

**Land at Brotherton Farm Livingston**



## **Appendix B Appeal Statement on Transport Matters**

**GLADMAN DEVELOPMENTS LTD**

**PROPOSED RESIDENTIAL DEVELOPMENT  
AT  
BROTHERTON FARM,  
LIVINGSTON**

**APPEAL STATEMENT ON  
TRANSPORTATION MATTERS**

June 2015



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## EXECUTIVE SUMMARY

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The purpose of this Statement is to evaluate the Reason for Refusal put forward by West Lothian Council in respect of a planning application for a proposed residential development at Brotherton Farm, Livingston.

This report first summarises the relevant Reason for Refusal of the proposed development, before Section 3 provides an update to the February 2014 Transportation Assessment, in respect of changes to bus services since that time, and clarifying the proposal to provide a new footway along the north side of the A71 between the site and Adambrae..

Section 4 examines routes to school in more detail, looking first at the council's policies in this respect, then at walking routes, and then at existing school transport provision in the area and its existing patronage. This section also examines how school transport could be provided between the site and the appropriate catchment schools, either by the issue of free bus passes to use existing public transport services, or the diversion or extension of existing school contract services.

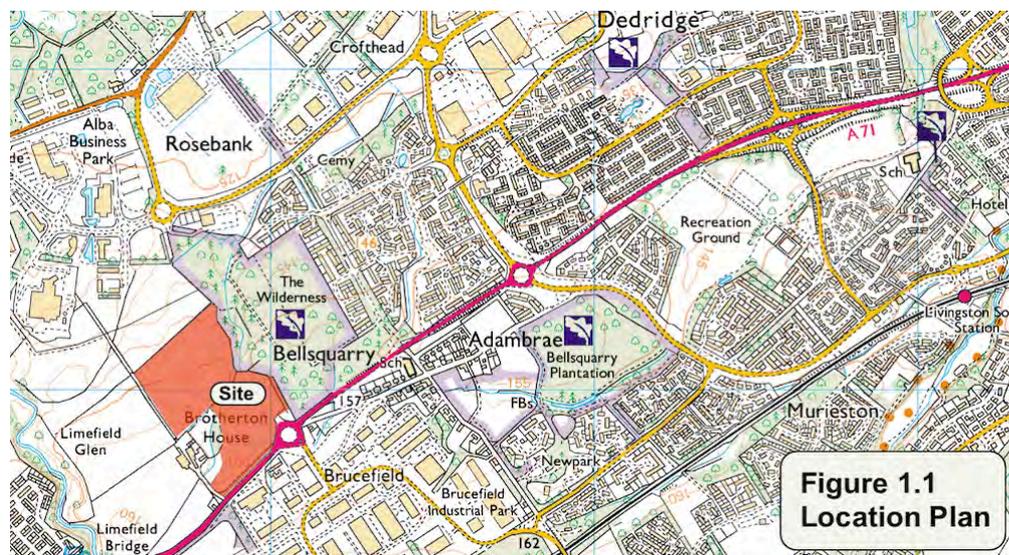
In Section 5, the site is compared with two "preferred sites" identified in the Local Development Plan, at Wellhead Farm and at Linburn, Murieston South, and concludes that these preferred sites are also reliant on school transport, and additionally, are not as well served by public transport services. The preferred sites are remote from the Livingston town centre and other facilities in Livingston. Neither Education nor Transportation have offered any objection to the allocation of these sites.

Comparison is also made with a site granted planning permission at Limefields, Brucefield, which is also reliant on school transport, and has the same public transport services as the Brotherton site. Again, the Council have raised no objection on education grounds.

## 1. Introduction

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- 1.1 Gladman Developments Limited propose a residential development of up to 200 dwellings on a site at Brotherton Farm, Livingston. The location of the site is shown in Figure 1.1.



- 1.2 In January 2014, Gladman Developments Ltd appointed Andrew Carrie Traffic and Transportation (ACTT) to prepare a Transportation Assessment to demonstrate the implications of the development on capacity and road safety in the surrounding area, to support an application for Planning Permission in Principle.
- 1.3 ACTT prepared the Transportation Assessment (Document OS9) in February 2014, and discussed the report and conclusions with the appropriate officers in West Lothian Council's Roads Department.
- 1.4 The application was considered by the Council's Planning and Development Committee on 27 March 2015, when planning consent was refused.
- 1.5 It is notable that the Council's roads and transportation, when consulted on the application, offered no objection, subject to conditions, including a requirement for a new pedestrian link between the site and Adambrae. Matters of access, traffic impact and road safety were all considered to be satisfactory (Document CR5).
- 1.6 Nevertheless, Reason 6 for refusal states:
6. The proposal is contrary to policy 8 of the SDP. The development site is outwith the settlement envelope of Livingston and is remote from local facilities such as shops and schools. Granting permission to the development is likely to result in an increased travel demand and lead to a

resource commitment by the Council in terms of transporting children to catchment schools.

