



August 2010
Developer **contributions**
update

WEST LOTHIAN COUNCIL delivers

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Council

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West Lothian Council has approved a series of supplementary planning guidance (SPG) developer contribution policies to support the implementation of the *West Lothian Local Plan*, that was adopted in January 2009. The SPG set out developer contribution requirements and/or identify principles that will be adopted by the council in preparing strategies for the provision of new infrastructure and/or facilities that developers will be required to contribute to. The SPG is a material consideration in the determination of planning applications. The SPG will be kept under review by the council. Further SPG will be prepared in due course, so please ensure you contact [Colin Miller](mailto:colin.miller@westlothian.gov.uk) on 01506 775216 or by email colin.miller@westlothian.gov.uk for the up-to-date information on SPG.

No application will be reported to committee or placed on the *Weekly Delegated List* with a favourable recommendation until heads of terms have been agreed in writing with the council on the scale of development contributions necessary.

It should be noted that the web link to [all](http://www.westlothian.gov.uk/1210/161/205/207) developer contributions policies and all the council's supplementary planning guidance is on the council's website <http://www.westlothian.gov.uk/1210/161/205/207>

Affordable housing

This SPG, approved in June 2006, applies to all residential development of five or more houses or flats. The policy requires serviced land for affordable housing (15% of the capacity of the site) to be transferred for affordable housing provision. In the case of sites of less than 20 units, 15% of the value of the site for housing must be provided to the council in the form of commuted sums. In both cases affordable housing provision will require to be provided through a *Section 69* or *75* legal agreement.



Developers of residential development sites will be required to transfer land capable of delivering 15% of the total site capacity in housing units as affordable housing to the local authority, a registered social landlord (RSL) or social housing provider who is nominated, or otherwise agreed, by the council. The land will be transferred at a value that minimizes any impact on the availability of funding

for the provision of affordable housing. All land transferred should benefit from an appropriate planning permission and should be free of any infrastructure burdens which would apply to dwellings subsequently constructed on the site. The developer will be required, where necessary, to work with the RSL, or social housing provider, to minimise any funding gap in the provision of the affordable housing element of the development.

In addition to the 15% contribution for socially rented housing, developments within structure plan core development areas will be expected to make an additional affordable housing contribution equating to a minimum of 10% fully complete affordable houses. These units can be entry level houses for sale by the developer (housing without subsidy), shared equity houses or any other form of provision conforming to the categories of affordable housing identified in *Planning Advice Note 74 – Affordable Housing*. It should be noted that a new planning advice note is expected from the Scottish Government in Autumn 2010.

For specific details, please refer directly to the SPG, contact the officer below, or log on to the council's website at the following URL: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/1874545/affordablehousing>

Jim McEwan, Development Manager, Housing

t: 01506 281379 e: jim.mcewan@westlothian.gov.uk

Planning for education

This SPG sets out the policy context within which planning applications must be considered in terms of education contributions and school capacities. It was approved by the Council Executive on 25 November 2008. It explains the type of information that will be provided by Education Services when consulted on planning applications and sets out the methodology for producing school roll projections.

The guidance sets out the general approach which is taken by the council when considering applications for housing and impacts this can have on education capacity issues.



For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1875738/spg_planningforeducation

Colin Miller, Development Planning Manager

t: 01506 775216 e: colin.miller@westlothian.gov.uk

David McKinney, Planning and Information Manager, Pupil Placement

t: 01506 281861 e: david.mckinney@westlothian.gov.uk

NOTE: *Additional school contributions may be required throughout West Lothian, so for clarification and up-to-date information please contact David McKinney or Mark Brooks in Pupil Placement directly.*

David McKinney, Planning and Information Manager

t: 01506 281861 e: david.mckinney@westlothian.gov.uk

Mark Brooks, Strategic Planning Information Assistant

t: 01506 281855 e: mark.brooks@westlothian.gov.uk

Denominational secondary school infrastructure

This SPG was originally approved by the council in May 2005 and updated guidance was approved in November 2008 and most recently guidance was approved on 29 June 2010. It



applies to all residential developments throughout West Lothian in order to provide contributions for additional denominational secondary school accommodation. The contribution rate per residential unit is £1983 which is index linked to *RICS Building Cost Information Service Tender Price Index* using the first quarter 2010 as the base date.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL's:

Report: http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1850797/2226813/spg_denomschool

