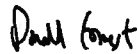
Points Forward:

A full scale review of Procurement is currently being undertaken to ensure full compliance across the council and any issues of non compliance identified will be addressed. Steps will be taken to progress the use of the PECOS ordering system across all council services which will improve control.

Certificate by Head of Finance and Estates:

I certify that, upon enquiry, during the financial year under review, apart from the exceptions identified above, the council's officers have complied with EU Procurement Rules and the Council's Standing Orders related to procurement matters.


Action has been taken to resolve specific issues but more generally improvement action is essential to enhance procurement performance. To facilitate the required improvement in procurement, a review was initiated in November 2010. The results of the procurement review will be reported at the Partnership and Resources PDSP in June 2011 and an improvement plan will be implemented from summer 2011 onwards.



May 2011

Signature:

Local Code of Corporate Governance – Statement of Compliance 2010/11

Name of Policy or Procedure:	Anti Fraud and Corruption Strategy
Responsible Officer:	Donald Forrest – Head of Finance & Estates
Stated Requirement in Code:	1. Annual statement of compliance 2. Review policy every administrative term
Report Required by:	Corporate Management Team – May 2011 meeting
Review Date:	The policy was approved in March 2006. The policy has now been reviewed and a revised policy was presented to the Partnership and Resources PDSP on 18 February 2011. The Partnership and Resources PDSP agreed that reference be made to the Bribery Act 2010 and that the policy be submitted to the Council Executive with a recommendation that it be approved.
Report by Internal Audit Manager on Operation of Policy in Year Under Review:	The policy was circulated to all heads of service in May 2006 and has been circulated annually since then. All Heads of Service have signed a statement confirming compliance with the policy during 2010/11.
Conclusions:	It is concluded that the policy is operating effectively.
Points Forward:	The 2011/12 audit plan includes a time allocation for the review of the effectiveness of key anti-fraud and corruption controls. Further audit work on the Standing Orders for Contracts is also planned for 2011/12.
Certificate by Head of Finance:	On the basis of the statements provided by the heads of service, and the information provided by the Internal Audit Manager, I certify that the council's anti-fraud and corruption policy has been complied with.
Signature:	<div style="display: inline-block; width: 40%; text-align: center;">  </div> <div style="display: inline-block; width: 55%; text-align: right;"> 8 April 2011 </div>

Local Code of Corporate Governance – Statement of Compliance 2010/11

Name of Policy or Procedure: **Fraud Policy and Strategy for Housing Benefit and Council Tax Benefit**

Responsible Officer: **Donald Forrest – Head of Finance & Estates**

Stated Requirement in Code:

1. Annual statement of compliance
2. Review policy every administrative term

Report Required by: Corporate Management Team – May 2011 Meeting

Review Date: May 2011

Report by Revenues and Benefits Manager on Operation of Policy in Year Under Review: In the course of the year ending 31st March 2011, the benefit investigation team continued to identify & investigate allegations of benefit fraud. We also remain committed to our joint working partnership with our counterparts within Jobcentreplus fraud investigation service. We continue to be engaged in comprehensive data matching exercises, through the biennial National Fraud Initiative (NFI) & DWP's monthly Housing Benefit Matching Service (HBMS). The investigation officers' skills and expertise are continually updated to take into account changes within legislation or the law. Also as with previous years, fraud awareness training has been provided via an e-learning package, to all relevant staff. During 2010/2011, the following results were achieved;

	2010/11	2009/10
Total Number of Referrals Received	451	391
From Above, Number of Cases Accepted for Investigation	183	178
Number of Cases Investigated by Council	148	162
From Above, Those Related to Claimant Fraud	88	116
From Above, Those Related to Landlord Fraud	0	0
Number of Cases Involving Councillors	0	0
Number of Cases Where Surveillance Used	1	1
Number of Cases Where Data Matching Used	45	44
Number of Cases Prepared for Procurator Fiscal	17	14
Average Number of Authorised Staff in Post	4	4
Turnover of Authorised Staff in Year	0	0

Conclusions: The Benefit Fraud Strategy was reviewed in May 2010 and was found to be working satisfactory and considered fit for purpose. The next review will take place in May 2011. Our systems and procedures within the investigation team remain robust in the assisting and combating of benefit fraud.

Points Forward:

**Certificate
by Head of
Finance and
Estates:**

I certify that, during the financial year under review, the council's staff have operated in compliance with relevant legislation and the Council's Benefit Fraud Policy and Strategy, to identify, investigate and report cases of fraud related to Housing and Council Tax Benefits.

David Conry


Signature:

8 April 2011

Local Code of Corporate Governance – Statement of Compliance 2010/11

Name of Policy or Procedure:	Fraud Prosecution and Sanction Policy																					
Responsible Officer:	Donald Forrest – Head of Finance & Estates																					
Stated Requirement in Code:	1. Annual statement of compliance 2. Review policy every administrative term																					
Report Required by:	Corporate Management Team – May 2011 Meeting																					
Review Date:	May 2011																					
Report by Revenues and Benefits Manager on Operation of Policy in Year Under Review:	<p>Our procedures for considering sanction suitability continue to comply with the terms of this policy.</p> <p>To act as a deterrent, our benefit fraud web page was radically changed to include what work the benefit investigation team actually do and what can happen to those who abuse the benefit scheme.</p> <p>Our sanctions for the year ending 2010/2011 are as follows;</p> <table border="1"><thead><tr><th></th><th>2010/11</th><th>2009/10</th></tr></thead><tbody><tr><td>Number of Cases Investigated by the Council</td><td>148</td><td>162</td></tr><tr><td>Number of Cases of Administrative Caution</td><td>12</td><td>12</td></tr><tr><td>Number of Cases of Administrative Penalty</td><td>9</td><td>15</td></tr><tr><td>Number of Cases Reported to the Police/Procurator Fiscal</td><td>17</td><td>14</td></tr><tr><td>Number of Cases Prosecuted</td><td>17</td><td>14</td></tr><tr><td>Number of Cases Where a Guilty Verdict Brought</td><td>1</td><td>3</td></tr></tbody></table>		2010/11	2009/10	Number of Cases Investigated by the Council	148	162	Number of Cases of Administrative Caution	12	12	Number of Cases of Administrative Penalty	9	15	Number of Cases Reported to the Police/Procurator Fiscal	17	14	Number of Cases Prosecuted	17	14	Number of Cases Where a Guilty Verdict Brought	1	3
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Conclusions:	The Prosecution and Sanction policy was reviewed in May 2010 and was found to be working satisfactory and considered fit for purpose. The next review will take place in May 2011.																					
Points Forward:																						
Certificate by Head of Finance and Estates:	<p>I certify that, during the financial year under review, the council's officers have reported appropriate fraud cases related to Housing and Council Tax Benefits to the Police and Procurator Fiscal, in compliance with the Council's policy on prosecution and sanctions.</p> <p><i>Donald Forrest</i></p> <p>8 April 2011</p>																					
Signature:																						

**Local Code of Corporate Governance - Annual Statement of Compliance
2010/11**

Name of Policy or Procedure:	Disclosure of Information by Employees (Whistle Blowing Policy & Procedure)	
Responsible Officer:	Graeme Struthers – Head of Corporate Services	
Stated Requirement in Code:	Annual Statement of Compliance	
Report required by:	Corporate Management Team	April 2011 Meeting Next report due April 2012
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>The HR Policy & Advice Unit keeps the council's employment policies under continuous review. Specific reviews are also undertaken in response to particular service requirements, changes to legislation and as part of the council's Equality Impact Assessment process.</p> <p>Whistle blowing is one of several key employment policies and procedures drawn to the attention of employees in six monthly payslip inserts, publicising the council's employment policies and where they can be accessed.</p> <p>During the 2010/2011 financial year, no issues were reported through the established Whistle –Blowing Policy.</p>	
Conclusions Drawn from Report	Whilst the Whistle – Blowing Policy continues to be 'fit for purpose' and is accessible electronically on Mytoolkit, it would benefit from being further publicised to employees.	
Matters for Forward Periods	<p>Following an Internal Audit report, the council's Code of Conduct which includes reference to the council's Whistle –Blowing Policy, has recently been reviewed. A key recommendation of the audit was to reinforce the requirements of services and employees to register and record declarations of interests under the Code.</p> <p>As part of the exercise to be carried out to refresh services/employees awareness of the Code and its contents, a reminder will also be issued with regard to the availability and purpose of the Whistle Blowing Policy and where it can be assessed.</p>	
Certificate by Head of Corporate Services	I certify that the council's existing policies and procedures in respect of whistle blowing are operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.	
Signature		Date 19/5/11

**Local Code of Corporate Governance - Annual Statement of
Compliance 2010/11**

Name of Policy or Procedure:	1. Disciplinary Procedure and Code 2. Procedure for Hearing Employee Grievances																									
Responsible Officer:	Graeme Struthers- Head of Corporate Services																									
Stated Requirement in Code:	Annual Statement of Compliance																									
Report required by:	Corporate Management Team	April 2011 Meeting Next report due April 2012																								
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>The HR Policy & Advice Unit keeps the council's employment policies under continuous review. Specific reviews are also undertaken in response to particular service requirements, changes to legislation and as part of the council's Equality Impact Assessment process.</p> <p>The summarised position in respect of discipline and grievance policies and procedures is as follows:</p> <p>Discipline and Grievance</p> <p>The council's Disciplinary and Grievance Procedures continue to be compliant with ACAS recommendations on best practice and fair processes.</p> <p>During the financial year 2010/11, seventy one cases were dealt with under the council's Disciplinary Procedures. This represents an increase of three cases from the previous year.</p> <p>The Procedure for Dealing with Employee Grievances was applied in seventeen cases. This represents an increase of three cases from the previous year.</p> <p>(*) Previous Year</p> <table border="1"> <thead> <tr> <th>Service Area</th><th>No. of Cases (Disciplinary)</th><th>No. of Cases (Grievances)</th></tr> </thead> <tbody> <tr> <td>Operational Services</td><td>24</td><td>8</td></tr> <tr> <td>Education Services</td><td>11</td><td>5</td></tr> <tr> <td>Housing, Construction & Building Services</td><td>14</td><td>Nil</td></tr> <tr> <td>Corporate Services</td><td>Nil</td><td>1</td></tr> <tr> <td>Social Policy (CHCP)</td><td>13</td><td>2</td></tr> <tr> <td>Area Services</td><td>9</td><td>1</td></tr> <tr> <td>Total</td><td>71 (68*)</td><td>17 (14*)</td></tr> </tbody> </table>		Service Area	No. of Cases (Disciplinary)	No. of Cases (Grievances)	Operational Services	24	8	Education Services	11	5	Housing, Construction & Building Services	14	Nil	Corporate Services	Nil	1	Social Policy (CHCP)	13	2	Area Services	9	1	Total	71 (68*)	17 (14*)
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Of the seventy one disciplinary cases, eight resulted in no action, sixteen resulted in an oral warning, twenty - two resulted in a written warning, nine in a final written warning, one in punitive action short of dismissal and five in dismissal. A further ten cases remain open, to be progressed to a conclusion.

Of the seventeen grievances, four were resolved informally, two were upheld and eleven not upheld at Stage 1. One grievance was upheld and another not upheld at Stage 2.

Four appeals were lodged at Stage 3 (Council Appeals Committee) resulting in one appeal being upheld in part, one not upheld, one withdrawn by the appellant prior to the meeting and one resulting in no action due to failure of the appellant to appear at the meeting.

During the year, ten Employment Tribunal claims were lodged compared with no cases in the previous year. Seven of the ten cases relate to claims from teachers for accrued holiday pay arising from a change to statutory maternity legislation. All seven claims are in the process of being settled. Two of the three remaining cases are waiting to be heard and the outcome of the third is awaited from the ET

Conclusions Drawn from Report

The council's existing policies and procedures in respect of discipline and grievance are operating effectively and are compliant with legal and corporate governance standards.

Matters for Forward Periods

A short – life working group is being set up with a view to developing further manager's guidance to supplement the existing Disciplinary Policy and Procedures based on best practice guidance received from the Scottish Government on Dealing with Allegations against Residential Workers.

General guidance will be developed at the same time to regulate that implementation of precautionary suspension and the reporting of misconduct matters to professional registration bodies.

Certificate by Head of Corporate Services

I certify that the council's existing policies and procedures in respect of discipline and grievance are operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.

Signature

Greene Guthrie

Date 19/5/4

**Local Code of Corporate Governance - Annual Statement of Compliance
2010/11**

Name of Policy or Procedure:	Occupational Health and Safety Policy	
Responsible Officer:	Graeme Struthers-- Head of Corporate Services	
Stated Requirement in Code:	Annual Statement of Compliance	
Report required by:	Corporate Management Team	May 2011 Next report due April 2012
Report by Head of Support Services on Statements of Compliance with arrangements	<p>A review of the Council-wide Occupational Health and Safety Policy took place and was agreed by the Council Executive on 22 March 2011. Roll out will be achieved through the use of email, the council's intranet site and the MyToolkit portal to advise all employees how they could access the revised policy.</p> <p>Monthly reports are provided to the Corporate Management Team to inform them of safety issues/concerns that have or could affect the working arrangements and services of West Lothian Council. The council's Scheme of Delegation details officers' health and safety responsibilities.</p> <p>A five-year health and safety audit plan was developed in 2007 that aimed to deliver forty health and safety management audits per annum. The audit plan is on target, with 191 audits having been completed by March 2011.</p> <p>Occupational Health and Safety workplans for the review period included audits of the management of health and safety. The action plans resulting from these audits are provided to the relevant Head of Service for implementation and copies are provided to the relevant Director. Occupational Health and Safety will monitor the progress of services against their action plans.</p> <p>Improved incident data is being provided to Depute Chief Executives and Heads of Service along with an Executive Summary that provides an analysis of the data and recommendations for actions.</p> <p>There have been seven visits from the Health and Safety Executive during this financial year and one serious incidents. Action plans were developed for three of these incidents to ensure that the recommendations made were put in place, two visits had had enough action already taken to satisfy HSE and two visits did not require an action plans.</p> <p>One serious incident was investigated and recommendations for action were recorded with a view to achieving the effective reduction of the risk of re-occurrence. Lessons learned have been shared with other services.</p> <p>Following an incident in 2009 in Housing, Construction and Building</p>	

Services, the Council was fined in respect of a Breach under Section 3(1) of the Health and Safety At Work Act in February 2011. A fine of £80,000 was imposed.

Conclusions Drawn from Report

The council's existing Occupational Health and Safety Policy is operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.

Matters for Forward Periods

There is a continued need for all managers to ensure that, where relevant, health and safety is taken into consideration when drawing up job specifications and included into the interview process and also to ensure that the systems for health and safety are complied with and properly managed within their areas. Also, Occupational Health and Safety Supplementary Policies and Safety Arrangements Booklets need to be reviewed regularly and Managers need to ensure that those employees who have responsibilities as outlined in these documents are made aware of them with monitoring taking place to ensure that these responsibilities are carried out.

Certificate by Head of Corporate Services

I certify that the council's existing Occupational Health and Safety Policy and associated procedures are operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.

Signature

Croemne Stuchus

Date

19/5/11

**Local Code of Corporate Governance - Annual Statement of Compliance
2010/11**

Name of Policy or Procedure:	Child Protection Arrangements														
Responsible Officer:	Graeme Struthers – Head of Corporate Services														
Stated Requirement in Code:	Annual Statement of Compliance														
Report required by:	Corporate Management Team	April 2011 Meeting													
Review Date		Next report due April 2012													
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>During the period 1 April 2010 to 28 February 2011, the council undertook 2,966 Enhanced Disclosure checks. This figure is inclusive of disclosures carried out in respect of new employees, existing employees undertaking three yearly re-checks, employees moving between regulated posts and volunteers.</p> <p>A total of 5,149 Enhanced Disclosures were processed during the previous financial year April 2009 to March 2010.</p> <p>The table below shows a breakdown of the disclosures re-charged by service area between 1 April 2010 and 28 February 2011 :</p> <table border="1"> <thead> <tr> <th></th> <th>Education & Cultural Services</th> <th>Community Health & Care Partnership</th> <th>Other Service Areas</th> </tr> </thead> <tbody> <tr> <td>Number of Enhanced Disclosures</td> <td align="center">1513</td> <td align="center">1364</td> <td align="center">89</td> </tr> <tr> <td>Percentage</td> <td align="center">51%</td> <td align="center">46%</td> <td align="center">3%</td> </tr> </tbody> </table> <p>The council has had occasion to make one referral to the List of Individuals Disqualified from Working with Children during 2010/11.</p>				Education & Cultural Services	Community Health & Care Partnership	Other Service Areas	Number of Enhanced Disclosures	1513	1364	89	Percentage	51%	46%	3%
	Education & Cultural Services	Community Health & Care Partnership	Other Service Areas												
Number of Enhanced Disclosures	1513	1364	89												
Percentage	51%	46%	3%												
Conclusions Drawn from Report	<p>The council's arrangements for the protection of children and other vulnerable groups have continued to be robust and 'fit for purpose'. This is reflected by the fact that the Protection of Children Manager's Guide has been appropriately applied in respect of the referral of one employee to the list of Individuals Disqualified from Working with Children (DWCL) in accordance with the criteria set out within the Protection of Children (Scotland) Act 2003.</p>														
Matters for Forward Periods	<p>The Protection of Children (Scotland) Act 2003 has since been superseded by the Protection of Vulnerable Groups (PVG) Act 2007, giving rise to the introduction of the new Protection of Vulnerable Groups</p>														

(PVG) Scheme in Scotland from 28 February 2011. The Scheme extends the current provisions for protection of children to include 'protected adults' and replaces the use of enhanced disclosures as a means of ensuring that unsuitable individuals are not employed to work with vulnerable groups. Instead, employees working in 'regulated posts' as defined by the PVG (Scotland) Act 2007 will require to become members of the new scheme.

New employees engaged by the council from 28 February 2011 are required to be PVG Scheme members. Existing employees will be brought into membership of the scheme on a phased basis over a three year period commencing February 2012.

The advantage of new PVG Scheme is that Disclosure Scotland continuously updates vetting information about an individual after the initial disclosure check so that new information indicating that they might be unsuitable to work in regulated posts can be acted upon. The council as a registered employer will be notified automatically should information arise that will result in the individual being barred or placed under consideration for disqualification from the type of work for which they are registered.

As a result of the introduction of the PVG Scheme, the Protection of Children Manager's Guide is being replaced by a council Policy and Procedure on Protecting Vulnerable Groups. An exercise is also underway to classify those posts in the council that constitute 'regulated work' as set out in the PVG (Scotland) Act 2007 and by definition require the post-holders to become scheme members.

The policy measures being taken by the council in conjunction with the improved vetting arrangements provided by the new PVG Scheme will assist the council in ensuring compliance with its obligations under the Protection of Vulnerable Groups (Scotland) Act 2007.

Certificate by Head of Corporate Services I certify that the robust arrangements are currently in place to ensure compliance with the Protection of Vulnerable Groups (Scotland) Act 2007.

Signature

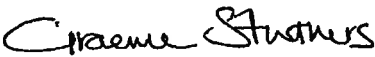
Graeme Stewart

Date

19/5/11

Local Code of Corporate Governance - Annual Statement of Compliance 2010/11

Name of Policy or Procedure:	Information Security Policy																																										
Responsible Officer:	Graeme Struthers – Head of Corporate Services																																										
Stated Requirement in Code:	Annual Statement of Compliance																																										
Report required by:	Corporate Management Team	April 2011 Meeting																																									
		Next report due April 2012																																									
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>IT Services maintain the Information Security Policy and are responsible for the continuous development and review of the policy and supporting procedures. IT Services also ensure compliance and manage and report incidents relating to breaches of the policy.</p> <p>During the 2010/11 financial year the following volumes of security incidents were recorded:</p> <table><tr><th colspan="5"><i>Summary of Information Security Incidents 2010/11</i></th></tr><tr><th>Service Area/Category</th><th>Low</th><th>Medium</th><th>High</th><th>Total</th></tr><tr><td>Chief Executive's Office</td><td>14</td><td>2</td><td>0</td><td>16</td></tr><tr><td>Community Health & Care Partnership</td><td>8</td><td>17</td><td>8</td><td>33</td></tr><tr><td>Corporate Operational & Housing Services</td><td>29</td><td>19</td><td>10</td><td>58</td></tr><tr><td>Education Planning & Area Services</td><td>82</td><td>43</td><td>6</td><td>131</td></tr><tr><td>Improvement Service</td><td>0</td><td>1</td><td>0</td><td>1</td></tr><tr><td>Total</td><td>133</td><td>82</td><td>24</td><td>239</td></tr></table> <p><i>Impact Categories: Low - relates to policy violations such as internet usage investigations, Medium - relates largely to virus outbreaks, High - relates to loss of equipment or data</i></p> <p>This compares to 74 incidents in the previous financial year. The increase in volume is attributed to increased staff awareness and better alerting and reporting procedures being adopted as the policy is fully implemented in all service areas.</p> <p>122 of the 239 total incidents related to computer viruses. This mirrors a general industry wide increase in the volume of viruses.</p> <p>Of the 24 High impact incidents in 2010/11, 5 related to equipment losses (3 thefts reported to the police); 2 related to police investigations; 5 related to compromised network accounts; 1 related to a virus attack and 11 related to lost documents.</p> <p>No incidents required notification to the UK Information Commissioner as all data losses were contained, recovered and internal processes have been updated as an outcome.</p> <p>An audit of Information Security (22 Dec 2010) and subsequent report to the Audit Committee (15 Mar 2011) concluded that the level of security controls in place are effective.</p> <p>The council successfully achieved annual compliance with the 23 high level security requirements of the GSX (Government Secure Extranet) code of connection on 7 Oct 2011.</p>			<i>Summary of Information Security Incidents 2010/11</i>					Service Area/Category	Low	Medium	High	Total	Chief Executive's Office	14	2	0	16	Community Health & Care Partnership	8	17	8	33	Corporate Operational & Housing Services	29	19	10	58	Education Planning & Area Services	82	43	6	131	Improvement Service	0	1	0	1	Total	133	82	24	239
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	<p>General staff awareness has been maintained through the continued operation of online training and the development of 'awareness' posters.</p> <p>A West Lothian council 'Data Processing Agreement' and 'Data Processing Standards' have been developed for use with third parties who manage or process information on behalf of the council.</p>
Conclusions Drawn from Report	The council's existing policy and procedures in respect of Information Security are operating effectively.
Matters for Forward Periods	The policy will continue to be reviewed and publicised to employees. The Information Handling Procedure will be reviewed. Further procedures and guidelines will be issued as part of the normal operation and development of the policy.
Certificate by Head of Corporate Services	I certify that the council's existing policies and procedures in respect of information security are operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.
Signature	
	Date 19/5/11



COUNCIL EXECUTIVE

FREEDOM OF INFORMATION – ANNUAL REPORT

REPORT BY CHIEF LEGAL OFFICER

A. PURPOSE OF REPORT

To submit the outcome of the annual review of the council's compliance with the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIRs).

B. RECOMMENDATIONS

1. To note the information in the report.
2. Heads of Service to continue to monitor their services' performance in meeting the 20 day deadline for processing FOI requests, in order to continue to achieve the corporate management target of 85%.
3. Relevant officers to take appropriate action to complete the outstanding recommendations in OSIC's Assessment Action Plan.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The council must provide on request any information, which it holds in a recorded form, subject to certain limited exemptions. The council must also comply with OSIC's Good Practice Assessment Report dated 22 October 2010.
III	Resources - (Financial, Staffing and Property)	The number of FOI requests continues to rise resulting in increased pressure on resources which have been reduced due to the financial cutbacks. The same applies to internal reviews which have shown a significant increase in number. Outstanding recommendations in OSIC's Assessment Action Plan require to be implemented.
IV	Consultations	Information Management Working Group

(IMWG) and Corporate Management Team. The P&R PDSP considered this report on 17 June 2011 and agreed that it be submitted to the Council Executive for consideration.

D. TERMS OF REPORT

Background

1. FOISA and the EIRs came fully into effect on 1 January 2005. From that date, anyone has the right to receive information which the council holds in a recorded form, subject to certain limited exemptions. The council's Code of Corporate Governance requires that an annual review of the council's compliance with FOISA be undertaken. In addition, the Corporate Management Team receives a quarterly report on the FOI requests received and the council's performance in handling them.

Numbers of Requests

- The table below shows the total number of requests received for each calendar year FOISA and the EIRs have been in force, and also shows the average number of requests per month.

Table 1: No. of Requests received in calendar years

	2005	2006	2007	2008	2009	2010	2011**
Total Requests	404	412	365	604	764	852	290
Average Requests Per Month	29*	33	30	50	64	71	96
% change on previous year	N/a	+14%	-9%	+66%	+26%	+11%	+35%

*excluding March 05 which saw 98 requests

** up to 31 March 2011

The number of requests being received has continued to grow in 2010/11. 2010 saw an increase in requests of 11% compared to the previous year. The average number of requests per month in 2010 was 71, but for the first quarter of 2011, the average increased significantly by 35% to 96 per month, the highest monthly average since FOISA and the EIRs began in 2005. This is placing ever increasing demands on services at a time of diminishing resources.

The table below provides a breakdown of information requests received by each **service area. [Note – the services shown reflect the council's previous management structure.]

Table 2: Breakdown of no. of requests by service

Service	2005	2006	2007	2008	2009	2010	2011*
Support Services	26	18	67	84	131	143	53
Finance	55	32	24	82	76	125	47
Education & Cultural Services	52	78	68	104	131	121	27
Development & Regulatory Services	64	62	43	76	104	120	63
Operational Services	42	66	48	100	77	111	53
Housing & Building Services	82*	43	20	36	59	86	12
Chief Executive's Office	26	49	49	61	89	58	9
Social Policy	33	42	34	41	54	55	14
Property Services	24	10	8	17	21	12	1
Customer Services/Corp. Comms.	n/a	12	4	3	11	11	6
Community Planning & Regeneration	-	-	-	0	11	10	5
TOTAL	404	412	365	604	764	852	290

* up to 31 March 2011

Comparing 2010 with the previous year, the biggest increases in numbers of requests received were in Finance (64%), Housing & Building Services (45%) and Operational Services (44%), while Education & Cultural Services, Chief Executive's Office, Property Services and Community Planning & Regeneration showed decreases to varying degrees.