- 1.7 Further information had been submitted at the time, on the subject of school transport, and the purpose of this Statement is to set out the appellants' position on this Reason for Refusal.

## 2. Reason for Refusal

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2.1 This Statement addresses the sixth Reason for Refusal:

6. The proposal is contrary to policy 8 of the SDP. The development site is outwith the settlement envelope of Livingston and is remote from local facilities such as shops and schools. Granting permission to the development is likely to result in an increased travel demand and lead to a resource commitment by the Council in terms of transporting children to catchment schools.

2.2 Following submission of the Transportation Assessment, the Council raised concerns about transport to schools. The Appellants exchanged information on this matter before the application was presented to the Committee, but all of those submissions on school transport appear to have been disregarded. It is not clear that there is an existing school bus, that already passes the site. It is not clear that the majority of the pupils already on that bus probably live closer than 1.5 miles from the relevant primary schools, and are therefore presently using the bus because there would be empty spaces, rather than qualifying for free travel per se. It is not clear that, in those circumstances, children from the Brotherton development, within the schools' catchment area, would qualify BEFORE most of the children that are already on that bus.

2.3 In paragraph 6.1, the Report quotes transport assistance costs of "some £38,000 to £60,800 per annum" to primary schools, and that "transport assistance to St Margaret's could cost up to £9500 per annum". It is not clear how those school transport costs are derived: they are at some variance with existing school transport contracts, and do not appear to take account of the possibility of diverting or extending existing school transport routes. This is discussed more fully later in this statement.

### 3. Update of Transportation Assessment

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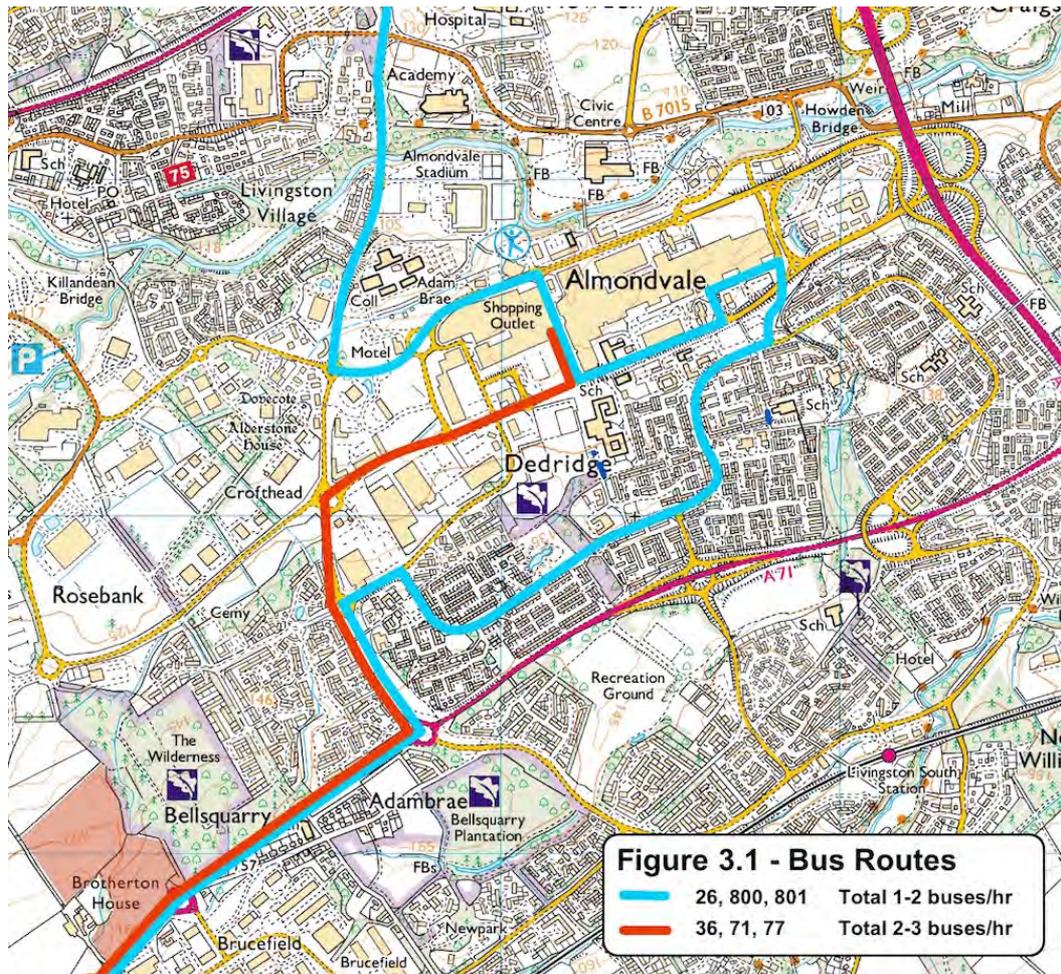
- 3.1 The 2014 Transportation Assessment (Document OS9) was discussed and agreed with the relevant officials in the Council, and formed the basis for the Roads and Transportation consultation response (Document CR5), which proposed no objection subject to conditions.
- 3.2 There are two matters discussed in that Assessment which require updating. Rather than amend the TA, it is proposed so set out those two issues here, so that there is no confusion about what information was available to the Council at the date of the planning committee decision.