Appendix 1: http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1850797/2226813/spg_denomschool_app1

Appendix 2: http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1850797/2226813/spg_denomschool_app2

Colin Miller, Development Planning Manager

t: 01506 775216 e: colin.miller@westlothian.gov.uk

David McKinney, Planning and Information Manager, Pupil Placement

t: 01506 281861 e: david.mckinney@westlothian.gov.uk

Replacement Armadale Academy

This SPG is in the process of being updated. The current SPG was originally approved on 6 December 2005 and changes were approved on 25 November 2008 to alter the exemptions which apply. The SPG sets out developer contribution levels for houses and flats to be built within the catchment area, although there are a number of specific exemptions. A contribution of £1653 per house and £620 per flat is required from developers within the catchment area. Actual payments will be index linked to the increases indicated in the *RICS Building Cost Information Service Tender Price Index* using the first quarter 2010 as the base date. The funds collected will be used to help fund the replacement of Armadale Academy.



For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: <http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1850797/1874560/replacementarmadaleacademy>

Colin Miller, Development Planning Manager
t: 01506 775216 e: colin.miller@westlothian.gov.uk

David McKinney, Planning and Information Manager, Pupil Placement
t: 01506 281861 e: david.mckinney@westlothian.gov.uk

Denominational primary schools

This SPG was approved by the council in 20 June 2006. It applies to all residential developments within the catchment areas of St Nicholas Primary School (Broxburn), St Paul's Primary School (East Calder) and Holy Family Primary School (Winchburgh). Developer contributions levels, if necessary, will be assessed on a case by case basis.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: <http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1850797/1874541/DenominationalPS>

Colin Miller, Development Planning Manager

t: 01506 775216 e: colin.miller@westlothian.gov.uk

David McKinney, Planning and Information Manager, Pupil Placement

t: 01506 281861 e: david.mckinney@westlothian.gov.uk

Mark Brooks, Strategic Planning Information Assistant, Pupil Placement

t: 01506 281855 e: mark.brooks@westlothian.gov.uk

School commissioning costs

This updated SPG was approved on 29 January 2008. It sets out developer contribution requirements for the commissioning costs associated with new schools and school extensions. Contributions are limited to those necessary to deliver a turn-key project and make the school building/campus operational.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1875738/DC_schoolcomcosts

Colin Miller, Development Planning Manager

t: 01506 775216 e: colin.miller@westlothian.gov.uk

David McKinney, Planning and Information Manager, Pupil Placement

t: 01506 281861 e: david.mckinney@westlothian.gov.uk

A71 corridor study - bus priority measures



This SPG, approved on 20 June 2006, applies only to developers at Calderwood and West Livingston/ Mossend core development areas as identified in the *West Lothian Local Plan*. The contributions required are towards infrastructure on the A71 to implement bus

priority measures identified in the A71 corridor study. The costs involved are set out in detail in the SPG.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL's:

Report: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/1851873/A71>

Appendix 1: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/1851873/A71App1>

Appendix 2: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/1851873/A71App2>

Jim Stewart, Team Leader, Transportation

t: 01506 775295 e: jim.stewart@westlothian.gov.uk

A801 dualling

This SPG was originally approved in June 2006. Updated guidance has been approved by the Council Executive on 17 August 2010. It requires developers, where applicable within the area defined in the plan accompanying the guidance, to make contributions to be identified through Transport Assessments (TA) or Transport Statements (TS), for the upgrading of the A801 between Junction 4 of the M8 motorway to the Pottishaw Roundabout. Development that do not require a TA or TS are exempt.

The contribution would only be sought from the following types of development within the catchment area: residential; business (Use Class 4); industrial (Use Class 5); and storage and distribution (Use Class 6).