The first quarter of 2011 compared with 2010 showed significantly increased average numbers of requests per month for Support Services, Finance, Development & Regulatory Services and Operational Services.

** From April 2011, the reporting structure of Frontline will reflect the revised management structure of the council and will also reflect information requests under FOISA and the EIRs separately. Accordingly, management reports will be based in future on financial years.

Performance in Handling Requests

3. The council's performance in processing requests within the required timescales is shown below.

Table 3: Performance in meeting 20 working days time limit

Month	2009	2009	2010	2010	2011*	2011
	No	Standard	No	Standard	No	Standard
January	66	68%	76	76%	132	90%
February	69	68%	70	56%	94	85%
March	63	78%	84	58%	64	77%
April	91	71%	47	79%		
May	43	72%	50	84%		
June	61	77%	74	82%		
July	67	82%	69	83%		
August	77	77%	111	86%		
September	67	76%	76	76%		
October	52	85%	58	88%		
November	72	71%	78	83%		
December	36	64%	59	71%		
Total no. & average standard	764	72%	852	76%	290	85%

* to 31 March 2011

Performance over 2010 was 76%, compared with 72% for 2009. Performance over the first quarter of 2011 was 85%, reaching the target of 85% set by the CMT. The overall performance for the financial year 2010/11 was 83% out of a total of 910 requests received. This improvement in performance has been achieved despite a significant increase in the number of requests received. The challenge now is to maintain the average monthly performance of 85% and seek ways to improve it where possible.

Attached as Appendix 1 are the performance reports by service for 2010/11. The IMWG asked ILOs and Heads of Service to identify the reasons for dips in performance, particularly in December 2010 when 17 out of the 59 cases were shown as out of time. The reasons identified were -

- resource pressures and conflicting service priorities, eg supporting the council's response to the adverse weather conditions in December (Operational Services, Area Services), early processing of payroll information for Christmas (HR);
- absence of staff due to school holidays and difficulties in obtaining information from all 90 or so schools where information sought on a service wide basis (Education Services); and

- cases completed within the 20 day deadline, but owing to the reporting system on CRM, they were shown as late. This is because the system date fields within CRM are date and time specific, ie a case opened at 9.10am must be closed by 9.10am 20 working days later. If closed on the 20th day at any time after 9.10am, CRM records it as late although within the FOISA deadline. Once a case is created, the system does not allow any amendment to the closure date.

The reporting system within CRM for FOI and EIR purposes has been reconfigured to record EIR, DPA and FOI requests separately. As part of this work, the system has been changed for the start of 2011/12 to allow ILOs to correct closure dates, thus improving the accuracy of performance reports. The changes to the reporting system will also deal correctly with cases reopened and closed in error and invalid requests recorded as such and not as remaining open late.

Refusals

4. Refusals and the reasons for refusal have been recorded on CRM since April 2009.

The numbers of refusals are shown in the table below.

Table 4: No. of refusals

Year	Part Refusals		Refusals	
	Total	Average per month	Total	Average per month
2009/10	61	5	60	5
2010/11*	56	5	35	3

* up to 31 March 2011

Whilst there has been a continuing significant increase in the number of information requests over the last two financial years, there has been a decrease in the number of partial and complete refusals.

Information on the reasons for refusal is shown in the table below. The total number of times exemptions are used is greater than the number of refusals because more than one exemption can be used for each refusal or part refusal.

Table 5: Reasons for refusals

Section	2009/10		2010/11	
	Part Refusal	Refusal	Part Refusal	Refusal
S. 12 – excessive cost	8	11	10	1
S. 17 – information not held	29	29	27	9
S. 18 – contrary to public interest	1			1
S. 25 – information otherwise accessible	3	7	7	9
S. 26 – disclosure prohibited	1			
S. 27 – information for future publication	2			1
S. 30 – prejudice effective conduct of public affairs	3	1	3	5
S. 33 – prejudice commercial interests	2	1	2	1
S. 35 – prejudice law enforcement		5		7
S. 36 – confidentiality	1			2
S. 37 – court records				
S. 38 – personal information	11	6	11	9
TOTAL	61	60	60	45

Section 17 continues to be the reason for the largest number of refusals –this is because the council does not hold the information requested. Many of these are in response to fishing type requests from journalists and researchers, or are from applicants who think the council should hold the information which they seek.

Again, this information will be broken down into FOI and EIR requests in future reporting.

Internal Reviews

5. The number of internal views is shown in the table below.

Table 6: No. of internal reviews

	2005/08	2008/09	2009/10	2010/11
Total	35	17	17	22
Yearly average	12	17	17	22

The table above shows an increasing number of internal reviews in 2010/11 – up 29% over the previous financial year.

The table below shows the breakdown of requests for internal review by service from 2008/09 to date.

Table 7: Breakdown of internal reviews by service

Service	2008/09	2009/10	2010/11	Total
Education	3	2	7	12
Housing & Building	3	4	4	11
Chief Exec.Office	2	2	3	7
Dev. & Reg.	1	4	1	6
Support	3		4	7
Operational	1	2	1	4
Cultural	1		1	2
Property	1	1		2
Social Policy (Housing Strategy)	2			2
Corporate Comms.		1		1
Finance		1	1	2
Total	17	17	22	56

The outcome of the 22 internal reviews in 2010/11 is shown in the table below.

Table 8: Outcome of Internal Reviews in 2010/11

Initial Response Upheld	Information Released	Request Withdrawn	Outstanding	Total
5	14	1	2	22

Details of the 22 internal reviews in 2010/11 are shown in the table below.

Table 9: Internal reviews 2010/11 - breakdown

N0.	Subject Matter	Date of Request	Date Closed	Outcome of Review
1.	No response from Housing and Building Services re copy of information held by council re escapes of water at 38-44 Main Street, Linlithgow Bridge	06.04.10	18.05.10	Information released
2.	No response from Education Services re various information on council schools in Livingston (no of classrooms, class sizes, OS maps etc)	17.05.10	03.06.10	Response issued by Education Services
3.	Two issues- re information sought from the Chief Executive regarding the council's Contingency Strategy and background information on service areas of the council.	28.05.10	27.07.10	Explanation provided and further response issued by the Chief Executive
4.	Unhappy with response from Education Services re junkets	09.06.10	31.08.10	Original FOI decision upheld
5.	Unhappy with response from Housing & Building Services re request for all information regarding remedial work carried out at home	13.06.10	22.07.10	Original FOI decision not upheld – additional information released following further search of archives and information contained in WLDC Committee Minutes
6.	No response from Chief Executive Office re service charges across council	29.06.10	24.08.10	Explanation for no response to original FOI provided and information released
7.	Unhappy with response from Education Services re	30.06.10	25.08.10	Original FOI decision not upheld – information

	request for all information regards catchments areas in Linlithgow			released
8.	No response from Education Services re request for information on funding for pre-school education	11.08.10	11.08.10	Applicant withdrew request – Education Services responded to applicant who is happy with the information provided
9.	Unhappy with response from Education Services re ICT information at East Calder Primary School	09.07.10 (rec'd by GRB on 16.08.10)	21.09.10	Original FOI decision not upheld – additional information released
10.	Unhappy with response from Legal Services re request for a copy of all information held by the council relating to applicant as an individual and as a councillor from May 2007 to date	23.09.10	22.11.10	Original FOI decision partially upheld – refused under Section 1(3)(b) and not Sections 38 and 12
11.	Unhappy with response from Chief Executive office re request for copy of all correspondence between officers, councillors and any third parties in relation to motions tabled at full council meetings	15.10.10	23.11.10	Original FOI decision upheld
12.	Unhappy with response from Area Services re request for list of officers on Records Management (or Information Management) Working Group, together with their qualifications	22.10.10	19.11.10	Original FOI decision partially upheld – applicant clarified request and further information released
13.	No response from Housing, Construction & Building Services re request for copy of PQQ, first and second bid submissions by Lovell for WLC phase 2 housing projects	04.11.10	27.01.11	Explanation for no response to original FOI provided and information released – some info redacted under sections 30(c) and 33(1)(b)
14.	No response from Legal Services re request for information relating to legal fees	11.11.10	10.01.11	Explanation for no response to original FOI provided and information released
15.	Unhappy with response from Housing, Construction & Building Services re request for information on lock-up garages	18.11.10	30.11.10	Original FOI decision not upheld – additional information released (case dealt with by Julie Whitelaw)
16.	Unhappy with response from Education Services re request for information on the performance of Secondary Schools in WL for academic years 2007-08, 2008-09 and 2009-10	18.11.10	25.05.11	Original FOI decision upheld, but for different reason for majority of information withheld [s. 17(information not held) instead of s.12 (excessive cost)]
17.	No response from HR Services re request for information on	13.12.10	04.02.11	Information released by service

	costs/numbers of early retirements			
18.	Unhappy with response from Countryside re request for information on a view indicator on the summit of Dechmont Law	02.02.11	05.05.11	Original FOI decision upheld
19.	Unhappy with response from Education Services re request for all correspondence on the council's decision to commit to a new school at Breich	08.02.11	05.05.11	Original FOI decision upheld
20.	Late response from Legal Services re request to view all documents held by the Council relating to the lease of property at 28 Park Place, Livingston	21.02.11	03.05.11	Response issued by service
21.	Unhappy with response from Finance Services re request for a list of all individual invoices by company/organisation name, date and amount over the sum of £500.00 received & paid the council	03.03.11	26.05.11	Original FOI decision upheld, but for different reason for information withheld [s. 17(information not held) instead of s.12 (excessive cost)]
22.	Dealt with under EIR. Unhappy with response from Planning Services re request for copy of section 75 notice being negotiated with developer and copies of notes, minutes, emails etc.	30.03.11	14.04.11	Original EIR decision upheld – information withheld under Regulations 10(4)(d) (material which is still in the course of completion) and 10(4)(e) (he request involves making available internal communications)

Appeals

6. The table below shows the number and outcome of appeals in the last three years.

Table 10: Number and Outcome of Appeals

Outcome	2008/09	2009/10	2010/11
Upheld	1		
Rejected	2	1	3
Withdrawn		4	
Total	3	5	3

There have been no new appeals lodged since August 2010. This maintains the comparatively low level of number of appeals to the Scottish Information Commissioner annually.

The table below gives the details of the three appeals in 2010/11. Although the appeals were rejected on their merits, the Commissioner highlighted the late responses from the council to the initial requests and internal reviews.

Table 11: Appeals to Scottish Information Commissioner 2010/11

No.	Subject Matter	Date of Request	Date Closed	Outcome of Appeal
1.	Late response and unhappy with response from Chief Executive re request for information on money spent on 'junkets'	20.05.10	14.07.10	Council 'generally' complied with FOISA. However, the Commissioner has made reference to the late response to original FOI and internal review.
2.	No response from Housing & Building Services to original FOI or internal review re damage to flat from escape of water from council flat above	02.07.10	07.09.10	Council 'generally' complied with FOISA. However, the Commissioner has made reference to the late response to original FOI and internal review and a failure to comply fully with duty to provide advice and assistance
3.	Not happy with response from the Chief Executive office re request for information on Chief Executive's expense claims for foreign trips	17.08.10	03.09.10	Council 'generally' complied with FOISA. However, the Commissioner has made reference to the late response to original FOI and internal review.

OSIC Assessment of Compliance with Good Practice

7. A Good Practice Assessment was conducted by the Office of the Scottish Information Commissioner (OSIC) last July, producing a list of recommendations and agreed Action Plan for improvement – available at –

<http://www.itspublicknowledge.info/uploadedfiles/WestLothianCouncilAssessment.pdf>

An update of the Action Plan was submitted to OSIC in April 2011 (see Appendix 2). The key issues for improvement identified were –

- improving performance in meeting the 20 working days deadline (**recommendation 1**);
- using Frontline as the corporate system for logging and processing information requests and producing a complete audit trail (**recommendation 5**); and
- refresher training on FOISA, to include information requests under the Environmental Information Regulations (**recommendations 11 & 14**).

Recommendation 1: Significant improvement has been made in performance in 2010/11, reaching an average performance of 83% across the council. The Corporate Management Team's target of 85% was reached over the first quarter of 2011. Dips in monthly performance need to be avoided if this target is to be met in 2011/12. However, as reported above, changes in the reporting system in CRM for information requests will assist in meeting this target.

Recommendation 5: The required changes to CRM went operational on 1 April 2011. Training sessions were organised in March by the CRM team for services to get up to speed. An additional session for Operational Services was organised since they were using CRM for recording information requests for the first time, instead of using Confirm. The next step is the creation of the necessary linkages to Meridio to complete the electronic audit trail required by OSIC. A corporate level file plan has been agreed by the IMWG to show how services should structure information requests within Meridio. Meanwhile, documents associated with information requests are being stored on Frontline until the linkages to Meridio can be made.

Recommendation 7 – Similar changes have been made to CRM to enable internal reviews to be recorded with effect from 1 April 2011. So far, two requests for internal review have been received since 1 April 2011. Progress has been made in eliminating the backlog of reviews, with no case from 2010/11 remaining outstanding. The standard procedure for conducting reviews has been amended by the IMWG to require escalation to Heads of Service where progress is difficult, eg due to the complexity of the case.

Recommendations 11 & 14 – There has been slippage in the timescales for the production of the required training materials and the delivery of training on EIR requests. This will receive attention during the summer 2011.

Based on the council's response as contained in Appendix 2, OSIC has now intimated that no further action is required by the council and they have closed their practice assessment process .

Future Issues

8. **(1) INSPIRE (Scotland) Regulations 2009** – A lead officer in the council is required to be designated to spearhead the council's compliance with these Regulations which provide the public with access to spatial data held by the council. The process of dealing with applications, reviews and appeals regarding spatial data is the same as for FOI and EIR applications.

(2) Public Records (Scotland) Act 2011 – This Act received Royal Assent on 20 April 2011. It is the first new public records legislation in Scotland for over 70 years. The legislation does not come into force until a Commencement Order is made by the Scottish Ministers. This is likely to be made towards the end of 2011. Certain key steps precede approval of the Order. The Keeper of the Records of Scotland (the Keeper) is obliged to consult all public authorities listed in the schedule to the Act in relation to certain matters such as explaining the timetable and development and implementation process for the new legislation.

The Act applies only to named public authorities but, it will reach into the private and voluntary sectors where a public authority decides to contract out a function to a private or voluntary body. Under these circumstances, records created by private or voluntary organisations when providing this function will be considered public under the provisions of the Act. However, this relates only to functions and not services. Records created by private or voluntary bodies supplying a public authority with goods and services are not subject to the provisions.

The Keeper must develop and publish a model records management plan (RMP) and provide supporting guidance to assist authorities. The model RMP and guidance will be published and submitted to all authorities for formal consultation lasting 12 weeks. The council will take part in this consultation process.

A Commencement Order will be made before the formal consultation process starts. The Order will commence the first tranche of provisions of the Act, and it is anticipated that the Act should be fully effective approximately one year after the first tranche of provisions has commenced.

(3) Data Subject Access Requests – As part of the changes to CRM for processing information requests, a default system is required to be put in place when a subject access request covers all personal data held by the council. At present, such requests are processed by the service receiving the request, not through a central point. This issue will be addressed by senior management.

E. CONCLUSION

The number of information requests continues to increase, up 11% in 2010 over the previous year, and up 35% in the first quarter of 2011 compared with 2010. The number of internal reviews is also increasing significantly – up 29% for 2010/11 compared with the previous year.

There has been a welcome improvement in the council's performance in meeting the 20 day deadline since the first quarter of 2010, now reaching 83% for 2010/11. For the first quarter of 2011, the CMT target of 85% was met. The challenge now is to maintain that standard throughout 2011/12 and to improve it further within available resources.

The backlog of internal reviews has been dealt with, and the challenge now is to meet the corporate management target of 85% of reviews being dealt with within the 20 working day deadline..

Good progress has been made in implementing the other recommendations in OSIC's Good Assessment Report following their audit last July, with outstanding recommendations on training on EIR requests due to be completed by the end of August 2011. OSOC has now closed their practice assessment process.

F. BACKGROUND REFERENCES

1. Data held in CRM
2. Chief Executive Office files.
3. OSIC's Good Practice Assessment Report 22 October 2010.

Appendices/Attachments: Two

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Date 17 June 2011

APPENDIX 1 - Performance Reports by service for 2010/11.



foi enquiries by
service 2010 ...

APPENDIX 2 - Action Plan from OSIC Good Practice Assessment Report dated 22 October 2010, incorporating the council's update in progress as at 22 April 2011.



OSIC Assessment
Action Plan 22...

FOI Enquiries by Service

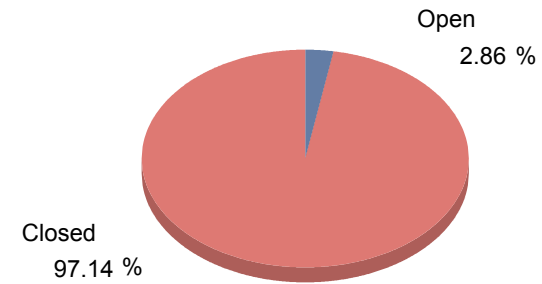
This report analyses Freedom of Information (FOI) enquiries made to the Council for period **01/04/2010 to 31/03/2011**

This report calculates the working days between when the enquiries are opened and closed. For the purpose of this report working days equates to all days not equal to Saturday or Sunday.

Enquiries Split by Status

Enquiry Status	Count of Enquiries	%
Open	26	2.86%
Closed	884	97.14%
Sum:	910	

Enquiries Split by Status



Open/Close Sets Split by Standard Met

	Standard Failed	Standard Met	% Standard Met
Open	26	0	0.00 %
Closed	131	748	85.10 %

Enquiries Split by Organisation	Closed	%	Open	%	Total	<u>Open Within</u>	<u>Open Outwith</u>	<u>Closed Within</u>	<u>Closed Outwith</u>	<u>% Within Target</u>
FOI Building Standards	48	100.00 %			48	5.27 %		47	1	98 %
FOI Chief Executive Office	43	100.00 %			43	4.73 %		28	15	65 %
FOI Communications	10	100.00 %			10	1.10 %		8	2	80 %
FOI Community Planning & Regeneration	8	88.89 %	1	11.11 %	9	0.99 %	1	6	2	67 %
FOI Council Tax and NDR	1	100.00 %			1	0.11 %		1		100 %
FOI Cultural Services	7	100.00 %			7	0.77 %		6	1	86 %
FOI Customer Services	6	85.71 %	1	14.29 %	7	0.77 %	1	6		86 %
FOI Economic Development	7	100.00 %			7	0.77 %		7		100 %
FOI Education	106	98.15 %	2	1.85 %	108	11.87 %	2	75	31	69 %
FOI Environmental Health	27	100.00 %			27	2.97 %		27		100 %
FOI External Third Parties	2	66.67 %	1	33.33 %	3	0.33 %	1	2		67 %
FOI Facilities Management	4	100.00 %			4	0.44 %				
FOI Financial Management	82	96.47 %	3	3.53 %	85	9.34 %	3	70	12	82 %
FOI Fleet and Community Transport	7	100.00 %			7	0.77 %		7		100 %
FOI HR Shared Services	78	96.30 %	3	3.70 %	81	8.90 %	3	62	16	77 %
FOI Health and Safety	2	66.67 %	1	33.33 %	3	0.33 %	1	2		67 %
FOI Housing Construction & Building Services	78	100.00 %			78	8.57 %		71	7	91 %
FOI IT Services	21	100.00 %			21	2.31 %		21		100 %
FOI Inprint	1	100.00 %			1	0.11 %				
FOI Internal Audit	1	33.33 %	2	66.67 %	3	0.33 %	2		1	
FOI Learning and Development	1	100.00 %			1	0.11 %		1		100 %
FOI Legal Services	27	75.00 %	9	25.00 %	36	3.96 %	9	17	10	47 %
FOI NETs and Land Services	29	100.00 %			29	3.19 %		27	2	93 %
FOI Payroll	9	100.00 %			9	0.99 %		9		100 %
FOI Planning	64	100.00 %			64	7.03 %		59	5	92 %
FOI Procurement	7	87.50 %	1	12.50 %	8	0.88 %	1	7		88 %
FOI Property Services	7	100.00 %			7	0.77 %		7		100 %
FOI Public Transport	2	100.00 %			2	0.22 %		1	1	50 %
FOI Revenues General	27	100.00 %			27	2.97 %		27		100 %
FOI Risk and Insurance	12	100.00 %			12	1.32 %		12		100 %

Period 01/04/2010 to 31/03/2011

SLA - Target Analysis

Enquiries Split by Organisation	Closed	%	Open	%	Total		<u>Open</u> <u>Within</u>	<u>Open</u> <u>Outwith</u>	<u>Closed</u> <u>Within</u>	<u>Closed</u> <u>Outwith</u>	<u>% Within</u> <u>Target</u>
FOI Road Safety and Traffic Management	4	100.00 %			4	0.44 %			4		100 %
FOI Roads Network Maintenance	40	97.56 %	1	2.44 %	41	4.51 %		1	36	4	88 %
FOI Roads Operations	18	94.74 %	1	5.26 %	19	2.09 %		1	7	11	37 %
FOI Roads Street Lighting	6	100.00 %			6	0.66 %			6		100 %
FOI Social Policy	54	100.00 %			54	5.93 %			48	6	89 %
FOI Strategic Planning	4	100.00 %			4	0.44 %			4		100 %
FOI Trading Standards	3	100.00 %			3	0.33 %			3		100 %
FOI Transportation Dev. & Planning	3	100.00 %			3	0.33 %			2	1	67 %
FOI Transportation Projects	2	100.00 %			2	0.22 %			2		100 %
FOI Waste Management Services	26	100.00 %			26	2.86 %			23	3	88 %
Sum :-	884	97.14 %	26	2.86 %	910	100.00 %		26	748	131	83 %

Assessment report



www.itspublicknowledge.info

Scottish public authority: West Lothian Council
Dates of on-site assessment: 27 and 28 July 2010
Assessors from OSIC: Jill Walker and Alistair Rennie
Date of publication: 22 October 2010

Appendix 1: Action plan for West Lothian Council

Recommendation	Action	Status	Due	Owner
1 That the Council takes steps to secure a significant improvement in the time it takes to respond to requests for information and requirements for review, ensuring that all staff who are required to respond to requests and carry out reviews are aware of and meet the relevant statutory timescales laid down in FOISA and the EIRs.	<ul style="list-style-type: none"> Management target of responding to initial requests agreed at 15 working days 	Completed [target agreed - see EMT Action Note of 22/9/10 – item 3]	1/10/10	Heads of Service
	<ul style="list-style-type: none"> Management target of responding to requests for internal reviews agreed at 15 working days 	Completed [target agreed -see EMT Action Note of 22/9/10 – item 3. Revised Procedure Note on processing internal reviews, agreed by IMWG on 3/2/11 – see Action Note - item 3(3)]	1/10/10	Chief Legal Officer
	<ul style="list-style-type: none"> Alerts from Frontline at 15th day to be actioned promptly 	On-going [see CMT Action Note of 23/2/11 – item 3(c) – Heads of Service to continue to monitor their services' performance in order to achieve CMT target of 85%.] Alerts issued from Frontline on 10, 5, 3, 2 and 1 day before the 20 day deadline.	1/10/10	Heads of Service/Chief Legal Officer



Recommendation	Action	Status	Due	Owner
	<ul style="list-style-type: none"> Monthly reports from Frontline on all open cases – with ability to filter at service level 	<p>Ongoing [IMWG Action Notes of 17/6/10 [item 2(1)(d)], 19/8/10 [item 3(1)] and 14/4/11. CMT Action Notes of 24/11/10 [item 3(c)] and 23/2/11 [item 3(c)].</p> <p>Monthly performance reports available from Frontline from August 2010 to 31/3/11 providing –</p> <ul style="list-style-type: none"> summary report showing Services' performance against the 20 day service standard A detailed list of the requests received each month from which the summary report has been created From March 2010 a year to date summary report A detailed list of the requests which make up the year to date summary report A monthly summary report showing the performance of all Council Services against the standard A year to date summary of the performance of all Council Services against the standard A monthly refusals summary report showing Housing and Building Services A year to date refusals summary for Housing and Building Services. <p>From April 2011, performance reports to</p>	1/10/10	Heads of Service



Recommendation	Action	Status	Due	Owner
		<p>be rebuilt following adjustments to Frontline, with priority to the key reports to be available for April 2010. Reports to be sent automatically from Frontline to ILOs and Heads of Service.</p> <p>Significant and consistent improvement made in performance regarding initial requests since Jan. 2010. Management target of 85% met in 2011 [see table of performance dated 22.4.11].</p> <p>Corresponding improvement regarding internal reviews not achieved. [see table of internal reviews dated 22.4.11]. Processing of internal reviews under review by Chief Executive.</p> <p>Emails from CRM Team of 6/10/10 and 4/4/11 listing all open cases outwith time. Action agreed at IMWG on 14/4/11 to contact applicants to resolve these cases.</p>		Chief Solicitor
2 That the Council ensures that refusal notices comply fully with section 16 of FOISA or Regulation 13 of the EIRs (whichever is appropriate), ensuring in particular that where exemptions/exceptions are being relied upon for withholding information these are cited correctly and adequate explanations are given as to why they are considered to apply	<ul style="list-style-type: none"> Standard refusal notice reviewed and accompanying general advice produced on use of exemptions/exceptions and examples given of their use Relevant staff instructed to use standard refusal notice or obtain advice from Legal Services 	<p>Completed [Standard refusal notices for FOI and EIR, plus accompanying Quick Guide agreed at IMWG on 14/4/11]</p> <p>Completed [Instructions issued following IMWG meeting of 14/4/11- see email from GB of 22/4/11]</p>	<p>1/10/10</p> <p>1/10/10</p>	<p>Chief Solicitor</p> <p>Heads of Service</p>



Recommendation	Action	Status	Due	Owner
3 That requestors are provided in all refusal notices and notices that information is not held with details of their right to request a review and apply to the Commissioner, and that the Council employs a single style of standard text for this purpose.	<ul style="list-style-type: none"> Standard refusal notice reviewed to ensure rights of internal review and appeal are provided Relevant staff instructed to use standard text on reviews and appeals 	Completed [as for Recommendation 2]	1/10/10	Chief Solicitor
		Completed [as for Recommendation 2]	1/10/10	Heads of Service
4 That the Council provide refresher training to all relevant staff on the full functionality of the "Frontline" system.	<ul style="list-style-type: none"> Refresher training for ILOs at the IMWG meeting on 21/10/10 All other relevant staff under council's new management structure identified for refresher training Programme of refresher training at service level for all relevant staff 	Completed [see IMWG Action Note of 21/10/10.]	21/10/10	CRM Support Manager
		Completed. [Instructions given to Heads of Service by CMT – see CMT Action Note of 23/2/11]	31/10/10	Heads of Service
		Ongoing. [training on use of Frontline as amended to record FOI, EIR and DPA requests separately, given to ILOs in March 2011 – see RA email of 15/3/11. ILOs to cascade the training to relevant staff within their service areas. Any new ILOs to be trained to be accommodated by CRM Team on a one to one basis, as required.]	31/01/11	CRM Support Manager



Recommendation	Action	Status	Due	Owner
5 That the Council ensures that staff retain/record (as appropriate) all correspondence and other interactions relating to information requests on the “Frontline” system, and generally secures the retention there of complete records of the receipt, handling and processing of all requests.	<ul style="list-style-type: none"> Determine feasibility of storing essential correspondence on Frontline with linkages to other correspondence held on Meridio If feasibility determined satisfactorily, essential correspondence, ie initial request and response, stored on Frontline, with linkages to other supporting information included in correspondence held on Meridio 	<p>Completed [see note by GB of 1/4/11]</p> <p>Completed regarding Frontline. Underway regarding Meridio. [linkages to Meridio still to be put in place. Meanwhile, associated documents to be stored on Frontline.]</p>	<p>31/11/10</p> <p>31/01/11</p>	<p>CRM Support Manager/ Records Manager/ Team Leader IT Development Team</p> <p>Heads of Service</p>
6 That the Council ensures that there are arrangements in place within each service area to ensure that requests can be closed off on “Frontline” on the day the response is sent out.	<ul style="list-style-type: none"> Administration rights delegated to ILOs to adjust closure dates on Frontline, where necessary Appropriate number of staff trained to ensure requests are closed off on Frontline on day of response Investigate making certain fields on Frontline mandatory before closing a case, eg full or partial response 	<p>Completed [amendments made to Frontline to allow ILOs to adjust date of response to reflect actual date of response, thus allowing more accurate performance reports. Date of closure remains unalterable.</p> <p>Ongoing. [Heads of Service instructed by CMT on 23/2/11]</p> <p>Completed [amendments made to Frontline to achieve this]</p>	<p>31/01/11</p> <p>31/01/11</p> <p>31/01/11</p>	<p>CRM Support Manager</p> <p>Heads of Service</p> <p>CRM Support Manager</p>



Recommendation	Action	Status	Due	Owner
7 That all correspondence and other interactions relating to a requirement for review are retained/recorded (as appropriate) in the "Frontline" system.	<ul style="list-style-type: none"> If feasibility determined satisfactorily, essential correspondence, ie request for review and response, stored on Frontline, with linkages to other supporting information included in correspondence held on Meridio 	Completed [Frontline amended to allow recording of internal reviews and appeals, and associated documents on Frontline, with effect from 1/4/11 – see email from RA confirming]	31/01/11	Chief Legal Officer
8 That the Council ensures that staff understand the circumstances in which a notice under section 17 of FOISA or regulation 10(4)(a) of the EIRs should be issued to a requestor.	<ul style="list-style-type: none"> Use of section 17 and regulation 10 notices to be included in the general advice on the use of exemptions/exceptions to be produced under recommendation 2 	Completed [Standard refusal notices for FOI and EIR, plus accompanying Quick Guide agreed at IMWG on 14/4/11]	31/01/11	Chief Solicitor
9 That the Council ensures that staff understand the circumstances in which a notice under section 25 of FOISA should be provided when responding to a request for information held in the Council's publication scheme.	<ul style="list-style-type: none"> Use of section 25 notices to be included in the general advice on the use of exemptions/exceptions to be produced under recommendation 2 	Completed. [Standard refusal notices for FOI and EIR, plus accompanying Quick Guide agreed at IMWG on 14/4/11]	31/01/11	Chief Solicitor
10 That the Council ensures that all relevant staff are provided with guidance on responding to requests where requestors have specific needs, taking account of the provisions of the section 60 Code of Practice relating to Equality Issues, and are made aware of the services and facilities the Council has available for meeting	<ul style="list-style-type: none"> Suitable guidance included in the general advice on the use of exemptions/exceptions to be produced under recommendation 2 	Completed. [amended Quick Guide containing the advice agreed at IMWG on 14/4/11]	31/01/11	Chief Solicitor



Recommendation	Action	Status	Due	Owner
such needs.				
11 That the Council amends its "Quick Guide to Processing FOI and EIR requests", in line with the recommendations detailed in the section of this report headed "Policies, procedures and other documentation".	<ul style="list-style-type: none"> Quick Guide amended to reflect the recommendations in paragraphs 4.108 to 4.114 of OSIC's Assessment Report. Quick Guide also to be amended to highlight differences between FOISA and DPA and the information falling under each regime. 	Completed [amended Quick Guide agreed at IMWG on 14/4/11]	31/01/11	Chief Legal Officer
12 That the Council makes the following change to its publication scheme: On page 28 under Section 11 in relation to charges for environmental information, change the sentence "Charges may be made for locating, retrieving and providing information to you" to read "Charges may be made for providing the information to you".	<ul style="list-style-type: none"> Change to Publication Scheme made as part of current review and update of Scheme 	Completed. [amended, and updated Publication Scheme available on council's web site at – http://www.westlothian.gov.uk/media/download/1799465/publicationscheme	31/01/11	Chief Legal Officer
13 That the Council ensures that any correspondence it issues in relation to requests for information contains the correct fax number for the Commissioner's Office.	<ul style="list-style-type: none"> Standard pro forma correspondence on Frontline reviewed to show correct fax number, and services advised accordingly 	Check of standard pro formas completed – no fax number used. Instructions issued to Heads of Service to ensure that if the OSIC fax no. is to be given out, the correct no. [01334 464611] is used – see	31/01/11	Chief Legal Officer



Recommendation	Action	Status	Due	Owner
		GB email of 22/4/11		
14 That the Council develops training and guidance material on FOISA and the EIRs, in particular on the application of exemptions/exceptions and the recognition of requests for environmental information and how these should be handled under the EIRs. Training on the EIRs should be provided to all parts of the Council. Comprehensive, in-depth, training on FOISA and the EIRs should also be provided to ILOs, Service Managers and staff within the CSC.	<ul style="list-style-type: none"> Guidance Note prepared on re-classifying information requests Training for ILOs on re-classifying information requests on Frontline given at IMWG meeting on 21/10/11 Guide on how to use Frontline setting out the minimum recording standard for logging requests Guidance material prepared on identifying EIR and FOISA requests. General approach agreed by IMWG Guidance material produced including examples, flow chart and links to OSIC guidance. <p>Guidance material to contain-</p> <p>The definition of environmental information contained in the EIRs,</p> <p>A summary of OSIC guidance,</p> <p>Links to that guidance for fuller explanation,</p>	<p>Completed [Guidance note issued by RA on 4/4/11]</p> <p>Completed [training repeated at sessions for ILOs in March 2011 – see RA email of 15/3/11]</p> <p>Completed. [Frontline Information Request User Guide issued and agreed at IMWG on 14/4/11]</p> <p>Completed [see IMWG Action Note of 21/10/10]</p> <p>Completed (except flow chart) [Standard refusal notices for FOI and EIR, plus accompanying Quick Guide and specific guidance on applying the EIRs agreed at IMWG on 14/4/11]</p> <p>Completed</p> <p>Completed</p> <p>Completed</p>	<p>16.12.10</p> <p>21/10/10</p> <p>1/04/11</p> <p>21/10/10</p> <p>1/1/11</p>	<p>CRM Support Manager</p> <p>Chief Legal Officer</p> <p>Chief Legal Officer</p> <p>Chief Legal Officer</p> <p>Chief Legal Officer</p>



Recommendation	Action	Status	Due	Owner
	<p>A database of examples of requests which should be processed under the EIRs, taken from examples highlighted in the council's Good Practice Assessment Report from OSIC and decision notices on OSIC's web site, and</p> <p>A flow chart showing the step by step process to be followed in processing information requests.</p> <ul style="list-style-type: none"> Simplified guidance produced for general awareness to - explain how to spot an information request that needs to be processed under either FOISA or EIR; and advise that any such request should be referred to the ILO of their service. Training programme for relevant staff delivered. EIR training plan to be delivered to ILO's Heads of Service Service Managers CSC 	<p>Completed</p> <p>Completed [amended Quick Guide agreed at IMWG ON 14/4/11]</p> <p>Underway [revised programme to be completed during May and June 2011]</p> <p>Underway [delivery of revised plan to be completed during May and June 2011 – see revised EIR and FOI Training and Guidance Action Plan.]</p>	<p>16/12/10</p> <p>17/2/11</p> <p>28/2/11</p> <p>11/3/11</p> <p>11/3/11</p>	Chief Legal Officer



Recommendation	Action	Status	Due	Owner
	General Workforce		31/3/11	



**West Lothian
Council**

COUNCIL EXECUTIVE

COUNCILLORS' CODE OF CONDUCT – ANNUAL REPORT

REPORT BY CHIEF LEGAL OFFICER

A. PURPOSE OF REPORT

To fulfil the requirement of the council's Code of Corporate Governance which requires an annual review of the operation of the Code, and to maintain awareness of the provisions of the Councillors' Code of Conduct in order to promote high standards of conduct.

B. RECOMMENDATION

To note the report.

C. SUMMARY OF IMPLICATIONS

- | | |
|--|--|
| I Council Values | Being honest, open and accountable. |
| II Policy and Legal (including Strategic, Environmental Assessment, Equality Issues, Health or Risk Assessment) | In terms of the Ethical Standards in Public Life (Scotland) Act 2000, the council is under a duty to promote observance by councillors of high standards and to assist councillors to observe the Code. |
| III Resources - (Financial, Staffing and Property) | Nil. |
| IV Consultations | Chief Solicitor, Committee Services Manager and Corporate Management Team. The P&R PDSP considered this report on 17 June 2011 and agreed that it be submitted to the Council Executive for consideration. |

D. TERMS OF REPORT

1. Background

Under the Ethical Standards in Public Life (Scotland) Act 2000, the council has a duty to promote observance by councillors of high standards of conduct and to assist councillors to observe the Code.

The council's Code of Corporate Governance, audited by the external auditor, requires an annual training session for councillors to be held, and an annual report to the council on the operation of the Councillors' Code of Conduct.

2. Training

The annual training session for councillors for 2010/11 was arranged for 15 October 2010, one of the scheduled training days for councillors. Unfortunately, only four members were able to attend. They agreed that the training on the Councillors' Code should take place in the hour before the following full council meeting on 26 October. There was a very good attendance of 24 councillors. The format followed the previous years' style of training sessions by dealing with key areas of the Code through an analysis of recent decisions of the Standards Commission and the Chief Investigating Officer (CIO). The key areas covered were –

- statistics and trends arising from decided cases, both national and local, and
- key issues arising from those cases, ie –
 - registering interests
 - declaring interests, particularly indirect financial interests, and
 - dispensations.

3. Revised Councillors' Code of Conduct

Following the issue in November 2009 of their consultation paper on proposed amendments to the Councillors' Code of Conduct, the Scottish Government issued a revised Code on 21 December 2010. This revised Code was effective from that date. The main changes to the Code were –

- a rewriting and clarification of the rules on registering and declaring interests, and
- reflecting the new decision-making procedures for determining planning applications.

To assist in complying with the revised procedures for registering and declaring interests, all members were issued on 24 December 2010 with a summary of these changes and a series of flowcharts showing the questions to ask when deciding whether there was a need to declare an interest and whether to withdraw from the meeting (see Appendix).

A further training session for councillors was held on 25 January 2011 with another good attendance of 22 councillors. The focus of the session was on –

- a summary of the main changes,
- declaring interests and withdrawing from meetings, including -
 - the “objective” and “remoteness” tests
 - applying general and specific exclusions, and
 - explaining some recent Standards Commission decisions, using the flowcharts issued on 24 December 2010.

The blue declaration sheet provided to members to facilitate the recording of oral declarations of interests at council or committee meetings has been expanded to include the key terminology in the revised code covering the “objective “ test, the general and specific exclusions, and the categories of other persons whose financial and non-financial interests require to be declared by councillors, if known to them.

This session was followed up with another one on the scheduled date of 2 February 2011 for the WLC Planning Committee. 15 councillors were able to attend this training which included a session focussed on the changes in the Code regarding the planning decision-making procedures.

The Standards Commission ran road shows in early March to explain the revised Code. Five councillors attended those sessions over 1 and 2 March 2011. The Commission confirmed that they would revise their earlier Guidance and Dispensations Note for Local Authorities to reflect the revised Code. Once this revised guidance is received, our own guidance and FAQs will also be reviewed.`

4. Register of Members’ Interests and Acceptance of Gifts & Hospitality

In accordance with guidance from the Standards Commission, six monthly reminders were issued to members on 1 June 2010 and 1 December 2010 to enable them to keep their entries up to date. However, it is the duty of each councillor to intimate to the Chief Legal Officer any change in their entries in the Register of Interests, including receipt of any gifts and hospitality, within one month of any change taking place.

The six monthly reminders also ask if members wish further training in any aspect of the Code. The next reminder was issued on 1 June 2011, and further training events can be organised to cover any requests received from members.

5. Operation of the Code in West Lothian

Complaints alleging breaches of the Code are referred to the CIO who investigates these complaints to determine whether, in his view, there has been a breach of the Councillors' Code of Conduct. If the CIO finds that there has not been a contravention of the Councillors' Code, the matter ends there and summaries of the more interesting reports are posted on the Commission's web site. If the CIO concludes that there has been a breach of the Code, he reports accordingly to the Standards Commission which then decides whether to hold a hearing. The CIO's investigations are required under the 2000 Act to be conducted on a confidential basis which means that no information can be given on any current investigations by the CIO. The Commission's hearings are conducted in public.

Numbers of Complaints 2004/05 to 2010/11

Since the Code came into operation in May 2003, there has been a total of 29 cases of complaint made against West Lothian councillors. The breakdown is :-

Table 1: Number of complaints in West Lothian

2004/05	4
2005/06	6
2006/07	4
2007/08	1
2008/09	7
2009/10	6
2010/11	1
Total	29

This table shows that there was only one complaint made to the CIO in 2010/11, and, accordingly, that the number of cases giving rise to complaint to the Standards Commission in 2010/11 fell significantly compared to previous years, excluding 2007/08 following the council elections in 2007.

Subject Matters covered by Complaints 2004/05 to 2010/11

The subject matters covered in all complaints since the start of the Code are: -

Table 2: Subjects covered by all complaints in West Lothian

Conduct in the Chamber	8
Payment of allowances	1
Key principles generally	4
Principles of leadership & accountability	2
Principle of respect regarding employee of other public body	1
Dealing with planning applications/declarations of interest	8
Use of council facilities (circular letters to constituents)	2
Declaring financial interests/withdrawal from meeting	2
Other (matters not relevant to Code)	1
Total	29

Of these 29 cases, one case arising in 2008/09 is the subject of a report by the CIO to the Standards Commission alleging breaches of the Code, and a decision of the Standards Commission is deferred pending the outcome of a criminal investigation..

In the other 28 cases, only one case in 2007 resulted in a finding of a breach of the Code through failure to declare a financial interest in a planning matter. The Standards Commission decided not to hold a hearing bearing in mind the circumstances of the individual councillor who had retired from office. As a result, only two cases since the start of the Code in 2003 have resulted in the CIO finding a breach of the Code.

Analysis of Complaint in 2010/11

An analysis of the one case in 2010/11 is –

Table 3: Breakdown of case in West Lothian in 2010/11

Subject Matter	No.	Complainer	CIO's Outcome
Alleged failure to declare an interest in a committee decision	1	Member of public	No breach – complaint inadmissible due to lateness and lack of information

6. Standards Commission's Annual Report for 2009/10

The Standards Commission's annual report for 2009/10 is the latest one available. Statistical information from this annual report was presented to members at the training session on 26 October 2010. It included information on the national trends in numbers and grounds of complaint.

The Standards Commission's annual report for 2010/11 is expected later this year and information from it will be presented to members once it has been received.

E. CONCLUSION

Although the council has experienced 29 complaints since the start of the Code of Conduct in 2003, only two cases have resulted in a finding of a breach of the Code by the CIO.

The council will no doubt welcome the drop in number of complaints against councillors in 2010/11 and wish to see high standards of conduct maintained in the future. To assist in doing so, more briefing sessions for members will be arranged where necessary in order to continue to promote observance of the Code and assist members to observe the Code.

More advice on how to comply with the Code is available from the Chief Executive, Chief Legal Officer, Chief Solicitor and the Committee Services Manager.

F. BACKGROUND REFERENCES

1. Councillors' Code of Conduct available at <http://www.scotland.gov.uk/Publications/2010/12/10145144/0>

2. Standards Commission's Guidance and Dispensations Note to Councillors and Local Authorities in Scotland (published May 2007) available at http://www.standardscommissionscotland.org.uk/guidance_note_local.html
3. Presentations to councillors by Chief Legal Officer on 26 October 2010 and 25 January 2011.
4. Annual report for 2009/10 by the Standards Commission, available at http://www.standardscommissionscotland.org.uk/annual_reports.html
5. Reports and decisions of the Standards Commission and the Chief Investigating Officer held on the Commission's web site at www.standardscommissionscotland.org.uk
6. Minute of meeting of the Council Executive of 29 June 2010.

Appendices/Attachments: One

Contact Person: Gordon Blair, Chief Legal Officer/ Monitoring Officer

Tel. No. 01506 281695

Email: gordon.blair@westlothian.gov.uk

Date: 17 June 2011.

Appendix – Summary of changes brought in by revised Code of Conduct for Councillors, with Flow Charts for assistance in deciding when oral declarations of interests and withdrawals from meetings are required.



Revised Code
Briefing Pack 201...

COUNCILLORS' CODE OF CONDUCT - SUMMARY OF CHANGES (2010)

Overview

The revised Code applies to conduct on or after 21 December 2010. Your conduct before that date will continue to be judged against the original Code.

Rules about gifts and hospitality are clarified, as is the period to which entries in the Register of Interests are to cover. More detailed step-by-step tests for judging when to declare and when to withdraw are provided. The previous General Dispensations granted by the Standards Commission are incorporated directly into those tests instead of being found in the Commission's Guidance. Section 7 in relation to planning and similar business is recast and expanded both to reflect the new planning regime and to clarify what you can and cannot do in relation to this type of business.

The changes reflect new legislation, some decisions made by the Standards Commission and some of the responses to the Scottish Government consultation concluded in February 2010.

General Principles

The nine "General Principles" remain, but they are now to be used for guidance and interpretation only. This means that a complaint alleging only a breach of one or more of these principles will not be possible. Instead, a complaint must allege a breach of a more specific provision of the Code.

The "respect" principle is expanded to make it clear that you must respect the public when you are performing your duties as councillors.

"Conduct in the Chamber or in Committee" has become the wider "Conduct at Meetings, and now covers meetings of outside bodies to which you are appointed by the council.

Gifts and Hospitality

The overarching prohibition is now against accepting "any offer by way of gift or hospitality which could give rise to **real or substantive personal gain** or a reasonable suspicion of influence on your part to show favour or disadvantage to any individual or organisation".

The specific reference to "inexpensive seasonal gifts such as a calendar or diary or other simple items of office equipment of modest value" (which would usually have been acceptable) has been removed. Instead, it is now provided that "isolated gifts of a trivial character, the value of which must not exceed £50" will usually be acceptable.

You must now refuse "repeated gifts" as well as "repeated hospitality".

"Gifts and Hospitality" has been added as a new category of Financial Interests in Section 4.

You must register all gifts and hospitality except for (i) isolated gifts of a trivial character, the value of which must not exceed £50; (ii) normal hospitality associated

with your duties and which would reasonably be regarded as appropriate; and (iii) civic gifts received on behalf of the council.

Use of Council Facilities

It is now stated that you must use council facilities in accordance with the council's own policies and procedures (e.g., the Multi-Member Ward Protocol for Members, IT Security Policy).

Register of Interests

Entries in the Register are now to cover your current period of office and the 12 months immediately before that. However, the statutory regulations require the information to be retained for five years after you cease to be a councillor.

The original Code stated that you do not have a registrable interest simply because you are a councillor. This has been expanded to cover membership of a joint board (e.g., the Police Board), a joint committee (e.g., Scotland Excel) or COSLA.

The rule about registering election expenses has been changed, and now applies where the value of any single donation exceeds £50. It is not now restricted to the last 12 months as it was before.

Declarations – General

A new “objective test” has been introduced, which is referred to and applied in various places in the revised Code. The objective test is *“whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.”*

Only interests which are known to you require to be declared.

Declaring and Withdrawing – Your Own Interests

New step-by-step processes are provided for judging if declaration or withdrawal is called for, one for your own financial interests and one for your own non-financial interests. They are framed by reference to the categories of registrable interests in Section 4; general exclusions; specific exclusions, remoteness or insignificance; and the objective test.

The “general exclusions” and the “specific exclusions” reflect what were the separate General Dispensations granted by the Standards Commission.

Declaring and Withdrawing – Interests of Others

Similar, but shorter, processes are included for assessing what action is called for in relation to the financial and non-financial interests of others.

The meaning of “others” has been expanded from “spouses, cohabitees, relatives and close friends” to (i) a spouse, a civil partner or a cohabitee; (ii) a close relative, close friend or close associate; (iii) an employer or a partner in a firm; (iv) a body (or subsidiary or parent of a body) of which you are a remunerated member or director; (v) a person from whom you have received a registrable gift or registrable hospitality; and (vi) a person from whom you have received registrable election expenses.

As before, there are no definitions provided of “relative”, “friend”, “associate” or “close” – these terms will continue to require a judgment based on the circumstances of the case.

Lobbying

It is still acknowledged that lobbying is an essential part of the democratic process, but the warning about what to do in response to lobbying on regulatory or quasi-judicial matters is amplified.

Regulatory or Quasi-Judicial Decision Making

Section 7 of the Code has been substantially changed and expanded whilst retaining the emphasis on fairness, impartiality and providing a proper and fair hearing. It is significantly different to the proposals made by the Scottish Government in its 2008/09 consultation.

It is now clear that this section applies to all regulatory and quasi-judicial business (e.g., planning applications, Local Review Body reviews, licensing, enforcement action, statutory appeals and internal appeals such as under disciplinary and grievance procedures). There is a general part and then a part specific to planning business.

The Code's rules which may allow you deal with business in relation to an outside body to which you are appointed do not apply where this type of business is involved.

Decisions on Planning Matters

For planning business, a clear distinction is drawn between your conduct in relation to particular applications, and in relation to “policy and strategic issues”. Your roles as policy-makers and ward representatives are recognised.

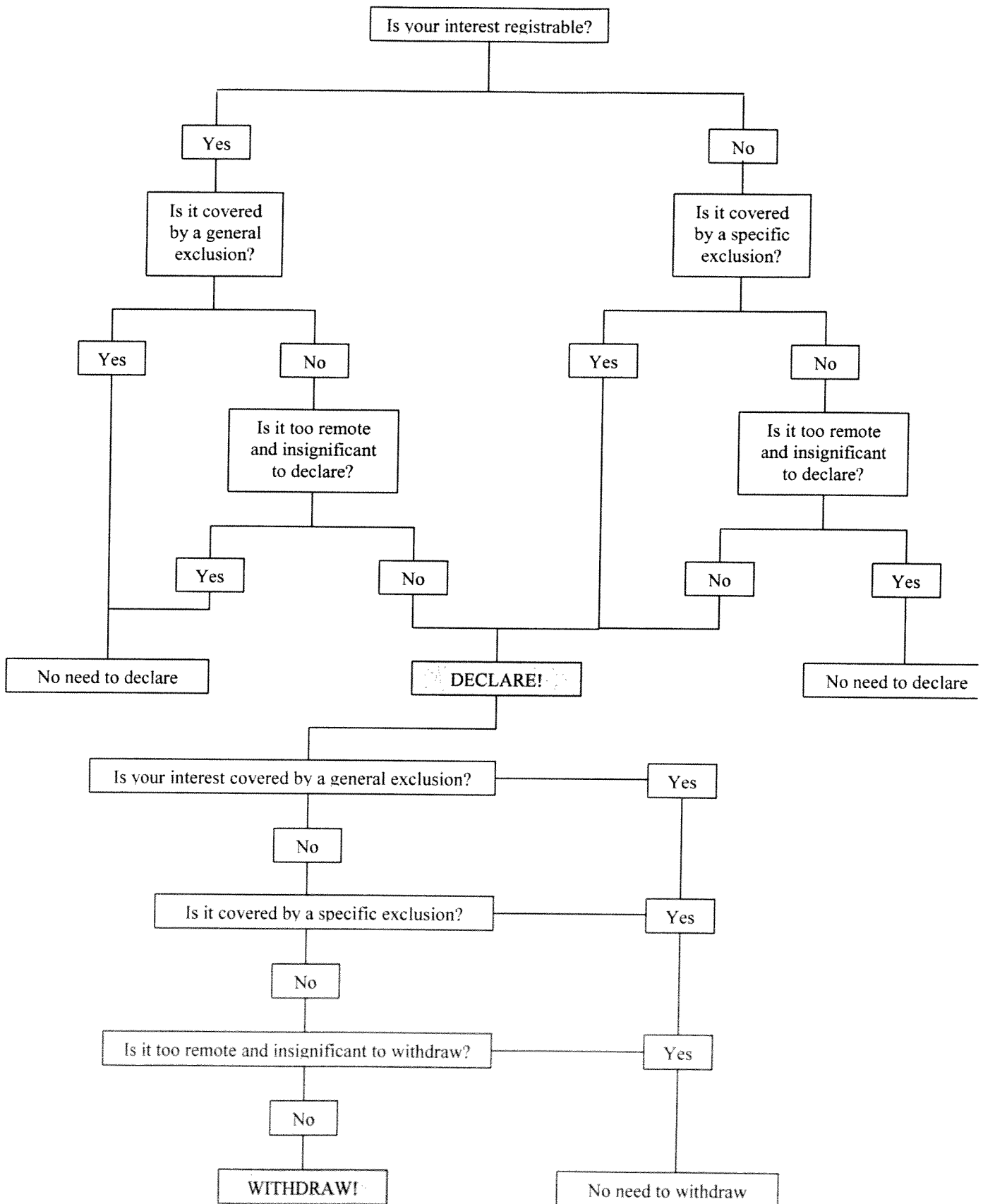
All of you, including those on the eventual decision-making committee, have a role to play in establishing policy. That role is explicitly stated to apply to the development plan, supplementary planning guidance, planning briefs, masterplans and provisional advance views on the principle of acceptable development.