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL:

Report: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/1851876/A801>

Appendix 1: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/1851876/A801App1>

Jim Stewart, Team Leader, Transportation
t: 01506 775295 e: jim.stewart@westlothian.gov.uk

Travel Plan Co-ordinator

Following the approval in 11 December 2007, the Council Executive on 25 November 2008 resolved to agree to suspend the seeking of contributions for a two year period (see link to *Interim Changes Report* below). The need for developers to submit travel plans to support their planning applications remains. The council will continue to explore with developers innovative way in which a travel co-ordination service should be delivered, which could involve developers carrying out their own monitoring and submitting the results to the council.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1875738/travelplans>

Interim Changes Report November 08: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/interimchanges>

Jim Stewart, Team Leader, Transportation
t: 01506 775295 e: jim.stewart@westlothian.gov.uk

Developer contributions for a southern park and ride facility at the proposed Armadale Station

On 29 June 2009, the Council Executive approved SPG that requires developers within the core development areas in Armadale to contribute to car parking at the proposed park and ride facility south of the station. In short, the contributions required are: the provision and safeguarding of land for a car park of 120 spaces; financial contributions from developers to fund the construction of 90 spaces in this southern P&R facility. Developers should note that they will be required



to contribute £350 for each residential unit in the Armadale CDA, which is more than 800 metres walking distance from the railway station. This contribution is to fund the construction of 90 spaces in the southern park and ride facility. Contributions are indexed from December 2007

based on the *RICS Building Cost Information Service Tender Price Index*. Residential units within 800 metres walking distance of the railway station will be exempt from this contribution.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL's:

Report: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/armadalestation>

Appendix to Report: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1850797/armadalestaionapp>

Any queries should be directed to the following parties:

George Flett, Planning Officer, Development Planning

t: 01506 775271 e: george.flett@westlothian.gov.uk

Co-location principles for the provision of new community and cultural facilities in CDAs

This SPG was approved on 20 June 2006. This document sets out the principles which will be adopted in working up a co-location strategy for the provision of new community and cultural facilities in the core development areas identified in the *West Lothian Local Plan*.

Three models of provision are identified - (1) partnership centre model, (2) primary school model, (3) secondary school model.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: <http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1875738/communityandcultural>

Colin Miller, Development Planning Manager
t:01506 775216 e:colin.miller@westlothian.gov.uk

CDA developer contributions for town and village centre improvements

This SPG was approved on 12 June 2007. Contributions are required from developers who are building new residential areas planned for Armadale, Livingston and Almond Valley and Winchburgh/East Broxburn/Uphall. The contributions will help create additional facilities and improve the appearance of existing town and village centres close to where the major housing growth is taking place. This SPG applies to any development within the areas identified as core development areas (CDA's) in the *West Lothian Local Plan*. Developers have a choice of implementing an agreed programme of works or making a financial contribution to the council. £250 per unit is identified as a guideline.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1875738/cda_townsandvillages

Colin Miller, Development Planning Manager
t:01506 775216 e:colin.miller@westlothian.gov.uk

Developer contributions for a replacement Armadale Library

This SPG was approved on 22 December 2009. It applies to all new residential units to be built in the Armadale core development area (CDA). The SPG explains the reason for the need for developer contributions and also explains how the amount is calculated. It makes clear that the contribution is only to meet the needs of the extra population that will arise from the new CDA houses. Pro rata funding for the existing population's requirements has been made by the council. The result is that a contribution of £133 per residential unit (house or flat), for all housing developments in the Armadale CDA, is required from the developer in order to contribute towards the cost of a replacement Armadale Library. These contribution levels will be required to be index linked to the *RICS Building Cost Information Service Tender Price Index* from the fourth quarter 2009.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: http://www.westlothian.gov.uk/media/downloadoc/1799514/1841832/1875738/spg_armadalelibrary

Any queries should be directed to the following parties:

George Flett, Planning Officer, Development Planning
t: 01506 775271 e: george.flett@westlothian.gov.uk



Contributions to public art

This supplementary planning guidance was approved on 20 June 2006 and amended in 21 November 2006 and 19 August 2008.

Developers of larger housing and retail schemes, and certain other significant developments are required to provide public art initiatives, or funding towards such schemes, as part of their development in order to enhance the new environments being created.

For details of the specific rates required, please refer to the supplementary planning guidance document directly at the below URL and to information at the end of this document. Please note that actual payments will be index linked to the increases indicated in the *RICS Building Cost Information Service All in Tender Price Index* using the second quarter of 2006 as the base date for indexation: <http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1875738/spg-publicart>

Reference should also be made to the related councils *Public Art Strategy* document at the following URL: http://www.westlothian.gov.uk/media/downloaddoc/1799441/2195888/public_art_strategy_west_lothian

Stuart Eydmann, Senior Planner, Conservation and Design
t: 01506 775279 e: stuart.eydmann@westlothian.gov.uk

Camille Archer, Arts Development Officer – Visual and Public Art
t: 01506 773871 e: camille.archer@westlothian.gov.uk

Cemetery provision

An updated SPG was approved on 19 May 2009. Developers are required to make contributions towards new cemetery provision in West Lothian. A contribution of £35 per house/flat will be required. 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. The levels of contribution will be reviewed at regular intervals to take account of changed circumstances.