There is a helpful list of things which you can do in relation to representations, even when you do intend to take part in the decision-making stage. These include passing on information and representations to planning officers, attending public meetings, and helping constituents to make their views known to planning officers.

There is also a list of things you cannot do if you intend to take part in the decision-making stage. The line is crossed when you make your view known publicly on a particular application, or prejudice it, or give the impression of prejudging the case.

To reflect the decision-making processes required under the new planning regime (e.g., full council decisions on major developments significantly contrary to the development plan), and to take account of procedures adopted voluntarily by some councils (e.g., local planning committees with a referral system up to a council-wide planning committee), the revised Code makes it clear that you are entitled to take part and express views at these intermediate stages without falling foul of the Code.

YOUR OWN FINANCIAL INTERESTS – DECLARING AND WITHDRAWING



The objective test

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

The General Exclusions

(i) as a Council tax payer or rate payer or in relation to the Council's public services. You do not have an interest which has to be declared as a Council tax payer or ratepayer or, in respect of any issue relating to the terms of services which are offered to the public generally, as a recipient or non-recipient of those services.

(ii) in relation to setting the Council tax. You do not have a financial interest which has to be declared in connection with:-

(a) the setting of Council tax (including the approval of the total estimated expenses of the authority to be incurred during the year in question); and

(b) the setting of any substitute Council tax (including the approval of any revised total estimated expenses), notwithstanding that you may have an interest in any item of expenditure.

(iii) in relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension. You do not have an interest which has to be declared in connection with any matter relating to councillors' remuneration, allowances, expenses or support services or in relation to councillors' pension arrangements, including the investment of superannuation funds.

(iv) as a Council house tenant. You do not have an interest which has to be declared in connection with any matter relating to council house matters, notwithstanding that you have an interest in the tenancy of council housing accommodation (including any garage), always provided:-

(a) this exclusion does not apply in respect of any matter which is concerned solely or mainly with the particular tenancy from which your interest derives; and

(b) this exclusion does not apply to you if you are in arrears of rent in respect of your council house (or garage as appropriate).

The Specific Exclusions

(i) as a member, or director of, an outside body. This applies where you have been nominated or appointed or where your appointment has been approved by the council and where you have registered an interest as a member or director of:-

(a) a devolved public body as defined in Schedule 3 to the Act;

(b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;

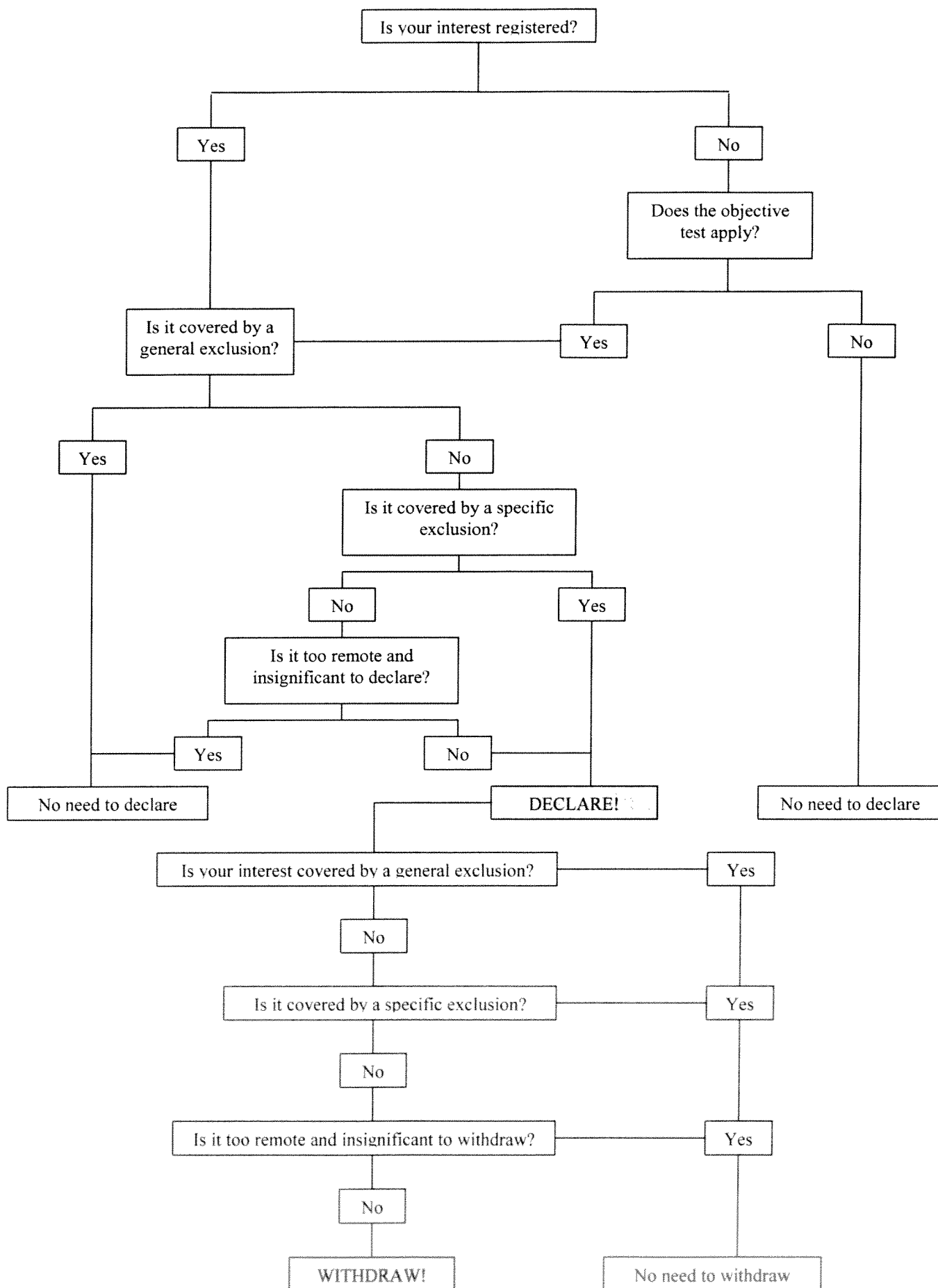
(c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise;

(d) a body being a company:- (i). established wholly or mainly for the purpose of providing services to the councillor's local authority; and (ii). which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

For you to take part in the consideration and discussion of, and to vote upon, any matter relating to the body in question you are required to declare your interest at all meetings where matters relating to the body in question are to be discussed. This is always provided the exclusion does not apply in respect of any matter of a quasi-judicial or regulatory nature where the body in question is applying to the council for a licence, a consent or an approval, is making an objection or representation or has a material interest concerning such a licence, consent or approval or is the subject of a statutory order of a regulatory nature, made, or proposed to be made, by the council.

(ii) as a member of the Cairngorms National Park Authority ("CNPA").

YOUR OWN NON-FINANCIAL INTERESTS – DECLARING AND WITHDRAWING



The objective test

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

The General Exclusions

(i) as a Council tax payer or rate payer or in relation to the Council's public services. You do not have an interest which has to be declared as a Council tax payer or ratepayer or, in respect of any issue relating to the terms of services which are offered to the public generally, as a recipient or non-recipient of those services.

(ii) in relation to setting the Council tax. You do not have a financial interest which has to be declared in connection with:-

(a) the setting of Council tax (including the approval of the total estimated expenses of the authority to be incurred during the year in question); and

(b) the setting of any substitute Council tax (including the approval of any revised total estimated expenses), notwithstanding that you may have an interest in any item of expenditure.

(iii) in relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension. You do not have an interest which has to be declared in connection with any matter relating to councillors' remuneration, allowances, expenses or support services or in relation to councillors' pension arrangements, including the investment of superannuation funds.

(iv) as a Council house tenant. You do not have an interest which has to be declared in connection with any matter relating to council house matters, notwithstanding that you have an interest in the tenancy of council housing accommodation (including any garage), always provided:-

(a) this exclusion does not apply in respect of any matter which is concerned solely or mainly with the particular tenancy from which your interest derives; and

(b) this exclusion does not apply to you if you are in arrears of rent in respect of your council house (or garage as appropriate).

The Specific Exclusions

(i) as a member, or director of, an outside body. This applies where you have been nominated or appointed or where your appointment has been approved by the council and where you have registered an interest as a member or director of:-

(a) a devolved public body as defined in Schedule 3 to the Act;

(b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;

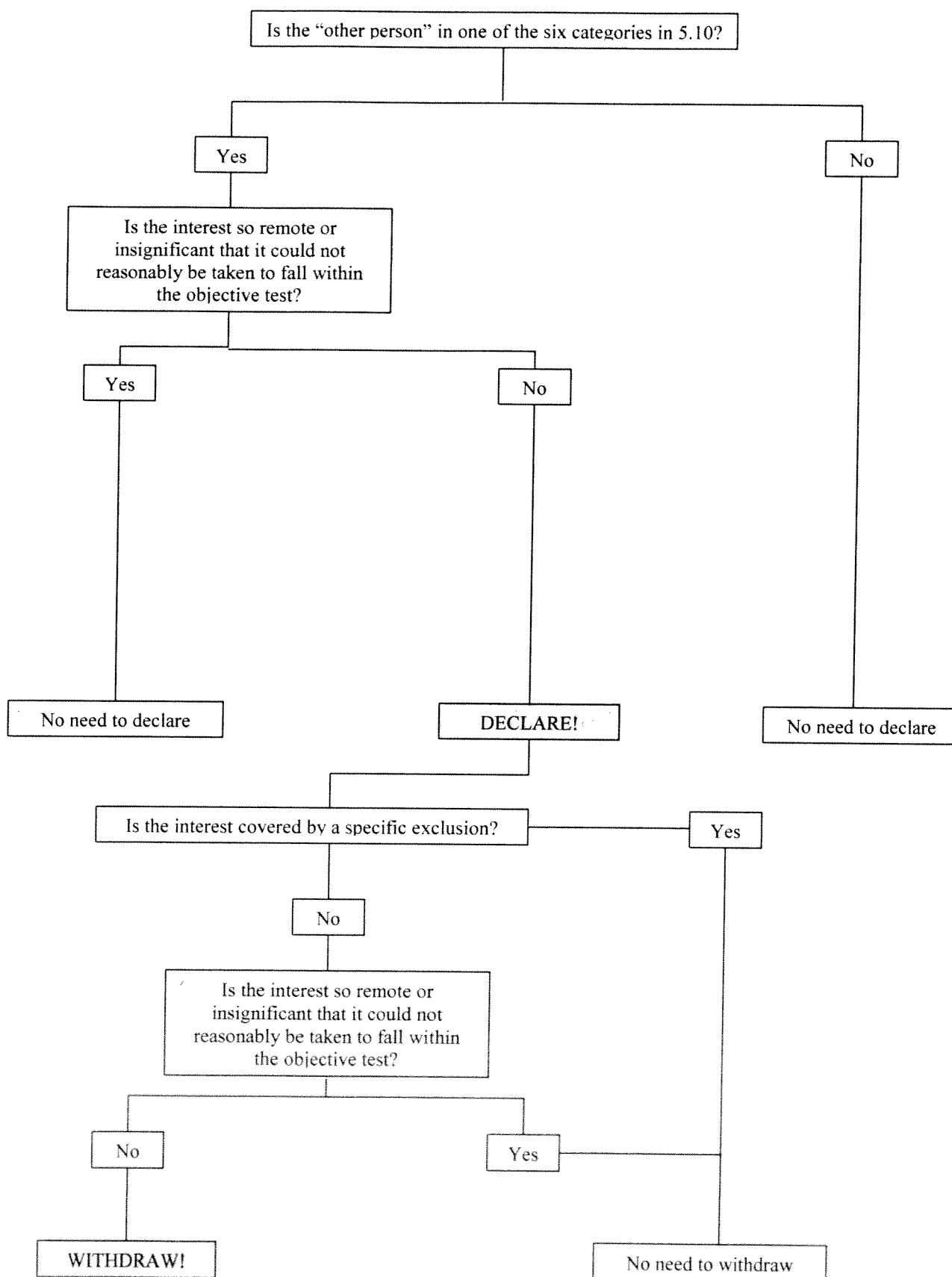
(c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise;

(d) a body being a company:- (i). established wholly or mainly for the purpose of providing services to the councillor's local authority; and (ii). which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

For you to take part in the consideration and discussion of, and to vote upon, any matter relating to the body in question you are required to declare your interest at all meetings where matters relating to the body in question are to be discussed. This is always provided the exclusion does not apply in respect of any matter of a quasi-judicial or regulatory nature where the body in question is applying to the council for a licence, a consent or an approval, is making an objection or representation or has a material interest concerning such a licence, consent or approval or is the subject of a statutory order of a regulatory nature, made, or proposed to be made, by the council.

(ii) as a member of the Cairngorms National Park Authority ("CNPA").

FINANCIAL INTERESTS OF OTHERS – DECLARING AND WITHDRAWING

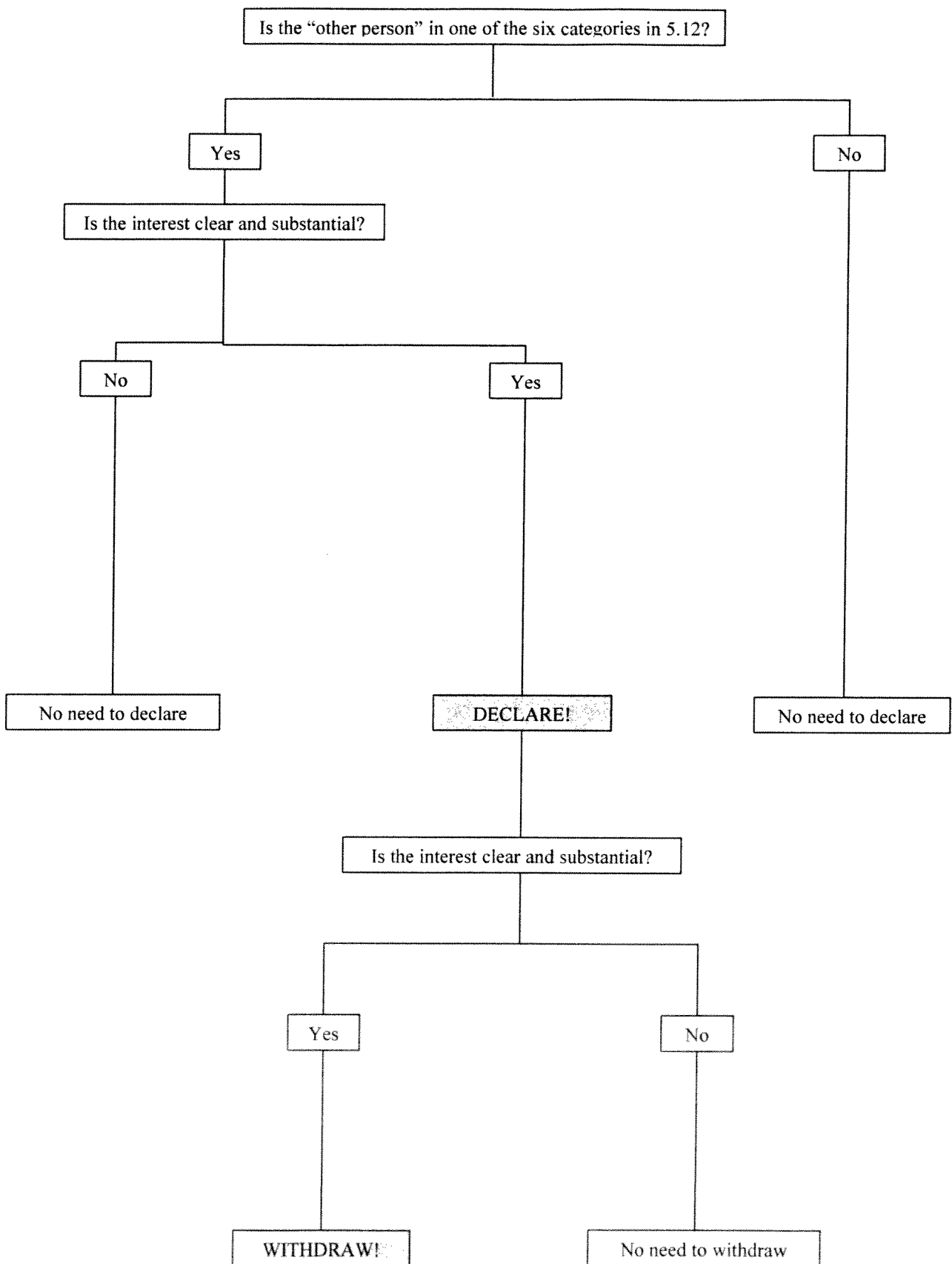


The objective test

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

The six categories of "other persons"

- (i) a spouse, a civil partner or a cohabitee.
- (ii) a close relative, close friend or close associate.
- (iii) an employer or a partner in a firm.
- (iv) a body (or subsidiary or parent of a body) of which you are a remunerated member or director.
- (v) a person from whom you have received a registrable gift or registrable hospitality.
- (vi) a person from whom you have received registrable election expenses.

NON-FINANCIAL INTERESTS OF OTHERS – DECLARING AND WITHDRAWING

The six categories of “other persons”

- (i) a spouse, a civil partner or a cohabitee.
- (ii) a close relative, close friend or close associate.
- (iii) an employer or a partner in a firm.
- (iv) a body (or subsidiary or parent of a body) of which you are a remunerated member or director.
- (v) a person from whom you have received a registrable gift or registrable hospitality.
- (vi) a person from whom you have received registrable election expenses.



COUNCIL EXECUTIVE

EARLY RETIRAL / VOLUNTARY SEVERANCE – 9 MONTH SUMMARY

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To advise the Council Executive of the number of employees who were granted early retirement / voluntary severance from the council during the 9 month period from July 2010 to March 2011

B. RECOMMENDATION

The Council Executive is asked to note the terms of the report and the details set out in the attached Appendix.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|---|
| I Council Values | The reporting of early retirement / voluntary severance decisions is in keeping with the council's values of being honest, open and accountable. |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The council's policy of Early Retiral and Voluntary Severance requires early retiral and severance cases to be reported to Council Executive on a regular basis. |
| III Resources - (Financial, Staffing and Property) | Each early retiral / voluntary severance reported has been approved on the basis of a robust business case and has been approved in accordance with council policy. |
| IV Consultations | Consultation has taken place with the Head of Finance and Lothian Pension Fund. |

D. TERMS OF REPORT

The council's policy on Early Retiral and Voluntary Severance requires that reports on application of the policy are submitted regularly to the Council Executive. This report records cases of early retiral / voluntary severance approved during the period July 2010 to March 2011.

In accordance with the Policy, all cases approved during this period were dependant on the establishment of a business case which ensured that costs of releasing the employee were recoverable within a period of 2 years. The associated costs of release have been funded through a combination of individual service budgets and the staffing change fund which was established specifically for this purpose.

During the period July 2010 to March 2011, 332 non teaching and 26 teaching employees were granted early retiral / voluntary severance. Details of these approved cases are provided in the attached Appendix.

E. CONCLUSION

All instances of early retiral / voluntary severance recorded in the Appendix to this report have been approved in accordance with council policy.

The Council Executive is asked to note the contents of this report.

F. BACKGROUND REFERENCES

Policy on the Application of Early Retiral and Voluntary Severance.

Appendices/Attachments: 1

Contact Person: Lesley Wilson, HR Manager – Operations & Reward

Email: lesley.wilson@westlothian.gov.uk

Tel : (01506) 281408

Graeme Struthers

Head of Corporate Services

Date: 20 June 2011

	Area Services	CHCP - Social Policy	Chief Exec, Finance & Estates	Corporate Services	Education Services		Housing, Const & Build	Operational Services	Planning & Economic Development	Total
					Non Teaching	Teaching				
No of Employees	50	86	26	21	104	26	20	16	9	358
Category										
Early Retiral	41	67	22	19	74		20	15	8	266
Voluntary Severance	9	19	4	2	30	26		1	1	92
Total	50	86	26	21	104	26	20	16	9	358
Added Years Granted										
Nil (Enhanced Lump Sum)	49	84	22	21	102	26	19	13	9	345
1 year		2			2		1	2		7
2 years	1							1		2
3 years			3							3
4 years			1							1
Total	50	86	26	21	104	26	20	16	0	358
Estimated Payback Period										
Less than 1 year	24	22	11	13	41	21	12	10	2	156
1 -2 years	26	64	15	8	63	5	8	6	7	202
Total	50	86	26	21	104	26	20	16	9	358

Cost Summary

Service Area	Number of Employees	Net Annual Salary Savings	Total Exit Costs
Area Services	50	1,570,181	1,955,557
CHCP - Social Policy	86	1,629,785	2,201,131
Chief Exec, Finance & Estates	26	1,138,498	1,113,709
Corporate Services	21	783,687	791,708
Education Services	130	2,755,302	2,273,117
Housing Constr & Building	20	723,808	857,976
Operational Services	16	591,452	641,838
Planning & Economic Dev	9	351,393	403,992
Total	358	9,544,106	10,239,028



COUNCIL EXECUTIVE

**FEEDBACK ON WEST LOTHIAN COUNCIL'S STRATEGIC HOUSING
INVESTMENT PLAN 2011-2016**

REPORT BY HEAD OF HOUSING, CONSTRUCTION AND BUILDING SERVICES

A. PURPOSE OF REPORT

To report to Council Executive on the feedback received from Scottish Government (Housing Supply Division) on the Strategic Housing Investment Plan 2011-2016 (SHIP) submitted by the Council in December 2010.

B. RECOMMENDATION

The Council Executive notes the positive feedback in the letter from Housing Supply Division dated 21st April 2011 (Appendix 1)

C. SUMMARY OF IMPLICATIONS

I Council Values	Focus on Customer needs. Being honest open and accountable Working in partnership. Making best use of Resources
II Policy and Legal	None
III Resources - (Financial, Staffing and Property)	Commitments will be met within existing Council resources, and the government's allocation to housing associations in the approved development programme
IV Consultations	Consultation has taken place with WLC Planning, Scottish Government Housing Supply Division, Registered Social Landlords and representatives from Private Housing Developers in preparation of the SHIP. Further consultation is ongoing specifically on the related task of preparing the 2011 West Lothian Local Housing Strategy.

The report was considered by members of the Services for the Community PDSP on 14th June 2011.

D. TERMS OF REPORT

Background

The Scottish Government has requested all Scottish Local Authorities to submit a 5-year Strategic Housing Investment Plan (SHIP), which will augment their current and future Local Housing Strategies (LHS). Each Local Authority is required to provide a SHIP on an annual basis. This was the fourth annual submission made by West Lothian Council

The major objective of the SHIP is for Local Authorities, in conjunction with Registered Social Landlords (RSLs) to ascertain the viability of current and future social housing investment opportunities. The SHIP should relate to the Strategic Outcome Agreement (SOA) between the local authority and central government. It should be consistent with other strategies within the LHS such as homelessness, housing support and private sector housing policy.

The Government's Housing Supply Division will continue to monitor each SHIP submission and determine the best investment possibilities on analysis of the relevant merits and potential constraints for the development options furnished by each Authority.

The Council currently works closely with the Government's Housing Supply Division to support Housing Association Development within West Lothian. In 2010, a review was undertaken of the preferred RSL development partners and following an assessment process in conjunction with Housing Investment Division East Region it was agreed that the following RSL would be preferred development partners;

- Places for People (comprising Castle Rock Edinvar Housing Association and Lothian Homes)
- Dunedin Canmore Housing Association and Margaret Blackwood Housing Association
- West Lothian Strategic Alliance (comprising Almond Housing Association, Horizon Housing Association and WESLO housing management)

The SHIP also gave the latest progress on the Authority's New Build Council Housing Programme, to deliver 800 Council Houses by 2012

Feedback

Officials from Scottish Government met with Council officers to give feedback on the submission (Appendix 1). The key points were;

- The SHIP was a strong and competent document with a clear

- commitment to new supply of housing
- A commitment to stakeholder engagement was demonstrated
- There was a clear corporate commitment to housing and collaborative working, particularly involving the West Lothian Community Health and Care Partnership
- Clear evidence of deliverability on the various projects was shown, while acknowledging some of the constraints. However it was recognised that projects would have to be prioritised going forward.
- More information should be provided on housing in sub market areas within West Lothian.

E. CONCLUSION

In conclusion the SHIP submission has been assessed very positively. It fits well with the Local Housing Strategy and the Strategic Outcome Agreement between the Council and Central Government. The programme is seen as deliverable with good information on the status of each project.

F. BACKGROUND REFERENCES

West Lothian Council March 2005 - Affordable Housing Policy

PP&R Committee February 2005 - Selection of Future Development Partners

PP&R Committee December 2004 - Sites for New Build Rented Housing

PP&R Committee March 2004 - West Lothian Local Housing Strategy 2003-2008

Council Executive January 2008 – Submission of West Lothian Council's 2008-2013 Strategic Housing Investment Plan

Council Executive January 2009 – Submission of West Lothian Council's 2009-2014 Strategic Housing Investment Plan

Services for the Community Policy Development and Scrutiny Panel – October 2010 Affordable Housing Lead Developer Partners

Council Executive December 2011 – Submission of West Lothian Council's SHIP 2011-2016

Services for the Community Policy Development and Scrutiny Panel June 2011 – Feedback on West Lothian Council's SHIP 2011-2016

Appendices/Attachments: 1

Contact Person(s): Grant Walker, Gillian Edwards

John Reid

Date: 15th June 2011

Appendix

Housing, Regeneration and Commonwealth Games Directorate
Housing Supply Division

T: 0131-479 5087 F: 0131-479 5253
E: craig.stewart@scotland.gsi.gov.uk



John Reid,
Senior Manager, Housing Strategy & Support,
West Lothian Council
West Lothian Civic Centre
Howden Road South
LIVINGSTON
EH54 6FF

21 April 2011

Dear John

West Lothian Strategic Housing Investment Plan 2011 - 2016

Thank you for submitting the West Lothian Strategic Housing Investment Plan (SHIP) 2011 - 16. The comments presented below have been informed by the review and discussion Alastair Dee and Gordon Liddle had with you and your colleagues at the feedback meeting on Monday 4 April at Livingston Civic Centre. I have structured my comments around the four overarching themes that were covered at the meeting:

- SHIP fit with Local Housing Strategy (LHS) Outcomes
- Prioritisation and Deliverability
- Local Authority Contribution / Engagement
- Equalities

SHIP fit with LHS Outcomes

In overall terms, the SHIP demonstrates a broad fit between the programme and the Local Housing Strategy (LHS) themes, objectives and priorities. There is a good locational framework to the SHIP, reflecting analysis and strategic priorities in the current LHS. The Council recognises that the development of a new LHS 2011-16 will impact on its future investment priorities.

The SHIP refers to the revised Lothians HoNDA (2009) but draws data illustrating local housing need and demand from other sources. The revised Lothians Housing Needs and Demand Assessment (HoNDA) has subsequently achieved the 'Robust & Credible' rating from the Scottish Government's Centre for Housing Market Analysis, and we expect the SESPlan HoNDA assessment to conclude in the near future. This would allow the Council to incorporate the HoNDA evidence base into its next SHIP submission later this year.

Tenure priorities have been established between rent and owner occupation, and have been based on LHS priorities and the emerging HoNDA evidence base.

The SHIP evidences strong links with other council services in developing an appropriate housing mix for a range of particular client groups. The council has set a target of 100 units of houses for particular needs and confirms that it is on schedule to deliver these properties. In addition, the council's new build housing is being built to Housing for Varying Needs standards.

There is a good read across from LHS themes and priorities into the SHIP submission, together with a developed structure and related priorities across the sub-areas, which builds on the link between strategy and proposed action.

The SHIP would benefit from the inclusion of area specific profiles outlining the housing position and challenges for each of the housing market sub-areas.

A key strength of the SHIP is the Council's major commitment to providing 800 new build Council house properties for social renting, the second phase (545 units) of which will be delivered during the plan period. This will make a very substantial contribution towards meeting needs throughout the councils' area.

Prioritisation and Deliverability

The council has adopted a pragmatic approach to the identification of a deliverable programme through the SHIP submission.

The introduction and use of a priority project weighting matrix would enhance what is already a well constructed SHIP. The inclusion of such a tool in the SHIP would assist in understanding how the programme has been identified and will be delivered.

Constraints in the programme are recognised, assessed and actions taken to mitigate and /or remove them. There is an adequate supply of effective land for the proposed programme. All of the projects in the first year are assessed as green, with none coded amber or red.

We note that in the current economic climate it has been difficult for the Council to secure the provision of affordable units through the operation of its Affordable Housing Policy.

Local Authority Contribution/Engagement

A major strength of the SHIP is the council's commitment to a significant (800 units) new house building programme. The council is making substantial progress and has completed its first phase of the programme ahead of programme and within budget. The second phase comprising 545 houses is projected to complete in early 2013. This is very welcome progress.

The SHIP sets out the efforts the council is making to ensure all available sources of funding and land are exhausted. Reference is made to engagement and consultation with a range of stakeholders and interests.

Additionally, strong efforts are made to ensure stakeholder groups are fully engaged in the SHIP process.

Thistle House, 91 Haymarket Terrace, Edinburgh EH12 5HE
www.scotland.gov.uk



The SHIP makes reference to working with adjacent local authorities through the South East Scotland Housing Forum. It recognises the benefits and advantages of cross boundary collaboration across the city region / strategic development plan area.

Equalities

An Equalities Impact Assessment (EQIA) has been undertaken in respect of this SHIP. The EQIA appears comprehensive and where gaps in the council's data on equalities groups have been identified these are to be addressed and taken forward through the development of the council's new LHS.

The SHIP reflects the council's commitment to equalities with 100 units of new affordable housing provision being for particular needs.

Overview

Following review across the four over-arching themes discussed at the feedback meeting, we found the SHIP generally to be an enhanced, strong and competent document. The SHIP has taken account of some of the issues highlighted as areas of improvement from the previous SHIP review.

Thank you for the level of work that went into the production of this SHIP, and for the useful discussion at our meeting which has helped inform the review. I hope that you find these comments helpful as you take the SHIP forward. In the meantime, please contact me if you want to discuss the contents of this letter further or any other aspect of the SHIP process.

Yours sincerely



Craig Stewart
Strategy Co-ordinator
Housing Supply Division East.



COUNCIL EXECUTIVE

DEVELOPER CONTRIBUTIONS UPDATE

REPORT BY HEAD OF PLANNING AND ECONOMIC DEVELOPMENT

A. PURPOSE OF REPORT

This report provides the Council Executive with a monitoring report on developer contributions for 2010/11.

B. RECOMMENDATION

It is recommended that the Council Executive notes the report.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focusing on our customers' needs;
being honest, open and accountable;
making best use of our resources; and
working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

The implementation of the West Lothian Local Plan (WLLP) requires substantial funding for infrastructure and substantial developer contributions. It is a key requirement of the WLLP and the approved Edinburgh and the Lothians Structure Plan (E&LSP) that development should not proceed beyond existing infrastructure capacity and that planning permission should not be granted until relevant infrastructure is provided or committed.

Policy IMP17 of the West Lothian Local Plan indicates that planning agreements (now planning obligations) will be entered into where appropriate and that developer contributions will be sought in accordance with circular 12/1996 (now 01/2010) - Planning Agreements.

Developer contributions may also be obtained through section 69 agreements under the Local Government (Scotland) Act 1973.

The council has approved supplementary

planning guidance (SPG) as council policy which will help to secure developer contributions.

III Resources - (Financial, Staffing and Property)

Projects funded by developer contributions form part of the council's capital programme. The capital works will have revenue consequences because of the ongoing maintenance requirements.

IV Consultations

Finance and Estates

D. TERMS OF REPORT

Background

Developer contributions enable the council to ensure that developments are properly provided with infrastructure, services and facilities. They enable developments to proceed that might otherwise have been refused planning permission.

This report outlines progress on developer contributions for the financial year 2010/11.

Previous years

Total income during 2010/11 was £2,485,658. This is an increase on the £1,564,127 received during 2009/10.

Total expenditure during 2010/11 was £1,700,002. This is an increase on the £1,399,625 spent during 2009/10.

The closing balance at 31 March 2011 was £6,315,036.

A breakdown of contributions by topic and funds drawn down is set out in Appendix 1.

The main points to note for 2010/11 are:

Affordable housing

No commuted sums were received and no affordable housing land was transferred.

Wester Inch, Bathgate

£200,869 was drawn down and income of £35,541 was received..

Denominational secondary school infrastructure

£1,051,609 was received.

Public art

£112,712 was received. £44,000 was drawn down.

Play areas

£184,060 was received. £32,480 was drawn down.

Bathgate Academy

£123,741 was received.

St. Nicholas Primary, Broxburn

£124,473 was received.

Holy Family/Winchburgh Primary School building

£119,663 was received and £65,000 was drawn down.

Addiewell Prison bus service

£57,300 was drawn down to operate a bus service to and from Addiewell Prison.

Cemetery provision

£12,086 was received.

Braehead Roundabout

£242,950 was drawn down. These works are complete.

Civic Centre Roads/BMX Park

£658,794 was received. £1,022,493 was drawn down.

B7015 Fauldhouse Road improvements

£33,094 was drawn down.

E. CONCLUSION

Developer contributions received during 2010/11 have increased from last year despite the continued economic slowdown. Expenditure has also increased. Whilst this is encouraging, the level of development activity in West Lothian remains low compared to pre-credit crunch levels.

F. BACKGROUND REFERENCES

Edinburgh and the Lothians Structure Plan 2015.

West Lothian Local Plan.

SG Circular 01/2010

Report to Development and Transport PDSP 9 October 2008 - The Effect of the Credit Crunch on the West Lothian Local Plan

Appendices/Attachments: One

Contact Person: Colin Miller, Development Planning Manager, 01506 775216

Email: colin.miller@westlothian.gov.uk

Steve Field, Head of Planning and Economic Development

Date : 28 June 2011

A breakdown of contributions by policy is set out below.

Policy	Opening Balance 1/4/10	Income 2010/11	Draw downs 2010/11	Balance at 31/12/10	Details of Committed Funds
	£	£	£	£	
Affordable Housing	27,178	373	0	27,551	Resource for phase 2 of council house building
Wester Inch, Bathgate	2,100,808	35,541	200,869	1,935,480	Comprises contributions for education, play areas & transportation. Is being used to extend Simpson PS, develop play areas, support bus route
Denominational Secondary School Infrastructure	1,563,073	1,051,609	1,815	2,612,867	Will be used to extend/build provision for denominational secondary sector
Armada Academy	8,162	1,737	0	9,899	Committed to the costs of paying for new school
Bathgate Academy	172,561	123,741	0	296,302	Will be used to fund Bathgate Academy extension
Linlithgow Academy	12,687	5,631	0	18,318	Will be used to fund Linlithgow Academy extension
Whitburn Academy	27,010	2,388	0	29,398	Will be used to fund Whitburn Academy extension
St Nicholas PS, Broxburn	9,890	124,474	0	134,363	Will be used to fund extension to St. Nicholas
St Paul's PS, East Calder	7,491	26,300	0	33,791	Will be used to fund extension to St. Paul's
Kirknewton PS	2,515	34	0	2,550	Will be used to fund extension of Kirknewton
Holy Family PS, Winchburgh	113,515	119,663	65,000	168,178	Committed to fund costs of design works to extend Holy Family PS
St Mary's PS, Bathgate	852	1,183	0	2,034	Will be used to fund extension of St Mary's
Denominational Primary, Armadale	5,028	3,171	0	8,199	Will be used to fund extension of St Anthony's
St Mary's PS, Polbeth	20,448	3,516	0	23,964	Will be used to fund extension of St Mary's
Parkhead PS	68,171	11,723	0	79,894	Will be used to fund extension at Parkhead.

Cemetery Provision	4,236	12,086	0	16,322	Committed to fund costs of extending cemeteries in West Lothian to support development
Play Areas	109,934	184,066	32,480	261,520	Committed to providing/improving play areas at the sites for which contribution was received
Public Art	71,889	112,712	44,000	140,602	Committed to provision of public art
Travel Co-ordinator	42,305	580	0	42,885	
Addiewell Prison bus service	56,554	746	57,300	0	Committed to costs of supported bus route & information provision
Civic Centre Roads/BMX Park	651,493	658,794	1,022,493	287,794	BMX park
Braehead Roundabout, Livingston	240,207	2,742	242,950	0	
Mill Roundabout, Elburn	83,125	1,139	0	84,263	
Off site environmental works, West Mains	21,029	288	0	21,317	
B7015 Fauldhouse Road Improvements	32,721	374	33,094.91	0	
Livingston Town Centre Waiting Restrictions	76,496	1,048	0	77,544	
TOTAL	5,529,380	2,485,658	1,700,002	6,315,036	
INFRASTRUCTURE FUND	64,011	3,619	0	67,630	

A breakdown of contributions by policy is set out below.

Policy	Opening Balance 1/4/10	Income 2010/11	Draw downs 2010/11	Balance at 31/12/10	Details of Committed Funds
	£	£	£	£	
Affordable Housing	27,178	0	0	27,178	Resource for phase 2 of council house building
Wester Inch, Bathgate	2,100,808	6,722	0	2,107,530	Comprises contributions for education, play areas & transportation. Is being used to extend Simpson PS, develop play areas, support bus route
Denominational Secondary School Infrastructure	1,563,073	151,382	0	1,714,455	Will be used to extend/build provision for denominational secondary sector
Armada Academy	8,162	0	0	8,162	Committed to the costs of paying for new school
Bathgate Academy	172,561	95,043	0	267,604	Will be used to fund Bathgate Academy extension
Linlithgow Academy	12,687	2,702	0	15,389	Will be used to fund Linlithgow Academy extension
Whitburn Academy	27,010	0	0	27,010	Will be used to fund Whitburn Academy extension
St Nicholas PS, Broxburn	9,890	38,409	0	48,299	Will be used to fund extension of St Paul's
St Paul's PS, East Calder	7,491	22,864	0	30,355	Will be used to fund extension of St Nicholas
Kirknewton PS	2,515	0	0	2,515	Will be used to fund extension of Kirknewton
Holy Family PS, Winchburgh	113,515	117,589	50,000	181,104	Committed to fund costs of design works to extend Holy Family PS
St Mary's PS, Bathgate	852	423	0	1,275	Will be used to fund extension of St Mary's
Denominational Primary, Armadale	5,028	0	0	5,028	Will be used to fund extension of St Anthony's
St Mary's PS, Polbeth	20,448	0	0	20,448	Will be used to fund extension of St Mary's
Parkhead PS	68,171	0	0	68,171	Will be used to fund extension of St Mary's

Cemetery Provision	4,236	1,975	0	6,211	Committed to fund costs of extending cemeteries in West Lothian to support development
Play Areas	109,934	88,332	0	198,266	Committed to providing/improving play areas at the sites for which contribution was received
Public Art	71,889	47,560	44,000	75,449	Committed to provision of public art
Travel Co-ordinator	42,305	0	0	42,305	
Addiewell Prison bus service	56,554	0	0	56,554	Committed to costs of supported bus route & information provision
Civic Centre Roads/BMX Park	651,493	0	635,700	15,793	BMX park
Braehead Roundabout, Livingston	240,207	0	240,207	0	
Mill Roundabout, Eliburn	83,125	0	0	83,125	
Off site environmental works, West Mains	21,029	0	0	21,029	
B7015 Fauldhouse Road Improvements	32,721	0	0	32,721	
Livingston Town Centre Waiting Restrictions	76,496	0	0	76,496	
TOTAL	5,529,380	573,001	969,907	5,132,474	
INFRASTRUCTURE FUND	64,011	0	0	64,011	



West Lothian Council

COUNCIL EXECUTIVE

PENTLAND HILLS REGIONAL PARK SERVICE WORK PLAN 2011/12 AND CONSULTATION BY THE REGIONAL PARK JOINT COMMITTEE ON CAR PARKING CHARGES WITHIN THE REGIONAL PARK.

REPORT BY PLANNING SERVICES MANAGER

A. PURPOSE OF REPORT

The purpose of this report is to inform the executive of the Pentland Hills Regional Park (PHRP) Service Plan for 2011/12 and a consultation from the Regional Park Joint Committee on charging for car parking in the Regional Park.

B. RECOMMENDATION

It is recommended that the executive notes:

- the Pentland Hills Regional Park Service Plan for 2011/12; and
- PHRP proposals for charging for car parking in several larger car parks within the Regional Park in Edinburgh Council and Midlothian areas.

C. SUMMARY OF IMPLICATIONS

I Council Values	Working in partnership, focusing on our customers' needs and making best use of our resources.
II Policy and Legal (including SEA, Equality Issues, Health or Risk Assessment)	Policy: West Lothian Local Plan policies ENV 29 & ENV 30 support the Pentland Hills Regional Park.
III Resources - Financial Staffing and Property	Core contribution of £10,760 contained within 2011/12 Planning Revenue Budget.
IV Consultations	Countryside Services. Environment Policy Development and Scrutiny Panel 2 June 2011.

D. TERMS OF REPORT

1.0 Background

- 1.1 The council co-operates with City of Edinburgh Council and Midlothian Council, along with Scottish Natural Heritage and Scottish Water, in the management of the Pentland Hills Regional Park. The area of the regional park in West Lothian covers around 10% of the designated park area.
- 1.2 Following local government reorganisation, to sustain the management of the park a Minute of Agreement was entered into by the three local authorities in 1997. In 2004 this agreement was amended to enable the City of Edinburgh Council to become the lead authority through its management of a single ranger service previously shared with Midlothian Council.

2.0 West Lothian's current contribution to the Regional Park Budget

- 2.1 West Lothian's previously agreed core contribution of £10,760 to the operation of the Pentland Hills Regional Park is already accounted for in the Planning & Economic Development budget for 2011/12.
- 2.2 Over the last two years, West Lothian Council and Midlothian Council has each contributed £14,697 per annum for the two transitional years 2009/10 and 2010/11 due to the transfer of Scottish Natural Heritage funding from City of Edinburgh Council to the individual councils under the Single Outcome Agreement process. This transitional funding is now at an end.

3.0. Pentland Hills Regional Park Service Work Plan 2011/12

- 3.1 A Pentland Hills Regional Park Plan was prepared in 2007 for a 10 year period until 2017. It is based on a vision: *to guide and assist all stakeholders in the sustainable development of the Pentland Hills Regional Park's changing environment in a way which supports communities living and working within the park, promotes responsible access for all, develops public understanding of the mixed land use resource and conserves and enhances the park's landscape, cultural and natural heritage features.*
- 3.2 The plan addresses five themes:
- responsible enjoyment and understanding of the hills;
 - the local economy of the hills;
 - conservation and enhancement of the landscape, natural heritage and cultural heritage of the hills;
 - partnership and participation; and
 - managing the Pentland Hills Regional Park Plan.
- 3.3 Each theme has a number of aims and these are implemented by a series of criteria according to short, medium, long term or ongoing needs over a ten year time frame. This is based on an initial three year operational plan, but with subsequent reviews.
- 3.4 While the PHRP Service does not anticipate a full blown review as a priority, they have prepared a Service Work Plan for 2011/12 to guide their work across the regional park. This is attached in Appendix 1, with an extract related to West Lothian as Appendix 2.

4.0 PHRP Ranger Activity within West Lothian

- 4.1 Meetings were held in 2010/11 between the PHRP Manager and his ranger staff and West Lothian council officers as follows:
- Countryside Services Manager to explore shared services and both services working outwith their formal park boundaries to raise WL residents awareness of the PHRP facilities;
 - Economic Development and Tourism Officer : to explore support for businesses within WL to take advantage of the regional park e.g.; “Pentland Produce” scheme; the PHRP manager now attends the West Lothian Tourism Forum;
 - Locality Planning Manager and Equalities Officer to link with the community planning partnership and target the harder to reach Black & Ethnic Minorities (BEM) community; and
 - Arts Unit: to consider various possible collaborations for the benefit of West Lothian residents.
- 4.2 In addition, the PHRP Park Manager has attended the East Livingston & East Calder Local Area Committee that covers the part of the Regional Park in West Lothian to outline the role of the Regional Park Service.
- 4.3 The Regional Park is also represented on the West Lothian Outdoor Access Forum and the rangers have led various walks as part of the West Lothian Walking Week that occurs each September.
- 4.4 As has been reported to previous panels and the council executive, Pentland Hills Regional Park Staff have played a key role in establishing Harperrig Reservoir as a Local Nature Reserve and continue to chair and administer the local management group that consists of local residents, farmers and landowners.
- 4.5 They have assisted the Friends of the Pentlands volunteer group in undertaking repairs to the Gala Ford Bridge on the Cauldstane Slap right of way.
- 4.6 The PHRP Area Ranger patrols the car parks at Little Vantage and West Harperrig.
- 4.7 The ranger’s staff have designed new interpretation boards for Harperrig Reservoir and overseen the implementation of a new access route along the south shore of the reservoir to link to the Cauldstane Slap and worked with students from Oatridge College to design and build two birds hides near the wildlife refuge on the reservoir.
- 5.0 **Consultation on charging for car parking in the Pentland Hills Regional Park.**
- 5.1 In February 2011, the Pentland Hills Regional Park Joint Committee, of which West Lothian is a member (currently Cllr John), agreed a consultation on the potential introduction of car parking charges within the Regional Park. This is due to the financial pressures facing the Park operational budget and new sources of income are sought to maintain services such as those provided by the Regional Park.

- 5.2 Many countryside services such as car parks on public land and private estates throughout the UK operate parking charges. It is proposed to ask visitors to pay a small charge for parking at selected existing sites in the Pentlands. The income would be used solely to support the environmental and visitor management service within the Regional Park that includes path maintenance, habitat management, interpretation and signage and assistance to visitors and land managers/ owners.
- 5.3 Four car parks at Threipmuir, Harlaw, Bonaly, within City of Edinburgh Council area, and Flotterstone, in Midlothian, are currently being proposed as they are all within local authority ownership, are in a reasonable condition due to recent upgrading and are popular with relatively high visitor numbers.
- 5.4 The Regional Park recognises that there is a history of free parking in the Pentland Hills and that charging would represent a significant change for visitors. However, any charge would be “ring-fenced” to sustain services and improvements over future years.
- 5.5 The consultation outlines various questions in relation to: public acceptability, whether the scheme should be compulsory or discretionary; the risk of displacement; security; and outsourcing parking management.
- 6.0 **West Lothian considerations**
- 6.1 Both the Regional Park car parks within West Lothian, located at Little Vantage and West Harperrig, are small with around 10 parking spaces each. While the council own the former, it is currently in negotiation with the owner of the latter to carry out environmental improvements to the site.
- 6.2 It is considered that both sites would be too small to generate sufficient revenue to justify the cost of installing and monitoring car parking charge equipment, and that due to their highly remote locations, this equipment could be susceptible to vandalism.

E. CONCLUSION

There has been long well established co-operation between West Lothian, Midlothian and City of Edinburgh Council's to support the aims of the Pentland Hills Regional Park that covers a unique area of countryside in the Lothians used by West Lothian residents.

The Service Plan for 2011/12 outlines the wide range of task that the ranger staff will carry out across the regional park area in the coming year to continue to progress the aims within the 207-2017 Regional Park Plan.

Proposals by the PHRP Joint Committee for charging at three of the larger car parks within the Regional Park in Edinburgh are noted, but it is suggested that West Lothian has no specific comments to raise at this stage.

F. BACKGROUND REFERENCES

- Report to council executive 29 January 2008 on Pentland Hills Regional Park: Regional Park Plan 2007-2010 and proposed new headquarters.
- Report to Environment Policy Development & Scrutiny Panel 23 April 2009.
- Report to council executive 22 December 2009 on PHRP Service budget, the proposed withdrawal of Midlothian Council from involvement with the Regional Park and the arrangement for funding in the two year transitional period following the transfer of Scottish Natural Heritage funds.


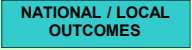
Appendices / Attachments: two:


- 1) Pentland Hills Regional Park Service Work Plan 2011/12.
- 2) Work Plan extract related to West Lothian.

Contact Person: Chris Alcorn, Principal Planner, Planning Services. 01506-282428;
chris.alcorn@westlothian.gov.uk





Craig McCorriston, Planning Services Manager.

28 June 2011 (CA/ca 21.6.11 – v6)

Pentland Hills Regional Park Management / Workplan 2011/12						Last Updated: 13th April 2011 by AM					
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Green Flag Criteria	Regional Park Plan 2007-2017 Theme	Regional Park Plan Aims	Regional Park Outcomes	Management Actions - 2011/2012	Scottish Government National Outcomes	Scot. Gov. Strategic Objectives	Lead Team member	Cost est. / £	Potential External Funding	Status	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Ensure paths are patrolled to required frequency	We live in a Scotland that is the most attractive place for doing business in Europe	greener	ALL			PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Carry out repairs and maintenance of paths, gates, stiles etc	We live in a Scotland that is the most attractive place for doing business in Europe	greener	MD/ALL			PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Liaise with landowners and progress proposals for amenity use of Flotterstone filter beds.	We live in a Scotland that is the most attractive place for doing business in Europe	greener	SF			PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Clear drains	We live in a Scotland that is the most attractive place for doing business in Europe	greener	MD/ALL			PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Clear drains in the Maiden's Cleugh using specialist machinery / contractor	We live in a Scotland that is the most attractive place for doing business in Europe	greener	MD/ALL	1000 REV P&E		PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Maintain picnic benches	We live in a Scotland that is the most attractive place for doing business in Europe	greener	MD			PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Review Arrangements for Amentiy Grass Cutting at PHRP sites. EFFICIENCIES / ABM	We live in a Scotland that is the most attractive place for doing business in Europe	greener	AM/MD			PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A2 To sustain and enhance a high quality visitor experience	Paths and access infrastructure monitored, assessed and evaluated.	Carry out essential repairs to Flotterstone car park. 	We live in a Scotland that is the most attractive place for doing business in Europe	greener	MD	2,400 Parks R&M		COMPLETED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Attend and Represent Regional Park Interests at Local Access Fora	We live in a Scotland that is the most attractive place for doing business in Europe	greener	SF/AM			PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A2 To sustain and enhance a high quality visitor experience	Access is enhanced where gates are required for land management purposes	Develop a proposal with extenal funding to repair and upgrade the Carnethy Hill path (SPDP)	We live in a Scotland that is the most attractive place for doing business in Europe	greener	MD		SRDP	PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A2 To sustain and enhance a high quality visitor experience	Access is enhanced where gates are required for land management purposes	Maintain self-closing gates	We live in a Scotland that is the most attractive place for doing business in Europe	greener	MD			PROCEED	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A2 To sustain and enhance a high quality visitor experience	Plans to produce improved visitor experience and community resource at Flotterstone advanced	Monitor the tennacny of the HQ building at Boghall and investigate alternative accomodation as required. 	We live in a Scotland that is the most attractive place for doing business in Europe	greener	AM			Tenancy at Boghall settled for time being.	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Information and advice about responsible access and the SOAC is provided	Review and produce a strategy for upgrading waymarking throughout the Park.	We live in a Scotland that is the most attractive place for doing business in Europe	greener	MD			PROCEED.	
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Information and advice about responsible access and the SOAC is provided	Promote responsible access through signage	We live in a Scotland that is the most attractive place for doing business in Europe	greener	JD			PROCEED.	