For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: http://www.westlothian.gov.uk/media/downloaddoc/1799514/1841832/1875738/spg_cemeteries

Fiona McBrierty, Principal Planner, Development Planning
t: 01506 775203 e: fiona.mcbrierty@westlothian.gov.uk

Howard Dawson, Policy and Development Manager, NETS & Land Services
t: 01506 776604 e: howard.dawson@westlothian.gov.uk

Professional services - a partnership approach to deliver the infrastructure required to support the development strategy contained in the *West Lothian Local Plan*

This guidance was approved on 29 May 2007 and interim changes approved on 25 November 2008 updated the policy to not seek contributions through a *Section 75* agreement but through voluntary *Section 69* Agreements. It seeks contributions from developers to recover the costs for professional services undertaken by the council on major projects. It is anticipated that significant resources will be required to fund the full range of services within the council to support the implementation of the development plan. Contribution levels will be worked out on a case by case basis given the need to relate any contribution in scale and kind to the proposed development.

For specific details, please refer directly to the SPG, contact the officers below, or log on to the council's website at the following URL: http://www.westlothian.gov.uk/media/downloadaddoc/1799514/1841832/1875738/partnership_approach

Colin Miller, Development Planning Manager
t: 01506 775216 e: colin.miller@westlothian.gov.uk

Thomas Duncan, Senior Solicitor
t: 01506 281596 e: thomas.duncan@westlothian.gov.uk

Other developer contribution policies

Applicants and developers should be aware that the information provided in this leaflet is up to date at the time of publication. SPG may be subject to change. Contributions for other items of infrastructure may also be necessary to make a proposal acceptable.

For up-to-date information, you can contact:

Development Management t: 01506 775365

Development Planning duty phone t: 01506 775231

e: planning@westlothian.gov.uk or LocalPlan@westlothian.gov.uk.

Summary of developer contributions - SPG and requirement

Affordable housing Case by case basis - transfer of land or a commuted sum to the council.

Denominational secondary school A contribution of £1983 per residential unit is required from housing developers throughout West Lothian. 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.

Replacement Armadale Academy A contribution of £1653 per house and £620 per flat is required from developers within the catchment area of Armadale Academy. These contribution levels will require to be Index linked to the *RICS Building Cost Information Service Tender Price Index* from the first quarter 2005.

Denominational primary schools Case by case basis (see SPG)

School commissioning costs Case by case basis (see SPG)

A71 corridor study Case by case basis (see SPG)

A801 dualling Contributions will be assessed on a case by case basis where sites are within the area defined on the plan in the guidance (an area of land in close proximity to the A801) Contributions will be identified through Transport Assessment (TA) or Transport Statement (TS), for the upgrading of the A801 between Junction 4 of the M8 motorway to the Pottishaw roundabout. Developments which do not require a TA or TS are exempt.

Co-location principles Case by case basis (see SPG)

Public art For a residential development of 10 – 49 units = £150 per unit is required. For more than 50 units = £250 per unit is required. For retail floor space with a floor area of 500 – 1499sqm, £5 per sqm gross is required (with a maximum contribution of £4995). For retail floor space with a floor area of 1500 – 4999sqm, £10 per sqm gross is required. Where the retail floor area is 5000smq or more £15 per sqm gross is required. Actual payments will be index linked to the increases indicated in the *RICS Building Cost Information Service Tender Price Index* using the second quarter of 2006 as the base date for indexation.

Town centre improvements Applies to any development within the areas identified as CDA's in the *West Lothian Local Plan*. Developers may be proactive in identifying a scheme that they wish to do themselves. Alternatively a contribution of £250 per house is given as a guideline.

Cemetery provision £35 per residential unit (house or flat). 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. The levels of contribution will be reviewed at regular intervals to take account of changed circumstances.

Professional services Case by case basis (see SPG)

Replacement Armadale Library £133 per residential unit (house or flat), these contribution levels will be required to be index linked to the RICS tender price index from the forth quarter 2009.