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A welcoming place	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Information and advice about responsible access and the SOAC is provided	Erect and maintain seasonal signs	We live in a Scotland that is the most attractive place for doing business in Europe	safer and stronger	JD/ALL			PROCEED
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Information and advice about responsible access and the SOAC is provided	Respond to enquiries about access and events.	We live in a Scotland that is the most attractive place for doing business in Europe	safer and stronger	SF/ALL			PROCEED
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Information and advice about responsible access and the SOAC is provided	Maintain and develop relationships with commercial dog walkers .	We live in a Scotland that is the most attractive place for doing business in Europe	safer and stronger	SF / ALL			PROCEED
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Information and advice about responsible access and the SOAC is provided	Introduce a scheme similar to the 'green dog walking scheme' suitable for the Regional Park.	We live in a Scotland that is the most attractive place for doing business in Europe	safer and stronger	SF	SW Community Safety Team		PROCEED
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Investigate potential SRDP project for improving visitor facilities at Flotterstone 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	safer and stronger	PB		SRDP	PROCEED
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Information and advice about responsible access and the SOAC is provided	Develop and upgrade the Great Glen Mystery Trail with SRDP	We live in a Scotland that is the most attractive place for doing business in Europe	safer and stronger	PB		SRDP	PROCEED
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Information and advice about responsible access and the SOAC is provided	Develop biodiversity Trail at Harlaw in partnership with the Friends of the Pentlands.	We live in a Scotland that is the most attractive place for doing business in Europe	safer and stronger	PB	FOP		PROCEED
A welcoming place	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Complete refurbishment of South Harlaw Path	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	safer and stronger	MD		WREN / SNH /FOP	PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for Lothian pupils and students to experience and learn about the PHRP are provided	Undertake Forest schools programme in conjunction with FEI Lothians	Our children have the best start in life and are ready to succeed. We live longer, healthier lives.	smarter	JD / ALL			PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for Lothian pupils and students to experience and learn about the PHRP are provided	Undertake carefully targeted school visits to support Regional Park aims and align with 'Curriculum for Excellence'. The focus in 2011/12 will be on quality rather than quantity, and bookings to be assessed subject to other operational and diary commitments).	We are better educated, more skilled and more successful, renowned for our research and innovation.	smarter	VP/ALL			PROCEED.
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for Lothian pupils and students to experience and learn about the PHRP are provided	Work with Children and Families Work with Children and Families to develop activities and projects aimed at raising awareness of sustainable development and climate change issues - particularly as they relate to the Regional Park. NATIONAL / LOCAL OUTCOMES	Our children have the best start in life and are ready to succeed. We live longer, healthier lives.	smarter	SF/JD/VP			PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for Lothian pupils and students to experience and learn about the PHRP are provided	Investigate, assess and make recommendations about the introduction of charges for educational visits. NATIONAL / LOCAL OUTCOMES	Our children have the best start in life and are ready to succeed. We live longer, healthier lives.	smarter	VP /SF			PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for Lothian pupils and students to experience and learn about the PHRP are provided	Undertake tertiary educational visits and provide advisory assistance with projects. Visits and support to be assessed on relevance to Regional Park Aims and be offered subject to prevailing operational and diary commitments.	Our children have the best start in life and are ready to succeed. We live longer, healthier lives.	smarter	VP/ALL			PROCEED

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Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for Lothian pupils and students to experience and learn about the PHRP are provided	Convene Education Sub-Group as required to refine educational programme in line with Curriculum for Excellence.	Our children have the best start in life and are ready to succeed. We live longer, healthier lives.	smarter	VP (Support from JD and PB)			PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for Lothian pupils and students to experience and learn about the PHRP are provided	Develop the communities activities in parallel with the C4E carried out by the Education Sub-Group.	Our children have the best start in life and are ready to succeed. We live longer, healthier lives.	smarter	JD (With support from VP and PB)			PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Undertake community group visits, encouraging socially excluded groups in particular.	We have tackled significant inequalities in Scottish Society	wealthier and fairer	JD/ALL			PROCEED
Community involvement	D - Partnership and Participation	A4 To promote and provide more sustainable visitor transport opportunities	Opportunities for communities and those with particular requirements are provided	Work with the Pentlands Neighbourhood Partnership on a pilot scheme to help older people and people with disabilities to access the countryside. NATIONAL / LOCAL OUTCOMES	We have tackled significant inequalities in Scottish society	wealthier and fairer	SF			PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Liaise with Balerno Villiage Trust regarding the proposed use of Harlaw House to interpret future hydro scheme.	We have tackled significant inequalities in Scottish society	wealthier and fairer	JD			PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Review Pentland Inspirations for 12/13 in discussion with SF and Friends of the Pentlands.	We have tackled significant inequalities in Scottish society	wealthier and fairer	JD (support from SF)	Friends of the Pentlands		PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Implement Phase 2 of the Bavelaw bird hide development (emphasis on community input)	We have tackled significant inequalities in Scottish society	wealthier and fairer	PB			PROCEED
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Work with NHS Health Promotion to deliver targeted activities in support of mental and physical health of older people and people with disabilities. NATIONAL / LOCAL OUTCOMES	We have tackled significant inequalities in Scottish society	wealthier and fairer	SF			PROCEED
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Record all incidents in the incidents log held in the Regional Park HQ and report to Regional Park Manager and Senior Ranger at Weekly Team Meeting or immediately if there is an ongoing risk to public or staff safety (see 'Making the Links'). Green Flag Award	We live our lives safe from crime, disorder and danger	safer and stronger	ALL			PROCEED
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Inspect and maintain paths and access infrastructure: 1) as routine part of daily duty ranger activities; 2) as part of routine weekly patrols; and 3) in accordance with the Maintenance Audit and Plan. Report maintenance carried out, or maintenance required in patrol record and at action at weekly Service meetings (see 'Making the Links'). Green Flag Award	We live our lives safe from crime, disorder and danger	safer and stronger	MD /ALL			PROCEED
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Ensure that sites are visited and patrolled at a frequency and location determined by the patrol records (see 'Making the Links'). The patrol record will indicate the weekly patrol priorities (see 'Making the Links'). Green Flag Award	We live our lives safe from crime, disorder and danger	safer and stronger	ALL			PROCEED
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Open and inspect Harlaw and Flotterstone visitor centres and other main access points daily Green Flag Award	We live our lives safe from crime, disorder and danger	safer and stronger	ALL			PROCEED
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Monitor bridge at Leithhead monthly Green Flag Award	We live our lives safe from crime, disorder and danger	safer and stronger	MD			PROCEED

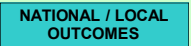





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Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Remove litter and report flytipping as part of daily duty ranger activities and routine weekly patrols (see 'Making the Links'). 	We live our lives safe from crime, disorder and danger	safer and stronger	ALL			PROCEED	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Establish a Memo of Understanding about the Management of Fly Tipping at Dreghorn. 	We live our lives safe from crime, disorder and danger	safer and stronger	AM			PROCEED	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Work with Neighbourhood Team, MOD, Police and other partners to manage fly tipping and general amenity at Dreghorn. 	We live our lives safe from crime, disorder and danger	safer and stronger	NF			PROCEED	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Improve Harlaw Car Park as an extension of the Threipmuir works. INFRASTRUCTURE	We live our lives safe from crime, disorder and danger	safer and stronger	AM / MD			PROCEED	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Construct new White Hill Wood Path. INFRASTRUCTURE	We live our lives safe from crime, disorder and danger	safer and stronger	MD		WIAAT	Linked to WIAAT application being progressed by the Forestry Team	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Check all first aid equipment monthly. HEALTH & SAFETY	We live our lives safe from crime, disorder and danger	safer and stronger	SF/ALL			PROCEED	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Submit returns to VLA re avian influenza HEALTH & SAFETY	We live our lives safe from crime, disorder and danger	safer and stronger	SF			PROCEED	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Respond to incidents and emergencies HEALTH & SAFETY	We live our lives safe from crime, disorder and danger	safer and stronger	ALL			PROCEED	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Upgrade Redford Wood Path with WREN INFRASTRUCTURE	We live our lives safe from crime, disorder and danger	safer and stronger	MD		WREN / CAPITAL	PROCEED	
Healthy, safe secure	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Investigate options for providing a permanent solution to accessibility to the Flotterstone Visitor Centre (eg ramped access). 	We have tackled significant inequalities in Scottish society	wealthier and fairer	PB/JB			PROCEED	
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Organise an event for anglers and visitors aimed at raising awareness of responsible access as it applies to interaction between anglers and other users. STATUTORY (SOAC Promotion)	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	healthier	SF			PROCEED	
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Arrange a dog awareness event at Hillend (to be confirmed) STATUTORY (SOAC Promotion)	Our children have the best start in life and are ready to succeed. We live longer, healthier lives.	healthier				TO BE CONFIRMED ?	
Community involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Organise an activity challenge aimed at young people- Bonaly Challenge STATUTORY (SOAC Promotion)	Our young people are successful learners, confident individuals, effective contributors and responsible citizens.	smarter	PB/JD	250 REV P&E		PROCEED.	
Community involvement	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Manage and develop mountain bike trail in Bonaly County Park in partnership with user groups. INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	healthier	SF			PROCEED.	






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Community Involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for the wider public to experience and learn about the PHRP are provided	Research and deliver illustrated presentations to community groups	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	ALL			PROCEED
Community Involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for the wider public to experience and learn about the PHRP are provided	Research, assess and lead an events programme publicised in the Outdoor Diary and SW Learning Partnership publication. REGIONAL PARK PLAN 2007-2017	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	healthier	VP/ALL	450 REV P&E	Outdoor Diary	PROCEED
Community Involvement	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for the wider public to experience and learn about the PHRP are provided	Research, publicise, assess and lead an activities programme for families	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	healthier	JD/PB			PROCEED
Community Involvement	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability	stakeholder groups are informed and involved in the work of the Regional Park	Link with community planning processes for a for each partner local authority	We have strong, resilient and supportive communities where people take responsibility for their own	greener	JD			PROCEED
Community Involvement	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	stakeholder groups are informed and involved in the work of the Regional Park	Encourage further involvement with Regional Park by established community groups (e.g.) Tiphereth & Green Shoots.	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	greener	JD/SF/ALL			PROCEED
Community Involvement	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	stakeholder groups are informed and involved in the work of the Regional Park	Manage the Relationship between SW Community Safety Team and LBP regarding antisocial beivour at Bonaly and Associated Sites STATUTORY (SOAC Promotion)	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	greener	SF			PROCEED. Bonaly PSP well established. Success will be monitored / reviwed.
Community Involvement	D - Partnership and Participation	D1 To maintain and develop partnership support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	stakeholder groups are informed and involved in the work of the Regional Park	Convene and Administer Harperrig Management Group (See 'Making the Liniks')	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	greener	NF			PROCEED
Community Involvement	D - Partnership and Participation	D1 To maintain and develop partnership support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	stakeholder groups are informed and involved in the work of the Regional Park	Meet, liaise with, and maintain an effective working relationship with the Friends of the Pentlands	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	greener	AM, SF, ALL			PROCEED
Community Involvement	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	Opportunities to volunteer within the Pentland Hills Regional Park will have been provided	Recruit, train and manage the Pentland Hills Regional Park Voluntary Ranger Service.	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	healthier	VP/ALL			PROCEED
Community Involvement	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	Opportunities to volunteer within the Pentland Hills Regional Park will have been provided	Participate in pilot Investing in Volunteers project and assess future application by PHRP	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	healthier	VP			PROCEED.
Community Involvement	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	Opportunities to volunteer within the Pentland Hills Regional Park will have been provided	Revise the Voluntary Ranger Service Management Plan	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	healthier	VP			PROCEED.





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Community Involvement	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	Opportunities to volunteer within the Pentland Hills Regional Park will have been provided	Manage conservation volunteer groups.	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	healthier	MD/ALL			PROCEED
	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	Opportunities to volunteer within the Pentland Hills Regional Park will have been provided	Develop the role of volunteers in carrying out habitat and species surveys	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.		NF (support VP)			PROCEED
	D - Partnership and Participation	D2 To develop public participation and support for securing long term sustainability of the PHRP as a living and changing mixed land use environment	Opportunities to volunteer within the Pentland Hills Regional Park will have been provided	Develop capacity to carry out corporate volunteering work in the Regional Park.	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.		MD / AM			PROCEED
Community Involvement	D - Partnership and Participation	D3 To maintain access to appropriate technical and specialist knowledge necessary to support any future changing development impact upon the PHRP operation and management	Regional Park has access to and receives technical and specialist advice on all aspects of its remit	Maintain and develop relationship with and biodiversity officers of partner local authorities.	We reduce the local and global environmental impact of our consumption and production.	greener	ALL			PROCEED
	D - Partnership and Participation	D3 To maintain access to appropriate technical and specialist knowledge necessary to support any future changing development impact upon the PHRP operation and management	Regional Park has access to and receives technical and specialist advice on all aspects of its remit	Liaise with external agencies	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.		ALL			PROCEED
Community Involvement	D - Partnership and Participation	D3 To maintain access to appropriate technical and specialist knowledge necessary to support any future changing development impact upon the PHRP	Regional Park has access to and receives technical and specialist advice on all aspects of its remit	Liaise and develop relationships with officers across a range of services in partner local authorities (eg assisting other L.A. Ranger Services as required)	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	smarter	ALL			PROCEED
Community Involvement	E - Managing the Pentland Hills Park Plan	E6 To promote awareness and understanding of the rationale, aims and benefits of the PHRP plan to the general public	stakeholder groups are informed and involved in the work of the Regional Park	Respond to email and other correspondence efficiently CUSTOMER SERVICE EXCELLENCE	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	smarter	ALL			PROCEED
Community involvement	B - The Local Economy of the Hills	B1 To Sustain a healthy, diverse range of agricultural, forestry and sporting businesses within PHRP	Farmers/landowners, residents and businesses within the regional park are well informed of park management and initiatives and opportunities to comment have been provided	Maintain regular and contact with farmers, landowners and residents and provide support as required.	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	wealthier and fairer	ALL			PROCEED







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Community involvement	B - The Local Economy of the Hills	B1 To Sustain a healthy, diverse range of agricultural, forestry and sporting businesses within PHRP	Farmers/landowners, residents and businesses within the regional park are well informed of park management and initiatives and opportunities to comment have been provided	Establish a text based early warning scheme (via duty ranger phone) to alert farmers, landowners and residents about real-time incidents. HEALTH & SAFETY STATUTORY (Promotion of SOAC)	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	wealthier and fairer	JD			PROCEED
	B - The Local Economy of the Hills	B1 To Sustain a healthy, diverse range of agricultural, forestry and sporting businesses within PHRP	Farmers/landowners, residents and businesses within the regional park are well informed of park management and initiatives and opportunities to comment have been provided	Work with NFU (Lisa Roberts) and NFU Members in the Regional Park (Inc Bob Barr) to set up a Farm Watch Scheme suitable for the needs of members in the RP.	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	wealthier and fairer	JD/AM			PROCEED
	B - The Local Economy of the Hills	B1 To Sustain a healthy, diverse range of agricultural, forestry and sporting businesses within PHRP	stakeholder groups are informed and involved in the work of the Regional Park	Publish articles about local businesses in the Pentland Beacon NATIONAL / LOCAL OUTCOMES	We live in a Scotland that is the most attractive place for doing business in Europe	wealthier and fairer	PB /AM			PROCEED
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Opportunities for communities and those with particular requirements are provided	Attend targetted community events and galas to promote aaims of Regional Park. STATUTORY (SOAC Promotion)	We have tackled significant inequalities in Scottish society	wealthier and fairer	VP/ALL			PROCEED
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Produce and Interpretation Plan for the Park.	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB			PROCEED
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Produce displays for visitor centres	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB/ALL			PROCEED
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Distribution of leaflets locally	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB			PROCEED
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Manage the PHRP visitor centres (duty ranger) INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	ALL			PROCEED
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Design and print events leaflet incorporate advertising where appropriate.	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB	£1,000		PROCEED.
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Reprint the bus leaflet.	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB	£1,500		DEFER TO 12/13
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Redesign and produce the Visitor Guide	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB	£4,000		PROCEED.
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Produce and distribute the Pentland Beacon 2 times per year	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB/ALL	£0		PROCEED. From Autumn 10 electronic only.

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Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Research and write articles for publications external to the PHRP e.g. Outlook, Magnet, Midlothian News	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB	£0		PROCEED (with support from all for articles).
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Quality interpretation for PHRP visitors is produced	Development and introduce new website features including links to a blog, Twitter and images of walking routes).	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB			PROCEED.
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	The Regional Park's customers are understood	Produce a Communications Strategy for the Regional Park	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB	£0		PROCEED.
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	The Regional Park's customers are understood	Further promote the donations scheme through the visitor centres and other appropriate mechanisms.	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	PB			PROCEED.
Marketing	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	The Regional Park's customers are understood	Develop and implement visitor survey exercise(s) to identify changing trends since the previous survey in 2006. REGIONAL PARK PLAN 2007-2017	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	smarter	VP/SF		To be identified.	PROCEED.
Sustainability	A - Responsible enjoyment and understanding of the Hills	A3 To Raise Awareness and Increase Visitor Understanding of the PHRP	Effective and efficient achievement of the aims of the Regional Park	Place information in the visitor centres about the location of local recycling facilities. Investigate provision of recycling facilities	We live in well-designed sustainable places where we are able to access the amenities and services we need.	greener	PB			PROCEED.
Sustainability	B - The Local Economy of the Hills	A4 To promote and provide more sustainable visitor transport opportunities	Quality interpretation for PHRP visitors is produced	Carry out an environmental / sustainability audit for the service operation and implement recommendations (waste, recycling, energy, transport etc).	We live in well-designed sustainable places where we are able to access the amenities and services we need.	greener	JD			PROCEED
Sustainability	B - The Local Economy of the Hills	A4 To promote and provide more sustainable visitor transport opportunities	Quality interpretation for PHRP visitors is produced	Work with partners to carry forward recommendations in the CSGN Access Study.	We live in well-designed sustainable places where we are able to access the amenities and services we need.	greener	AM			PROCEED
Sustainability	B - The Local Economy of the Hills	B1 To Sustain a healthy, diverse range of agricultural, forestry and sporting businesses within PHRP	Farmers/landowners, residents and businesses within the regional park are well informed of park management and initiatives and opportunities to comment	Provide Secretarial and other support for the development of Pentland Hills Produce	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	wealthier and fairer	AM			PROCEED. Seek to step back in 12/13.
Sustainability	B - The Local Economy of the Hills	B1 To Sustain a healthy, diverse range of agricultural, forestry and sporting businesses within PHRP	Farmers/landowners, residents and businesses within the regional park are well informed of park management and initiatives and opportunities to comment have been provided	Organise and host annual farmers and land managers meeting.	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	wealthier and fairer	AM/ALL			PROCEED
Sustainability	B - The Local Economy of the Hills	B2 To develop the PHRP as a green tourism destination	Support existing tourism businesses and maintain VisitScotland accreditation at Harlaw House.	Maintain VisitScotland accreditation at Harlaw House and promote the accreditation. Investigate 4 star accreditation for Harlaw.	We live in well-designed sustainable places where we are able to access the amenities and services we need.	smarter	PB/ALL			PROCEED.
Sustainability	B - The Local Economy of the Hills	B3 To achieve integrated land and water management	Utilise best practice via SRDP and other funding sources.	Investigate external funding opportunities for all projects.	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	wealthier and fairer	ALL			PROCEED

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Sustainability	B - The Local Economy of the Hills	B4 To achieve enhanced environmental sustainability of the PHRP economy	Park Initiatives will have been furthered that contribute to the tourism industry in the area	Attend, support and contribute to the Midlothian Tourism Forum 	We realise our full economic potential with more and better employment opportunities for our people.		AM	200 SUBS.		PROCEED
Sustainability	B - The Local Economy of the Hills	B4 To achieve enhanced environmental sustainability of the PHRP economy	Park Initiatives will have been furthered that contribute to the tourism industry in the area	Work with CEC economic development service to assist with the economic development of the Regional Park 	We realise our full economic potential with more and better employment opportunities for our people.	wealthier and fairer	AM			PROCEED
Sustainability	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	B4 To achieve enhanced environmental sustainability of the PHRP economy	Reduce the carbon footprint of PHRP	Work with New Caledonian Woodlands on carbon offsetting projects	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	MD/ALL			PROCEED
Sustainability	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	B4 To achieve enhanced environmental sustainability of the PHRP economy	Biodiversity of the regional Park monitored and management of species and habitats improved.	Ensure that peat is not used for grounds works carried out by the Regional park Service 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	MD/NF			PROCEED
Sustainability	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	B4 To achieve enhanced environmental sustainability of the PHRP economy	Biodiversity of the regional Park monitored and management of species and habitats improved.	Limit the use of pesticide to spot weeding of newly planted trees with glyphosate based herbicide. Ensure that pesticide is used for other purpose. 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	MD/NF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	To conserve and enhance the Regional Park's Cultural Heritage features by integrated management and raised public awareness of the cultural heritage.	Utilise baseline data / information recording to monitor and guide appropriate cultural heritage resource conservation programme activity.	Use Ancient Monuments inventory data / photographic records to work with HS and local authorities to advise landowners about the extent of Cultural Heritage Features within their landholding. REGIONAL PARK PLAN 2007-2017	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	SF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	To conserve and enhance the Regional Park's Cultural Heritage features by integrated management and raised public awareness of the cultural heritage.	Utilise baseline data / information recording to monitor and guide appropriate cultural heritage resource conservation programme activity.	Work with Historic Scotland and local authorities to establish a prioritised care and maintenance programme to conserve cultural heritage features in the PHRP. REGIONAL PARK PLAN 2007-2017	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	SF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats	Biodiversity of the regional Park monitored and management of species and habitats improved.	Implement the measures to protect habitat and safeguard endangered species set out in the: draft nature Conservation Strategy; Bavelaw Marsh SSSI Management Plan; Redford Wood Management Plan; Hillend Mgt Plan; Bonaly Mgt Plan; and Harlaw Wildlife Garden Mgt Plan. 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED.
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C1 To conserve the distinctive landscape character of the PHRP	Geological Heritage of the Regional Park is recognised and interpreted	Support and assist RIGS group in the production geological interpretation within the Regional Park.	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	VP			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C1 To conserve the distinctive landscape character of the PHRP	Management of the cultural heritage of the regional Park improved and interpretation enhanced	Liaise with Historic Scotland on cultural heritage issues e.g. Castlelaw, hill forts, Fraser-Tytler memorial. STATUTORY	We take pride in a strong, fair and inclusive national identity.	greener	SF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C1 To conserve the distinctive landscape character of the PHRP	Biodiversity of the regional Park monitored and management of species and habitats improved.	Carry out selective thinning and clear felling in Redford Wood (Investigating potential SRDP funding). ASSET / INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	MD		SRDP	PROCEED.
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the	Biodiversity of the regional Park monitored and management of species and habitats improved	Input and maintain nature conservation recording and monitoring data in Recorder 6. 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED

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Green Flag Criteria	Regional Park Plan 2007-2017 Theme	Regional Park Plan Aims	Regional Park Outcomes	Management Actions - 2011/2012	Scottish Government National Outcomes	Scot. Gov. Strategic Objectives	Lead Team member	Cost est. / £	Potential External Funding	Status
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Introduce a monitoring programme for protected species of Flora and Fauna within the Regional Park REGIONAL PARK PLAN 2007-2017	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Work with partners to produce an Action Plan to link and enhance habitat corridors. REGIONAL PARK PLAN 2007-2017	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF (support from SF)			PROCEED. With reference to Woodland Action Plan (CSGN/ELGT), Integrated Habitat Network Modeling (CSGN) and local knowledge of the hills.
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Implement and monitor heather moorland management at Bonaly. ASSET / INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED
Conservation and Heritage	B - The Local Economy of the Hills	B1 To Sustain a healthy, diverse range of agricultural, forestry and sporting businesses within PHRP	Farmers/landowners, residents and businesses within the regional park are well informed of park management and initiatives and opportunities to comment have been provided	Involve farming and landowning community in the Bonaly heather moorland project, share best practice developed, and work to extend moorland management practices throughout areas of heather cover in the Park. REGIONAL PARK PLAN 2007-2017	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF/SF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Plan and undertake Biodiversity survey training days 	We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.	greener	NF/MD/SF/V P			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Undertake enhancement of juniper in the Regional Park 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Attend and represent Regional Park interests at Local Biodiversity Action Plan, SSJG and Lothian Biodiversity Strategy meetings. 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Monitor bat boxes and record results annually 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	SF			PROCEED
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Monitor species as part of biodiversity action plan or national recording schemes 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	ALL			PROCEED

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Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Progress Bonaly Reservoir Woodland Restructuring (SRDP). ASSET / INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	JD (MD support)			PROCEED	
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Work with ELGT on the development and implementation of woodland and amenity improvements in lower Park through WIAAT. ASSET / INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	MD			PROCEED	
Conservation and Heritage	C - Conservation and Enhancement of the Landscape, Natural and Cultural Heritage	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Biodiversity of the regional Park monitored and management of species and habitats improved.	Produce Annual Nature Conservation Report 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED	
Conservation and Heritage	Hillend Country Park (Management Plan)	C1 To conserve the distinctive landscape character of the PH	Objectives of Hillend Country Park Management Plan are achieved	Review and rewrite the Hillend Country Park Management Plan (with close liaison with RPM and Senior Ranger). 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF (support SF)			PROCEED	
Conservation and Heritage	Hillend Country Park (Management Plan)	C1 To conserve the distinctive landscape character of the PH	Objectives of Hillend Country Park Management Plan are achieved	Management of wildflower meadows at Hillend and Bonaly Country Parks 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF/MD			PROCEED. No budget provision. Identify low / no cost methods. Any expenditure to be approved by RPM.	
Conservation and Heritage	Hillend Country Park (Management Plan)	C1 To conserve the distinctive landscape character of the PH	Objectives of Hillend Country Park Management Plan are achieved	Manage Hillend Country Park as per, the Management Plan (See 'Making the Links'). ASSET / INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF/MD			PROCEED.	
Conservation and Heritage	Hillend Country Park (Management Plan)	C1 To conserve the distinctive landscape character of the PH	Objectives of Hillend Country Park Management Plan are achieved	Manage Gorse cutting as per the Hillend Mgt Plan. (See 'Making the Links'). ASSET / INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF	Possible use of machinery		PROCEED. No budget provision. Identify low / no cost methods. Any 09/10 expenditure to be approved by RPM. Identify sources of external funding for 10/11	
Conservation and Heritage	Bonaly Country Park (Management Plan)	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the present ranges of species and habitats.	Objectives of Bonaly Country Park Management Plan are achieved	Wildflower seed project with Inch Nursery	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED	
Conservation and Heritage	Bonaly Country Park (Management Plan)	C6 To realise the full ecological potential of the PHRP by protecting, maintaining and enhancing the	Objectives of Bonaly Country Park Management Plan are achieved	Maintain hedges and woodland plantings 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	MD/NF			PROCEED. Up to £1K. Identify external funding sources for additional work.	
Conservation and Heritage	Redford Wood (Management Plan)	C1 To conserve the distinctive landscape character of the PH	Objectives of Redford Wood Management Plan are achieved	Monitor regeneration by fixed point photography ASSET / INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED	
Conservation and Heritage	Redford Wood (Management Plan)	C1 To conserve the distinctive landscape character of the PH	Objectives of Redford Wood Management Plan are achieved	Undertake thinning ASSET / INFRASTRUCTURE	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	MD			PROCEED. No budget provision. Carry out with volunteers or in house.	
Conservation and Heritage	Bavelaw Marsh (Management Plan - review pending)	C1 To conserve the distinctive landscape character of the PH	Objectives Bavelaw Marsh Management Plan are met	Rewrite Bavelaw Marsh Management Plan (including implications of recent flood prevention works). STATUTORY	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED.	