Developer contributions for a southern park and ride facility at the proposed Armadale Station £350 for each residential unit in the Armadale CDA, which is more than 800 metres walking distance from the railway station. Contributions are indexed from December 2007 based on the *RICS Building Cost Information Service Tender Price Index*.



Section 69 and 75 Agreements

Where parties wish to discuss specific issues regarding legal agreements, these should be directed to the council's senior solicitor **Thomas Duncan**,
t: 01506 281596 e. thomas.duncan@westlothian.gov.uk

General information

Please contact us if you have a specific query on SPG as outlined or contact a planning officer. This document contains only a summary of each SPG and for full information, the actual SPG must be referred to directly.

Please note this is not an exhaustive list and further SPG may be forthcoming in the future and the council may also seek to update existing guidance where appropriate to reflect changes in circumstances.

We will be happy to assist you by telephone, fax, e-mail, letter or in person at our office. An officer is normally available 8:30am - 5pm Monday to Thursday and 8:30am - 4pm on a Friday to deal with general enquiries. However, it is helpful to arrange an appointment in advance of your visit to ensure your enquiry is dealt with efficiently and effectively.

The office is easily accessible by foot, bike or bus. Cycle parking is available to the rear of the building. A disabled parking space is located close to the entrance and there is a public car park within 50 metres of the building at the Vennel Car Park. Disabled access, hearing loop and private meeting rooms are available.

Development Planning and Development Management,
County Buildings, High Street, Linlithgow, West Lothian, EH49 7EZ

Office hours: Mon-Thurs : 8.30 – 5.00, Fri 8.30 – 4.00

Craig McCorrison, Planning Services Manager
t: 01506 775286 e: craig.mccorrison@westlothian.gov.uk

Colin Miller, Development Planning Manager
t: 01506 775216 e: colin.miller@westlothian.gov.uk

Chris Norman, Development Management Manager
t: 01506 775224 e: chris.norman@westlothian.gov.uk

General enquiries
t: 01506 775365 or 01506 775231 f: 01506 775265 or 01506 775255

Customers with special requirements

Information is available in **Braille**, **tape** and **large print** and **community languages**. Please contact the interpretation and translation service on **01506 775000**

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الرجاء الإتصال بخدمة الترجمة على الهاتف **01506 775000**

এই তথ্য আপনাকে ব্রইল, টেপ, বড় অক্ষরে এবং কমিউনিটির বিভিন্ন ভাষায় লিখিতও পাচ্ছে। অনুগ্রহ করে ইন্টারপ্রিটেশন অ্যান্ড ট্রান্সলেশন সার্ভিসের সঙ্গে যোগাযোগ করুন। টেলিঃ **01506 775000**

這份資料是可以凸字、錄音帶、大字印刷及社區語言的式本提供。請聯絡傳譯及翻譯服務部，電話： **01506 775000**

ਇਹ ਜਾਣਕਾਰੀ (ਬੋਲ) ਟੈਕਸਟ ਦੇ ਪੜ੍ਹਣ ਵਾਲੀ ਸਿਰੀ, ਟੇਪ, ਵੱਡੇ ਫਿੰਟ ਅਤੇ ਸਮਾਜਿਕ ਟੋਲ ਭਾਸ਼ਾਵਾਂ ਵਿਚ ਉਪਲਬਧ ਹੈ। ਸਿਰਫ ਵਾਲੀ ਸਿਰੀ/ਟੈਕਸਟ ਅਤੇ ਟਰਾਂਸਲੇਸ਼ਨ ਸੇਵਾਵਾਂ ਨੂੰ ਇਸ ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ : **01506 775000**

یہ معلومات بریل (بویل) اور ٹیپ اور بڑے فونٹ اور کمیونٹی کے مختلف زبانوں میں دستیاب ہے۔
براہ مہربانی انٹرنیٹ اور ٹرانسلیشن سروس سے رابطہ کرنے پر رابطہ قائم کریں۔ **01506 775000**

Informacje te mogą być przelozone na jezyk Braille'a, dostepne na tasmie magnetofonowej lub wydane duzym drukiem oraz przetlumaczone na jezyki mniejszosci narodowych.
Prosimy o kontakt z Uslugami Tlumaczeniowymi pod numerem **01506 775000**

Text phones offer the opportunity for people with a hearing impairment to access the council. The text phone number is **18001 01506 464427**. A loop system is also available in all offices.