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Conservation and Heritage	Bavelaw Marsh (Management Plan - review pending)	C1 To conserve the distinctive landscape character of the PH	Objectives Bavelaw Marsh Management Plan are met	Produce interpretation for Bavelaw Wildflower Meadow - review location of stand	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	SF			PROCEED. 0 budget. Any expenditure to be approved by RPM.
Conservation and Heritage	Bavelaw Marsh (Management Plan - review pending)	C1 To conserve the distinctive landscape character of the PH	Objectives Bavelaw Marsh Management Plan are met	Undertake fixed point photography at Bavelaw Marsh SSSI 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED
Conservation and Heritage	Bavelaw Marsh (Management Plan - review pending)	C1 To conserve the distinctive landscape character of the PH	Objectives Bavelaw Marsh Management Plan are met	Organise attend annual Bavelaw Marsh Management Group Meetings.	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED
Conservation and Heritage	Bavelaw Marsh (Management Plan - review pending)	C1 To conserve the distinctive landscape character of the PH	Objectives Bavelaw Marsh Management Plan are met	Produce Bavelaw Marsh SSSI Annual Report 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF		1400	COMPLETED
Conservation and Heritage	Bavelaw Marsh (Management Plan - review pending)	C1 To conserve the distinctive landscape character of the PH	Objectives Bavelaw Marsh Management Plan are met	Collate and produce bird record lists monthly 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	JD			PROCEED
Conservation and Heritage	North Esk SSSI (Management Statement)	C1 To conserve the distinctive landscape character of the PH	Objectives of North Esk SSSI are met	Undertake fixed point photography at North Esk SSSI 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED
Conservation and Heritage	Howe SSSI (Management Statement)	C1 To conserve the distinctive landscape character of the PH	Objectives of Howe SSSI Management Plan are met	Undertake fixed point photography at Howe SSSI 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF			PROCEED
Conservation and Heritage	Harperrig LNR	C1 To conserve the distinctive landscape character of the PH	Harperrig LNR proposed	Co-ordinate the implementation of Harperrig LNR Management Plan.	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF (support SF)			PROCEED
Conservation and Heritage	Harperrig LNR	C1 To conserve the distinctive landscape character of the PH	Harperrig LNR proposed	Monitor otter holt monthly 	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	ALL			PROCEED
Conservation and Heritage	Harlaw Wildlife Garden (Management Plan)	C1 To conserve the distinctive landscape character of the PH	Objectives of Harlaw Garden Management Plan are met	Manage and Maintain Harlaw Wildlife Garden according to revised management plan. (See 'Making the Links')	We value and enjoy our built and natural environment and protect it and enhance it for future generations.	greener	NF/MD/VP			PROCEED. Friends have taken over day to day maintenance according to plan provided by NF.
Conservation and Heritage	A - Responsible enjoyment and understanding of the Hills	A1 To promote and manage compatible forms of responsible recreational activity in the PHRP	Paths and access infrastructure monitored, assessed and evaluated.	Investigate repairs and refurbishment to dyke at Clubbiedean. ASSET / INFRASTRUCTURE	We live our lives safe from crime, disorder and danger	greener	MD	No Budget	SRDP 13/5 75%	PROCEED.
Management	E - Managing the Pentland Hills Park Plan	D4 To maintain and enhance the role/remit of the PHRS as the core delivery mechanism of the day to day PHRP management	Motivated and professional team, committed to the aims of the regional park	Develop relationship with senior management and ensure that senior management support is available to the Regional Park Service as required.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	AM			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E1 To provide a PHRP management structure which is best placed to fully deliver the PHRP plan	Communications at all levels of management have been improved	Extend and optimise the use of Recorder 6 data throughout Regional Park Park Operations.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	NF			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E1 To provide a PHRP management structure which is best placed to fully deliver the PHRP plan	Communications at all levels of management have been improved	Manage the business of the Joint Committee and Consultative Forum and prepare reports.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	AM			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E1 To provide a PHRP management structure which is best placed to fully deliver the PHRP plan	Communications at all levels of management have been improved	Convene and Manage the PHRP Officers Management Group	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	AM			PROCEED

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Management	E - Managing the Pentland Hills Park Plan	E2 to provide effective and efficient management direction to achieve the delivery of the PHRP plan.	Motivated and professional team, committed to the aims of the regional park	Engage staff and provide opportunities to contribute to the policies, procedures and decision making processes.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	AM			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E2 to provide effective and efficient management direction to achieve the delivery of the PHRP plan.	Motivated and professional team, committed to the aims of the regional park	Engage in regular training and personal development activities.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	ALL			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E3 To secure the personnel resources necessary to make the full delivery of the PHRP plan a realistic and achievable goal.	Ensure appropriate staff personal development in place	Introduce and Implement the new Performance Review & Development Process Including Contribution based pay.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	SF/AM			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E3 To secure the personnel resources necessary to make the full delivery of the PHRP plan a realistic and achievable goal.	Service has the resources to work effectively	Manage tools and equipment. HEALTH & SAFETY	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	safer and stronger	MD/ALL			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E3 To secure the personnel resources necessary to make the full delivery of the PHRP plan a realistic and achievable goal.	Communications at all levels of management have been improved	Attend weekly Regional Park Service meetings.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	ALL			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E3 To secure the personnel resources necessary to make the full delivery of the PHRP plan a realistic and achievable goal.	Service has the resources to work effectively	Manage vehicles including cleaning	We reduce the local and global environmental impact of our consumption and production.	greener	GS/ ALL			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E4 To secure the necessary funding resources necessary to make the full delivery of the PHRP plan a realistic and achievable goal.	Effective and efficient achievement of the aims of the Regional Park	Monitor and Implement Service Level Agreements with local authority and other partners.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	SF/AM			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E4 To secure the necessary funding resources necessary to make the full delivery of the PHRP plan a realistic and achievable goal.	Service has the resources to work effectively	Allocate Annual Capital Expenditure. ASSET / INFRASTRUCTURE	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	AM			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E4 To secure the necessary funding resources necessary to make the full delivery of the PHRP plan a realistic and achievable goal.	Effective and efficient achievement of the aims of the Regional Park	Participate in Green Flag Authority Award process.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	greener	AM/SF/ALL			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E7 To monitor on an ongoing basis the delivery of the PHRP plan.	Communications at all levels of management have been improved	Complete work recording data and provide an annual summary of work to support collation of the annual report.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	ALL			PROCEED
Management	E - Managing the Pentland Hills Park Plan	E8 To promote the monitoring of data relevant to the SEA of the PHRP plans aims.	stakeholder groups are informed and involved in the work of the Regional Park	Co-ordinate the design and publication Pentland Hills Regional Park Annual Report.	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	PB (support from ALL)			PROCEED

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Management	E - Managing the Pentland Hills Park Plan	E3 To secure the personnel resources necessary to make the full delivery of the PHRP plan a realistic and achievable goal.	Effective and efficient achievement of the aims of the Regional Park	Implement Heath and Safety Improvements as identified in the Audit Carried out in December 2010. HEALTH & SAFETY	Our public services are high quality, continually improving, efficient and responsive to local people's needs.	smarter	AM/ALL			PROCEED. Audit and training needs assessment completed in Dec 10.

Pentland Hills Regional Park Work Plan 2011/12

Planned Activities in the West Lothian

1. Responsible Enjoyment and Understanding of the Hills

- Regular Patrolling of the area.
- Maintenance of paths gates, stiles and access infrastructure.
- Creation of new walking route on the South Shore of Harperrig to link the West End of Harperrig with the Cauldstane Slap to Little Vantage right of way.
- Design and provision of new way marking signage and interpretation at Harperrig.
- Provide guided walks in the Pentland Hills as part of West Lothian Walking Festival.

2. Partnership & Participation

- Management and Administration of the Harperrig Local Management Group.
- Manage relationship with Friends of the Pentlands to carry out access improvements.
- Work with Oatridge College to provide new bird hides at Harperrig Reservoir Local Nature Reserve (LNR).
- Maintain and develop relationship with local farmers and landowners to support integrated management of the Harperrig area.

3. Local Economy of the Hills

- Provide text based early warning system to alert farmers and landowners about rural crime or other incidents likely to impact business activities.
- Convene and administer Pentland Hills Produce – including producers in the WLC area.
- Participate in the West Lothian Tourism Forum to ensure that the Pentland Hills play their part in the tourism offer from West Lothian.

4. Conservation and Enhancement of the Landscape, Natural and Cultural Heritage.

- Monitor the Harperrig Wildlife Refuge area.
- Biodiversity surveys, recording, monitoring and reporting.
- Co-ordinate the implementation of the Harperrig Reservoir LNR Management Plan.
- Planting of new areas of riparian woodland within Harperrig Reservoir LNR in partnership with Central Scotland Forest Trust.
- Liaise with WLC Planning, Scottish Natural Heritage and others regarding the impact and implications of large scale renewable energy projects on the periphery of the Regional Park.

(AMcG May 2011)



West Lothian Council

COUNCIL EXECUTIVE

LINLITHGOW LOCH CATCHMENT MANAGEMENT ACTION PLAN

REPORT BY HEAD OF PLANNING & ECONOMIC DEVELOPMENT & HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to inform the executive about the ongoing work undertaken by the Linlithgow Loch Catchment Management Group, highlight the results of two recent academic studies commissioned to examine the quality of water in the Loch and consider the potential way forward.

B. RECOMMENDATION

It is recommended that the executive notes:

- the updates on the two recent studies relating to Linlithgow Loch; and
- the Environment PDSP consideration that the potential formation of a charitable Trust would be effective in promoting improvements in water quality and the environment of the Loch and officers will report back on the legal and fundraising potential of such a Trust.

C. SUMMARY OF IMPLICATIONS

I Council Values	Working in partnership, focusing on our customers' needs and making best use of our resources.
II Policy and Legal (including SEA, Equality Issues, Health or Risk Assessment)	Policy: West Lothian Local Plan policy ENV 4 supports the protection of Linlithgow Loch, as it is a Site of Special Scientific Interest (SSSI). The Flood Risk Management (Scotland) Act 2009 requires local authorities to exercise their powers with a view to reducing overall flood risk. The Water Environment & Water Services Act 2003 requires local authorities to carry out their statutory duties in a way which adheres to the principles of the European Water Framework Directive. The Nature Conservation (Scotland) Act 2004 places a duty on public bodies to further biodiversity. The Scottish Biodiversity Strategy identifies the role of local authorities in meeting national species and habitat priorities. The Local Biodiversity Action Plan is supported in the adopted West Lothian Local Plan.
III Resources - Financial	None – consider whether establishing a

Staffing and Property

charitable Trust might be an appropriate way to secure funds to carry out water quality and other environmental improvements in and around the loch. The loch is owned by Historic Scotland.

IV Consultations

Operational Services: Flood Risk Management Team; Planning & Economic Development Service: Environmental Health. Environment Policy Development & Scrutiny Panel 2 June 2011.

D. TERMS OF REPORT

1.0 Introduction

- 1.1 Linlithgow Loch was formed from a block of ice left behind by retreating glaciers at the end of the last Ice Age. It is one of only two remaining natural lowland lochs in the Lothians and provides the setting for Linlithgow Palace. It is also a key part of the tourist destination experience and is well used by local residents for recreation. It supports water sports and a fishing club.
- 1.2 It is designated a Site of Special Scientific Interest (SSSI) by Scottish Natural Heritage for its botanical interests that are characteristic of a naturally eutrophic loch and is owned and administered by Historic Scotland.
- 1.3 However, in recent years the appearance of a seasonal blue / green algal bloom on the surface of the Loch had lead to concerns about potential public health issues and about the serious deterioration in water quality that has led to the formation of the blooms.

2.0 Linlithgow Loch Catchment Management Group (LLCMG)

- 2.1 A working group of stakeholders was established c2000 initially to tackle the algal bloom issue and to provide a forum to allow environmental issues related to the Loch to be explored. The group was based on a similar organisation covering Loch Leven, which also experienced water quality issues, albeit on a larger scale.
- 2.2 The group meets quarterly and consists of the following stakeholder organisations:
- West Lothian Council (Flood Risk, Planning, Environmental Health Services);
 - Scottish Environment Protection Agency (Ecologist / Area Officer);
 - Historic Scotland (Area Manager / Rangers);
 - Scottish Natural Heritage;
 - Scottish Water;
 - Forth Area Federation of Anglers;
 - The Natural Environment Research Council Centre (NERC) for Ecology & Hydrology; and
 - Scottish Agricultural College.
- 2.3 While the group was previously chaired by SEPA, it is now chaired and administered by council officers. Appendix 1 shows the boundary of the loch catchment.

3.0 Two recent academic studies on Linlithgow Loch

3.1 In 2010, the LLCMG commissioned two wide ranging studies to look at water quality and catchment management issues, as well as the wider catchment and potential for nutrients that cause the algal bloom to enter the water body. They both reported in March 2011.

3.2 ***“An assessment of water quality and management requirements at Linlithgow Loch”*** was undertaken by the Natural Environment Research Council - Centre for Ecology & Hydrology.

3.3

The aim of this study was to:

- 1) compile and review available data and reports on the loch;
- 2) summarise or propose water quality targets for the loch;
- 3) assess long term water quality data against targets;
- 4) investigate nutrient (especially Phosphorous that encourages the algal bloom transformation processes within the loch); and
- 5) suggest future management solutions.

3.4 While the scientific report goes into detail on the complex chemistry of the loch, the main findings were:

- a) the status of the macrophyte (i.e. aquatic plants) community has improved;
- b) nitrogen availability limits algal bloom biomass in the summer;
- c) chlorophyll concentrations are increasing;
- d) internal phosphorous release is significant in the summer months; and
- e) routine monitoring of the loch’s wider catchment loading is required.

3.5 An associated study on ***“Linlithgow Loch external nutrient loading”*** was undertaken by Scottish Agricultural College (SAC). As it had been assumed that phosphorous pollution is the main cause of elevated algal biomass in the loch, alongside nitrogen and that these nutrients enter the loch from a variety of sources in the surrounding catchment, SAC was commissioned to assess the potential recent external nutrient loading and compile a risk analysis against the sources identified. (See Appendix 2: Risk Matrix)

3.6 The study also assessed the:

- available data from Scottish Water and WLC on nitrogen and phosphorous loadings entering the loch, including assessing the town drainage plan;
- effects of agricultural practices - through interviews with farmers;
- potential for soil erosion depending on soil type, cropping and cultivation techniques;
- effects of the amenity sector from run-off from non-agricultural sources;
- effects of light industry in the catchment; and
- impacts of other factors such as birds, the canal, motorway and railway drainage.

3.7 The report demonstrates the variety of sources of nutrients in what is a very complex catchment. A list of actions were identified that could be undertaken to reduce the risks of nutrients entering Linlithgow Loch.

3.8 The importance of awareness-raising amongst farmers, householders and the general public is considered a main priority. Reduction of external nutrient loading will only be achievable if all the community acts together.

4.0 Linlithgow Loch Flood Risk Management issues

- 4.1 The council also commissioned the Centre for Ecology & Hydrology through their sub-consultants, Wallingford Hydro Solutions, to undertake a study of the catchment to determine the extent of flood risk in so far as it has the potential to affect the built environment. The findings are provisional due to uncertainties because the catchment is not gauged and the data is therefore uncalibrated.
- 4.2 Flows from the Loch are also controlled by a complex series of trash screens, a weir, a sluice and a culvert, which are difficult to replicate accurately in a hydraulic model. There are therefore uncertainties, which need to be ironed-out before flood risk assessments can be finalised.

5.0 Symposium

- 5.1 In March 2011, the Natural Environment Research Council Centre for Ecology & Hydrology organised a symposium among the existing catchment management partners and consultants, to “provide a forum for the dissemination and synthesis of current and recent research and to set out roles and responsibilities at Linlithgow Loch”.
- 5.2 The key output of the workshop was a number of management priorities. These are:
- 1) increase public awareness of the environmental issues facing the Loch;
 - 2) conduct nutrient source apportionment in the catchment area;
 - 3) monitor hydrology of inflowing streams;
 - 4) manage water outflow to reduce flood risk;
 - 5) investigate macrophyte / waterfowl interactions and management;
 - 6) assess options for controlling internal phosphorous loads within the loch;
 - 7) secure funding to undertake the management solutions identified;
 - 8) assess the ecological impacts of fish stocking;
 - 9) improve the accuracy of flood risk data using monitoring data; and
 - 10) conduct a cost / benefit analysis on a wide range of management options.
- 5.3 Indeed, in relation to priority 3, Scottish Agricultural College, on behalf of the management group partners, is submitting an application to the Central Scotland Green Network (CSGN) for “monitoring stream inflow and also engaging with the local community” about the loch’s plight. Grants awards are known in July 2011 for implementation by March 2012. Further grant applications related to work in the wider rural catchment are under consideration.

6.0 “Yellow Fish” Campaign

- 6.1 Alongside the on-going research work, Historic Scotland’s Ranger Service has recently led on an environmental awareness-raising campaign with local school children called “Yellow Fish”. Springfield Primary were the pilot school and among the various tasks the Rangers undertook with the school children was painting “yellow fish” identification logos beside drains in the Springfield Estate to warn against inappropriate disposals down road drains and to highlight the correlation between what goes down the drain and the impact on the loch.
- 6.2 There is scope to roll out the campaign to other primary schools in Linlithgow and involve the Academy in future years.

7.0 Future issues and way forward – establishment of a charitable Trust

- 7.1 There are several issues related to progressing improvements to the water quality and the general environment of Linlithgow Loch. These relate to finance and awareness-raising.

Finance

- 7.2 Any future funding from West Lothian Council at a sufficient level to fund substantial works to improve water quality would need to be considered against priorities at the time. SEPA investment is under review and Scottish Water's Quality & Standards 3 investment programme is currently committed until 2015/16. Historic Scotland continues to provide a ranger service for the Peel and the environs of the Loch. Scottish Natural Heritage will continue to monitor the condition of the SSSI, but cannot guarantee funding for improvements.
- 7.3 There might be scope for a charitable trust to be established that could draw together interested parties currently within the Catchment Management Group, but also include elected members and public representatives and other relevant organisations. The remit of the trust would be to engage with local people and visitors and to work with others to secure funding to improve water quality and the environment of the loch and to oversee implementation.
- 7.4 This would be brought together in the preparation of a long-term 20-year Linlithgow Loch Catchment Management Action Plan similar to that successfully undertaken at Loch Leven.
- 7.5 There is an existing Linlithgow Loch User's Committee administered by Historic Scotland that covers the recreational aspects of the Loch. It is envisaged that this would continue.
- 7.6 Officers could investigate the potential for a Linlithgow Loch Trust, consult with existing stakeholders and report back to the panel and Council Executive identifying if there is merit in formally establishing a Trust and the council becoming involved.

Awareness raising

- 7.7 Following the success of the recent symposium organised by Edinburgh University, there may be merit in running a similar meeting and / or exhibition in the refurbished Burgh Halls or Linlithgow Library to inform local residents, relevant groups and the wider general public within the town and hear their ideas for improvement.
- 7.8 This could include such groups as Linlithgow and Linlithgow Bridge Community Council, Burgh Beautiful, Transition Linlithgow and the Town Centre Management Group and various other local organisations, such as the Low Port Centre and Linlithgow Business Association.
- 7.9 In addition, there are two other important issues. The loch is valuable as an important magnet for tourism and associated economic activity as well as contributing to the appearance of Linlithgow.
- 7.10 Finally, there is the impact of the declining quality of the loch on submerged and marginal species and the knock-on effects on waterfowl and other species that depend on the loch and contribute to its statutory protected status. These factors also have an impact on users of the loch such as the Low Port Centre and anglers.

E. CONCLUSION

Linlithgow Loch is an important asset to the town and to West Lothian generally. However, its location, previous uses and a complex series of interrelated issues have affected the water quality of the loch.

Linlithgow Loch Catchment Management Group has been working to better understand these issues and where possible progress improvements. After the completion of recent academic studies, now may be the time to establish a more formal vehicle, such as a 'Linlithgow Loch Trust', dedicated to raising awareness and securing funds to improve water quality of the general environment of the Loch and its catchment. The outcome of these investigations will be reported back to committee.

F. BACKGROUND REFERENCES –

- 1) *"An assessment of water quality and management requirements at Linlithgow Loch"* - Edinburgh University Centre for Ecology & Hydrology, March 2011
- 2) *"Linlithgow Loch external nutrient loading"* - Scottish Agricultural College, March 2011
- 3) *Linlithgow Loch & Mill Burn Flood Study – Phase 1 – Wallingford Hydro Solutions*, December 2010

Appendices / Attachments: 1) Plan of Linlithgow Loch catchment boundary.

2) Risk matrix from SAC report.

Contact Persons:

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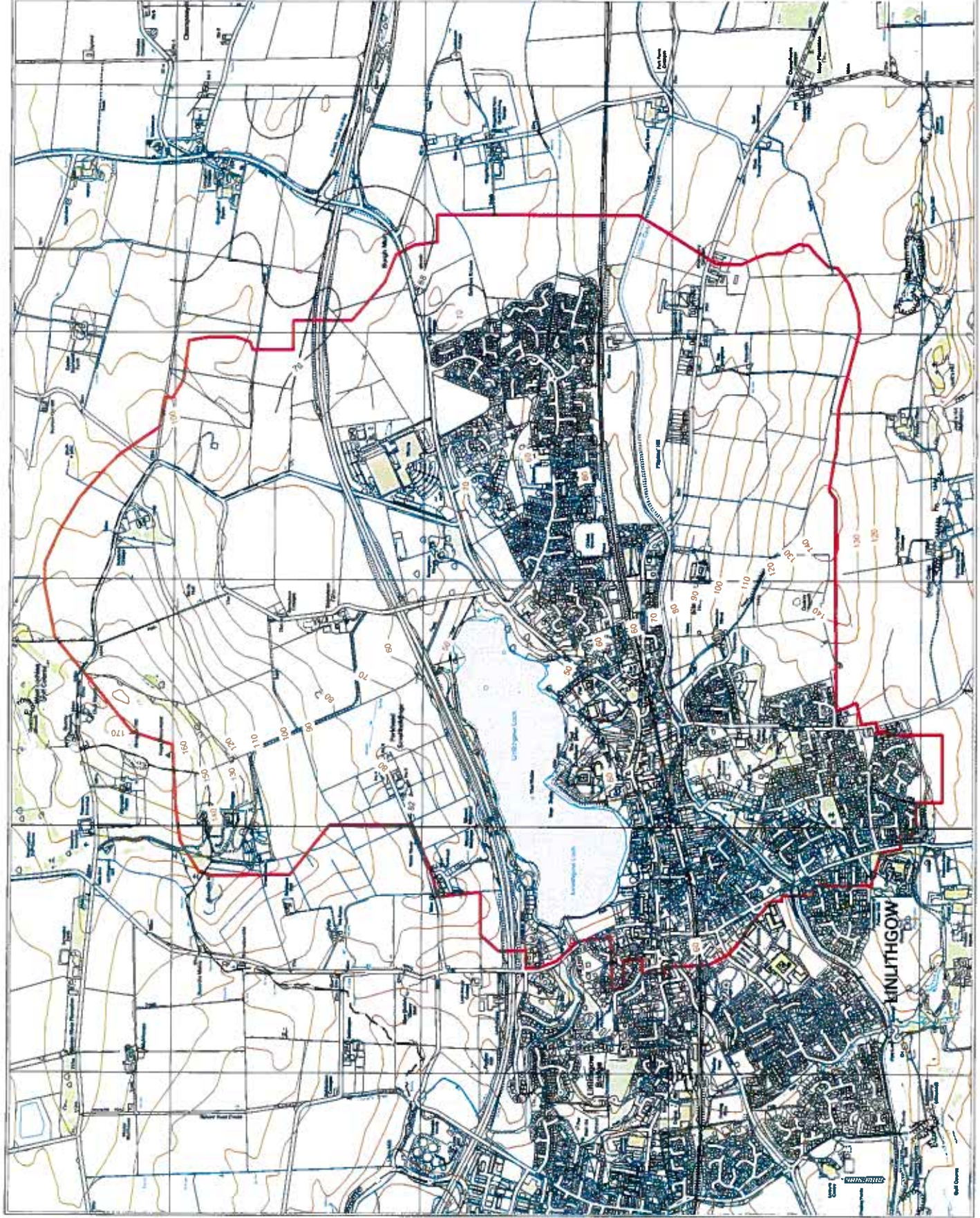
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Steve Field Head of Planning & Economic Development / Jim Jack, Head of Operational Services.

28 June 2011

(CA/GH/ca 21.6.11 – v5)

APPENDIX 1



Notes

Contour map of the Linlithgow Loch catchment.

Contour data derived from Ordnance Survey Land-form PANORAMA • data.

Red line denotes the loch catchment. The catchment is derived from the SEPA water body catchment map.

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Contract
Linlithgow Loch External Nutrient Assessment

For
Linlithgow Loch Catchment Management
Group

Drawing title
Linlithgow Loch contour map

Drawing No. 11391-01	File No. 11391	Scale 1:15000 at A3
Drawn LY	Checked by CC	
Date 16/09/10	Revision	



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APPENDIX 2

Risk Matrix

	Risk Type	Risk Description	Probability Rating	Severity Rating	Risk Impact Factor	Suggested Action
1	1	Agricultural				
2		Livestock - poaching within 5m of a watercourse	2	3	6	SAC Winter Meeting for farmers and farm tenants
3		Livestock - direct dunging into watercourses	2	3	6	Encourage catchment-wide SRDP application
4		Livestock - unsafe slurry storage	0	4	0	Awareness of GBRs / PEPFAA
5		Livestock - poor slurry application practice	1	4	4	Awareness of GBRs / PEPFAA
6		Livestock - run-off from solid manure stores	3	3	9	Encourage uptake of PLANET Scotland
		Livestock - poor solid manure application practice	2	3	6	
2	1	Agricultural				
		Crops - soil loss to watercourses from storm event	4	4	16	
2		Crops - soil loss to watercourses from normal precipitation	3	3	9	
3		Crops - soil erosion from tramlines	3	4	12	
4		Crops/grass - use of excess fertiliser	2	3	6	
5		Crops/grass - loss of fertiliser into watercourses	2	3	6	
3	1	Agricultural				
		General - soil loss due to compaction at gateways	4	2	8	
4	1	Amenity				
		Grass - use of excess fertiliser	3	2	6	Sports Turf consultant to visit sports clubs to raise awareness
2		Sport turf - fertiliser loss into watercourses	3	2	6	
3		Sport turf - storage of grass clippings close to watercourses	3	2	6	
4		Sport turf - soil loss at re-seeding	3	4	12	
5	1	Peri-urban/Urban				
		Septic tanks - loss of nutrients (and FIOs)	4	4	16	Raise septic tank owners' awareness through doorstep visits and/or leafletting
2		Septic tanks - unsuitability of ground for soakaways	4	4	16	
3		Foul drainage - crossover	4	4	16	
4		Foul drainage - intermittent discharge	4	4	16	
5		Garden fertilisers	4	1	4	Awareness - press, schools and leafletting.
6		Disposal via "clean" drains	4	2	8	Mark drains with symbols.
7		Grass clippings and garden waste into surface waters	3	2	6	
8		Vehicle washing	4	2	8	

	Risk Type <i>cont</i>	Risk Description	Probability Rating	Severity Rating	Risk Impact Factor	Suggested Action
6	1	Wildlife				
		Birds - spilled/lost food	4	3	12	
2		Birds - faecal matter from high bird populations	4	3	12	
3		Birds - poaching of loch surrounds	4	2	8	
4		Burrowing mammals causing soil erosion on watercourses	3	3	9	
7	1	Transport				
		Railway - trains emptying foul waste				
2		Canal - overspill of nutrient-rich water	4	3	12	
3		Roads - mud on roads	4	3	12	
4		Roads - poor road-side ditch maintenance practice	4	3	12	
8	1	Other				
		Other - sediment loss during ditch maintenance	2	3	6	
2		Other - soil erosion through soil profile				
3		Other - surface run-off into watercourses	3	4	12	
4		Other - fly tipping into watercourses	4	2	8	



High Risk - 10 and over
Medium Risk - 5 to 10
Low Risk - 4 and under

1=Very Unlikely
2=Unlikely
3=Likely
4=Very Likely
1=Insignificant
2=Minor
3=Moderate
4=Major

Notices and public awareness



West Lothian Council

COUNCIL EXECUTIVE

CENTRAL SCOTLAND GREEN NETWORK (CSGN)

REPORT BY PLANNING SERVICES MANAGER

A. PURPOSE OF REPORT

The purpose of this report is to inform the executive about the concept of the Central Scotland Green Network (CSGN), recent successful funding applications and future issues.

B. RECOMMENDATION

It is recommended that the executive notes:

- the update on the Central Scotland Green Network; and
- the new schemes endorsed by the Environment PDSP, in section 5.0, and submitted for consideration to the CSGN Development Fund.

C. SUMMARY OF IMPLICATIONS

I Council Values	Working in partnership, focusing on our customers' needs and making best use of our resources.
II Policy and Legal (including SEA, Equality Issues, Health or Risk Assessment)	Policy: West Lothian Local Plan policies ENV 10 supports the Central Scotland Forest Initiative which is now part of the new Central Scotland Green Network concept.
III Resources - Financial Staffing and Property	Grants of c£56k have been secured from CSGN Development Fund in 2010/11 and other applications to the second tranche of the fund are under consideration for 2011/12.
IV Consultations	Operational Services: NETs & Land Services / Countryside Services. Environment Policy Development & Scrutiny Panel 2 June 2011

D. TERMS OF REPORT

1.0 Background

- 1.1 The Scottish Government's second National Planning Framework (NPF 2) identified 14 national developments. While most are site specific and / or infrastructure related, such as a new Grangemouth Freight Terminal and a replacement Forth Road Bridge crossing; the final priority is a "Central Scotland Green Network" (CSGN) that has a wide geographical coverage.

- 1.2 The CSGN is intended to deliver a step change in environmental quality, woodland cover and recreational opportunities” to make Central Scotland “a more attractive place to live and do business, help to absorb CO2, enhance biodiversity and promote healthier and more active lifestyles.”
- 1.3 This will be achieved by restoring and transforming the landscape of an area stretching from Ayrshire and Inverclyde in the west, to Fife and the Lothians in the east. (see location plan of CSGN boundary in Appendix 1)
- 2.0 Central Scotland Green Network**
- 2.1 Green networks in and around towns and cities are increasingly seen as a mechanism to deliver many of the social, environmental and economic outcomes identified by the Scottish Government’s National Performance Framework and by Single Outcome Agreements.
- 2.2 The concept of ‘added value’ is at the core of the CSGN:
- Looking at existing greenspace and green networks across the region the CSGN will identify gaps in provision, where needs and pressures are greatest, and help pinpoint opportunities and priorities for improvement and investment;
 - Working with existing green initiatives (such as the Glasgow & Clyde Valley Green Network, the Central Scotland Forest Trust, the Millennium Canal Link, the Edinburgh and Lothians Forest Habitat Network and the Falkirk Helix), local authorities, landowners, NGOs and communities the CSGN will transform the environment of the region and make Central Scotland a more attractive place in which to live and do business.
- 2.3 Forestry Commission Scotland and Scottish Natural Heritage are joint lead partners for CSGN on behalf of the Scottish Government.
- 2.4 The CSGN Partnership Board has been established in Spring 2010 to help drive forward development and delivery of the Green Network and to allow representation from various constituencies to ensure wide participation and involvement in the initiative. Whilst it has no legal status, critically the Board has the endorsement of the lead partners and of Government.
- 2.5 The Partnership Board consists of a chair and 11 members:
- Three members represent Forestry Commission Scotland, Scottish Natural Heritage and Scottish Enterprise.
 - Four members represent the local authorities, with members drawn from Ayrshire, Glasgow/Clyde Valley; Forth Valley and from Lothians and Fife.
 - The remaining four members allow participation from other sectors, e.g. health, development, the private sector.
- 2.6 The CSGN Support Unit is headed up by the Central Scotland Forest Trust (CSFT) Chief Executive and staffed by 5 Trust employees as CSFT are supplying ‘executive support capacity’ as requested by CSFT’s principal sponsor Forestry Commission Scotland (FCS).

3.0 Schemes secured in CSGN Development Fund 1 (2010/11)

- 3.1 To support the development and implementation of early projects to deliver the Green Network on the ground, a fund of c£1.3M was established in 2010/11 from existing Forestry Commission Scotland and Scottish Natural Heritage budgets. Schemes were mainly for feasibility studies to allow detailed grant applications from different funding sources to follow.
- 3.2 There were various projects that were undertaken specifically within West Lothian, but also several cross boundary schemes and CSGN wide projects impacting on the Lothians. (See Appendix 2)
- 3.3 Within West Lothian the following 5 studies were progressed:

- **Short Rotation Forestry on Vacant and Derelict Land: (£15,500)** to investigate the feasibility of developing short rotation forestry on Council owned vacant and derelict land sites, and to manage Council owned woodlands, to supply biomass for heat and energy use in Council buildings.
- **“Blue/Green” Network projects: (£17,085)** for studies aimed at identifying potential water based “Blue/Green” Network projects. The studies will examine the opportunities and constraints for habitat creation, improving access, community involvement, and species management in the specified areas and will result in prioritised, costed proposals ready for implementation. These included:
 - Linlithgow Loch Blue Network Study (via Scottish Agricultural Colleges), and
 - River Almond Alien Species Action Plan (via Forth Estuary Trust)
- **Breich Valley Village Gateways:** CSFT were awarded **£7,000** to support a project to improve the gateways and approaches to the Breich Valley Villages in West Lothian. The project will explore and identify opportunities for enhancement at 14 sites within the Breich Valley area, and then prepare detailed proposals at 4 of these sites.

The project will identify sites that link fragmented habitats and enhance existing wildlife corridors through new planting or improved woodland management, as well as increased public access. The intention is that the projects will then be implemented by trainees from the Fauldhouse Future Jobs Fund Project, (managed by Fauldhouse Community Development Trust & West Lothian Council), giving them the opportunity to develop skills and practical experience on a range of woodland and environmental projects.

- **Easter Inch Moss and Seafeld Law LNR – Integrated Management Plan**
CSFT also secured **£9,000** to revise the existing management plan for Easter Inch Moss and Seafeld Law Local Nature Reserve in West Lothian, consulting with the LNR Management Group and local communities of Blackburn and Seafeld.

- **Broxburn and Winchburgh Green Infrastructure links**

In addition, CSFT were awarded **£4,950** to produce an interim report identifying opportunities and constraints for tree planting and woodland management, greenspace and green infrastructure and access links in a discrete 50ha area between Broxburn and Winchburgh. Consultants identified key landowners/ developers in the area, discussed their aspirations for their sites, conduct the site assessment and identify opportunities and constraints on the ground and prepared a report with sites and/or areas identified for environmental and access improvements.

4.0 **Various other CSGN projects in adjacent authorities related to West Lothian**

4.1 West Lothian officers assisted in securing several other West Lothian related schemes that have cross boundary benefits for the authority:

- **Pentland Hills & surrounding areas Woodland Action Plan:**

Lothian and Fife Green Network Partnership obtained **£32,288** to develop a Pentland Hills Woodland Action Plan that identified and specify practical actions on the ground to enhance the landscape quality of the wider area whilst providing social and recreational benefits for local people and visitors.

Project partners include the Pentland Hills Regional Park Authority, City of Edinburgh, Midlothian and West Lothian Councils. Work focused on identifying opportunities for woodland creation and management in 5 priority, core areas within the Pentlands and consulted with landowners and stakeholder groups to develop detailed designs and specifications for 10 woodland management, enhancement or creation projects.

Two tree planting schemes are now underway around Harperigg Reservoir that was the West Lothian habitat network focus area.

- **Pentland Hills – Path Networks:**

Pentland Hills Regional Park, working in partnership with Edinburgh, Midlothian and West Lothian Councils, were awarded **£13,000** to undertake a study identifying priority improvements to the connectivity of the path network in the Regional Park with the surrounding path network. This project identified a range of path and signage improvements between the PHRP & surrounding settlements to encourage people to travel to the Park by foot, bike, or horse.

Specification were provided for improvements to four priority routes together with recommendations for funding mechanisms. The Little Vantage to Selms Muir Forest route will be considered for implementation through the existing West Lothian Access budget 2011/12.

- **The Wildlife Information Centre (TWIC):** a Lothian and Borders based organisation specialising in the management of biological records, secured **£37,314** to survey 145 Local Biodiversity Sites in Edinburgh, West Lothian, East Lothian and Midlothian. Two surveyors were employed to record the habitats and site boundaries of the chosen sites.

This information will help the local authorities with creating and securing a suite of Local Biodiversity Sites through the forthcoming local development plans. 45 sites were surveyed in West Lothian.

5.0 Proposed Schemes for CSGN Development Fund 2 (2011/12)

5.1 Discussions have taken place within Services, Central Scotland Forest Trust and adjacent local authorities and a number of potential schemes were submitted to CSGN for their end of May deadline. These are:

- Breich Valley Village Gateways – secure funds to implement the 4 priority projects identified and designed under Phase 1.
- The Wildlife Information Centre – further ecological site surveys to complete site records and aid identification of quality sites for inclusion in the forthcoming local development plan.
- Strategic Rural Road Corridors tree replacement programme – CSFT will co-ordinate a study of several key strategic routes.
- Bathgate – Whitburn Countryside Belt: study to identify the environmental and access related opportunities in the narrow swathe of semi-rural land between the 4 traditional town groupings that straddles the M8 / A801.
- Livingston Waterways – works on several ponds and burns within the Dedridge area with local community group Dedridge Environmental Enhancement Project (DEEP).
- Lothians Ponds and Hedges – 2 feasibility studies via the Frog-Life charity and also consultants looking at practical improvements to these habitats. This will include West Lothian examples.

5.2 Successful applications will be confirmed in mid-July and schemes must be completed by March 2012. A further report would be prepared about the outcome of these successful projects.

6.0 Other CSGN flagship projects: John Muir Coast to Coast Trail

6.1 To celebrate the centenary of the death of one of Scotland's famous sons, John Muir, the founder of the American conservation movement and national parks, in 1914, CSGN propose to establish a new long distance way-marked trail between Dunbar (his birthplace) and Greenock (where he departed for the United States as a child).

6.2 The section west of Edinburgh would pass through West Lothian. Scottish Natural Heritage is leading on the implementation of this project and early discussions have been held on the potential route through West Lothian, along with Falkirk Council.

6.3 A more detailed report on the exact route and the economic opportunities for West Lothian will be prepared later in 2011/12.

7.0 West Lothian considerations

- 7.1 It is a considerable undertaking to initiate a long term environmental improvements across such a wide geographical area in a time of restricted finance. This is especially when 19 local authorities are now part of the wider Central Scotland Green Network that has at its core the Central Scotland Forest of which West Lothian is a key part. There was some initial scepticism that CSGN was another layer of bureaucracy and what could it deliver.
- 7.2 However, the initial year of the CSGN has made scarce financial resources available. West Lothian has benefitted from the first tranche and seeks to secure other funding in the new second round of grant applications. The green network is about filling the gaps between local authorities, working across administrative boundaries and better top-down integration between central government agencies, councils and local groups.
- 7.3 There has been a renewed engagement between central government agencies such as Forestry Commission and Scottish Natural Heritage with local authorities on a wide range of environmental initiatives. West Lothian should continue to play its part in CSGN as well as continue to work with and support the Central Scotland Forest Trust (CSFT) who is at the core of delivering this enhanced green network.

E. CONCLUSION

The Central Scotland Green Network is a central government initiative that currently forms the largest environmental transformation project in north western Europe. It seeks to make “step change” in raising environmental quality across 19 local authorities.

West Lothian will continue to have a key role as part of the Central Scotland Forest and should work with the CSGN and its partners to further secure environmental improvements for the council area.

F. BACKGROUND REFERENCES - None

Appendices / Attachments: two:

- 1) Location of CSGN strategic boundary in relation to local authorities.
- 2) Detailed Note of applications secured under CSGN Development Fund Phase 1 within West Lothian / cross boundary schemes / CSGN wide projects impacting on the Lothians

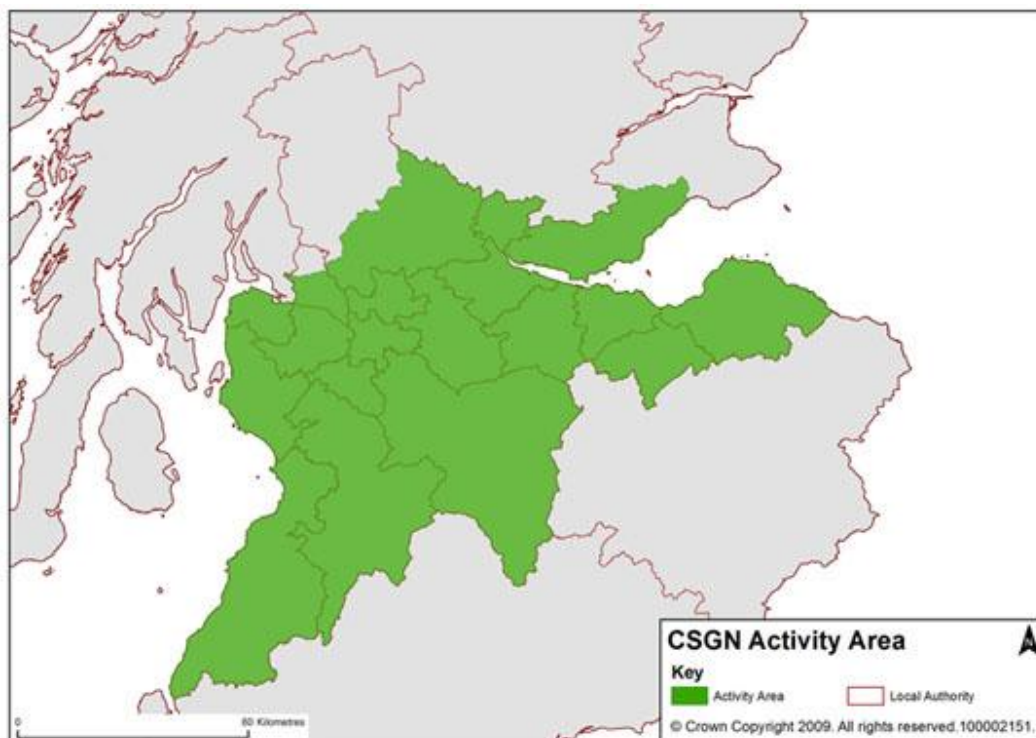
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Craig McCorriston, Planning Services Manager.

28 June 2011
(CA/ca 21.6.11 – v3)

Extract from Central Scotland Green Network Vision statement

“The Central Scotland Green Network (CSGN) will change the face of Central Scotland, by restoring and transforming the landscape of an area stretching from Ayrshire and Inverclyde in the west, to Fife and the Lothians in the east.



The CSGN Activity Area boundary is intended for use at a strategic level. It is recognised that work will be required locally to define the Network in detail. This will be an early priority and will be delivered, in part, by support planning authorities in the preparation of the new phase of development planning which is now under way”.

Central Scotland Green Network (CSGN) Development Fund 2010/11

The following projects were awarded funding from the £1.3m CSGN Development Fund in October 2010 for completion of all studies by March 2011. A second phase of grant funding for either implementation of the Phase 1 studies or new Phase 2 studies in 2011/12 was announced in April 2011 with a submission deadline of end of May for completions by March 2012.

West Lothian direct projects (5 projects)	£ 72,475
Adjacent authorities with West Lothian link (5 projects)	£145,652
Central Scotland projects related funding (11 projects)	£ 220,412
Total	£438,539

West Lothian Council

- **Short Rotation Forestry on Vacant and Derelict Land:** (award **£15,500**) to investigate the feasibility of developing short rotation forestry on Council owned vacant and derelict land sites, and to manage Council owned woodlands, to supply biomass for heat and energy use in Council buildings.

(NB: ties up with last project in list below - CSFTs “Biomass Energy in Council Buildings” and trail tree planting plot, undertaken by Forestry Commission Research, is on site at South Addiewell Bing in November 2010 and also involves WLC Waste Services in relation to potential destination for compost like output that will arise from anaerobic digestion plant at new service centre at Deans, post 2014.)

- **“Blue/Green” Network projects:** (award **£36,025**) for studies aimed at identifying potential water based “Blue/Green” Network projects. The studies will examine the opportunities and constraints for habitat creation, improving access, community involvement, and species management in the specified areas and will result in prioritised, costed proposals ready for implementation. Four studies overseen by WLC Operational Services (Flood Risk & NETs) will be part of this project. These are;
 - Muireston Water / Dedridge Burn Habitat Network Study (via Mark Hamilton Landscape Services working to NETs)
 - Livingston Greenways Study (ditto)
 - Linlithgow Loch Blue Network Study (via Scottish Agricultural Colleges)
 - River Almond Alien Species Action Plan (via Forth Estuary Trust)
 (NB: first 2 linked studies did not proceed for a variety of reasons)

Central Scotland Forest Trust (CSFT)

- **Breich Valley Village Gateways**
CSFT were awarded **£7,000** to support a project to improve the gateways and approaches to the Breich Valley Villages in West Lothian. The project explored and identified opportunities for enhancement at 14 sites within the Breich Valley area, and then prepared detailed proposals at 4 of these sites.

The project identified sites that link fragmented habitats and could enhance existing wildlife corridors through new planting or improved woodland management, as well as increased public access. The intention is that, subject to securing further funding, the projects will then be implemented by trainees from the Fauldhouse Future Jobs Fund Project, (managed by Fauldhouse Community Development Trust & West Lothian Council), giving

them the opportunity to develop skills and practical experience on a range of woodland and environmental projects.

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CSFT has also been awarded **£9,000** to develop an integrated management plan for Easter Inch Moss and Seafeld Law Local Nature Reserve in West Lothian, consulting with the LNR Management Group and local communities of Blackburn and Seafeld.
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Various other CSGN projects in adjacent authorities relate to West Lothian:

Pentland Hills Regional Park (PHRP)

- **Pentland Hills & surrounding areas Woodland Action Plan:**
Lothian and Fife Green Network Partnership (L&FGNP) obtained **£32,288** to develop a Pentland Hills Action Plan that identified and specified practical actions on the ground to enhance the landscape quality of the wider area whilst providing social and recreational benefits for local people and visitors.

Project partners included the Pentland Hills Regional Park Authority, City of Edinburgh, Midlothian and West Lothian Councils. Work focused on identifying opportunities for woodland creation and management in 5 priority, core areas within the Pentlands and consulting with landowners and stakeholder groups to develop detailed designs and specifications for 10 woodland management, enhancement or creation projects.

L&FGNP presented the interim findings to East Calder & East Livingston LAC in March 2011.

- **Pentland Hills – Path Networks:**
PHRP, working in partnership with Edinburgh, Midlothian and West Lothian Councils, were awarded **£13,000** and undertook a study identifying priority improvements to the connectivity of the path network in the Regional Park with the surrounding path network. This project identified a range of path and signage improvements between the PHRP & surrounding settlements to encourage people to travel to the Park by foot, bike, or horse.

Specification was provided for improvements to four priority routes together with recommendations for funding mechanisms.

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- **Lothians Local Biodiversity Sites Survey**
TWIC, a Lothian and Borders based organisation specialising in the management of biological records, secured **£37,314** to survey 145 Local Biodiversity Sites in Edinburgh, West Lothian, East Lothian and Midlothian.

Two surveyors were employed to record the habitats and site boundaries of the chosen sites. This information will help the local authorities with creating and securing a suite of Local Biodiversity Sites.

45 sites are due for survey in West Lothian (albeit the available period January to March 2011 to comply with the grant timescale is not ideal for ecological survey).

City of Edinburgh Council (CEC)

- **River Almond Corridor:**
CEC gained **£18,050** to conduct a feasibility study into an integrated management plan for the River Almond Corridor, in particular to develop access along the full length of the river corridor, from Cramond upstream to West Lothian.
- **West Edinburgh Landscape and Habitat Management Plan:**
CEC were also awarded **£45,000** to prepare a landscape masterplan and habitat management plan for the area covered by the West Edinburgh Planning Framework on behalf of the West Edinburgh Development Partnership, which will guide future development and management of the area by the City Council, BAA, the Royal Highland Centre and other private landowners.

CSGN Wide Projects Impacting on the Lothians

- **Woodland Promotion on farms**
Scottish Agricultural College obtained **£15,920** to undertake targeted Woodland Creation Promotion with farmers in the Lothian's, South Fife and other parts of the CSGN area. An SAC advisor will provide free, tailored advice to farmers in these areas on woodland creation opportunities on their land through the Scottish Rural Development Programme (SRDP).
- **Community Woodland Prize**
Scotland's Finest Woods Award were given **£5,200** to support a special CSGN Community Woodland Prize in 2010-11 that will recognise, reward and highlight excellence in CSGN community and urban woodland and social projects which engage people in creating, improving or using a local woodland environment.
- **Native Woodland Promotional Scheme**
Woodland Trust Scotland has been awarded **£42,539** to undertake a Native Woodland Promotional Campaign across the CSGN area. The campaign will involve communication with landowners in the CSGN area through printed media and a web campaign, as well as direct approaches to 150 landowners (with holdings of more than 50 hectares) across the CSGN area.

The project will also see 38 community tree packs (2 in each of the 19 CSGN local authorities) provided free to community groups, as well as the production of a simple guide to woodland creation grant funding, targeted at smaller landowners.

- **Health Impact of Canals Study**

British Waterways Scotland has been awarded £16,000 to carry out a range of surveys under the banner of Health Impact of Canals, to improve understanding of the health benefits generated through the canal network.

This is particularly important in the central Scotland area where the canal winds its way through a number of areas with high levels of social deprivation. Specifically, the research will be used to support investment in a strategic network of high-quality routes for active travel and recreation throughout Central Scotland.

- **Community Growing Spaces in Hospitals**

Central Scotland Green Network Support Unit (via CSFT) achieved £25,000 to undertake baseline survey work on hospital and healthy facility grounds, community growing spaces, and school and educational grounds across the CSGN area to inform the development of future priorities and action.

- **IHN Implementation – Best Practice Guidelines**

Central Scotland Green Network: Support Unit has been awarded £35,500 for an IHN and Biodiversity project that will explore opportunities for the development of habitats around the implementation of the Clyde RBMP, develop (with SNH) best practice guides on implementation of Integrated Habitat Network modelling, and improve the co-ordination of LBAP activity across the 19 CSGN LAs.

- **Orchard Mapping Programme**

Crispin Hayes got £18,351 to digitally map the orchards of Central Scotland to inform the development of future proposals for new orchard planting and orchard maintenance.

- **Orchard Training and Networking**

Scottish Orchards were awarded £9,000 to run a series of training and networking events for groups interested in developing orchards in the CSGN area, and to provide follow-up advice and support to groups with preparing detailed proposals.

- **Community Land bank – Feasibility Study**

The Federation of City Farms and Community Gardens landed £18,802 to investigate the feasibility of establishing a Community Land Bank in Scotland that will support community groups and land owners identify land suitable for community growing projects.

- **Biomass Energy in Council Buildings**

CSFT has been awarded £34,600 to undertake a study working with the 19 CSGN local authorities to identify opportunities and develop proposals for the use of woody biomass for heat and energy in Council buildings.

Steve Lucker Associates are working with Douglas Evans WLC Energy Manager and from a long list of c100 buildings, narrowed that down to c20 potential properties, of which 5 are now being more thoroughly investigated.

(CA/ca 17.5.11 V2)