#### Bus Update

- 3.3 Under the Transport Act 1985, bus service operators are able to alter routes, or add or delete routes, subject to giving the requisite notice to the Traffic Commissioner. With regard to public bus services, there have been some changes to bus services along the A71 past the site, since the TA.
- 3.4 First have withdrawn the 26 service past the Brotherton site, but are now running the service 36 every hour instead of every 2 hours. First are also running a new service 800 / 801 hourly past the site. E&M Horsburgh have introduced a new service 26, but that only operates 2 buses before 6am.
- 3.5 Table 4.1 from the TA is therefore revised as below. These routes are set out in Figure 3.1.

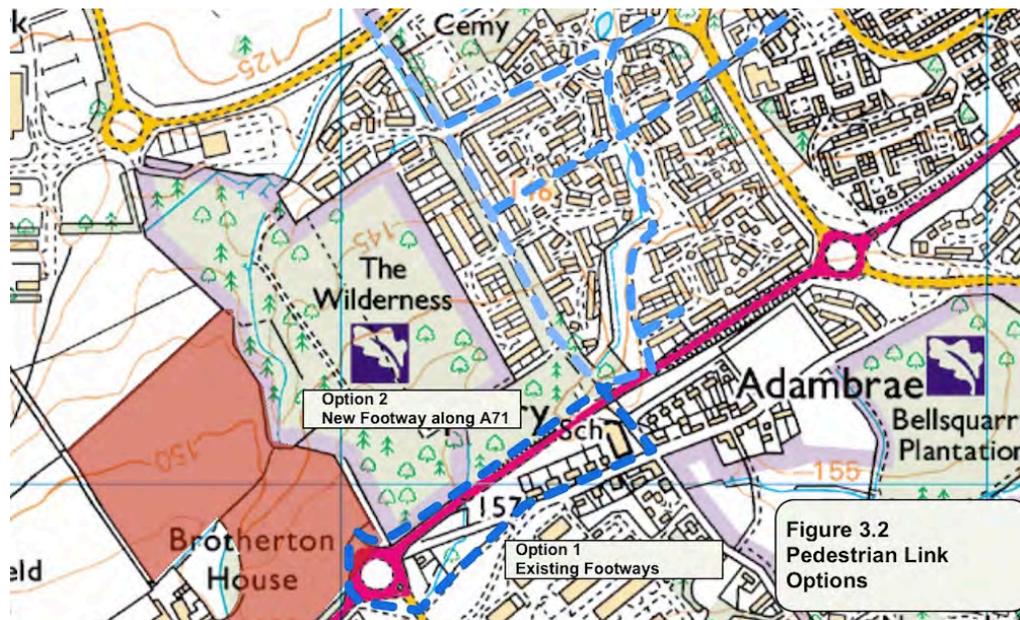
26	Fauldhouse – Bents – Loganlea – West Calder – Polbeth – Dedridge – Livingston Centre – St Johns Hospital – Carmondean - Deans	Early morning only	0	E&M Horsburgh
36	Bathgate – Blackburn – Bents – Loganlea – West Calder – Polbeth - Livingston	60 mins	1	First
71	Shotts - Livingston	60 mins	1	Blue Bus
77	Lanark – Forth – Breich – West Calder – Polbeth – Livingston	120 mins	1 per 2 hours	Blue Bus
800/801	Fauldhouse – Bents – West Calder – Polbeth – Dedridge – Livingston Centre – Howden – Deans – Bathgate – Armadale - Blackridge	60 mins	1	First

**Revised Table 4.1– Local Bus Routes at Brotherton**



### Proposed Footpath on A71

- 3.6 During discussions following submission of the original Transportation Assessment, the Council’s Transportation officers suggested that the footpath route proposed then, through the Wilderness woods, would have to be an adopted footway, if it was to be considered suitable as a walking route to school.
- 3.7 This was not the Appellants’ preferred option, because of the impact on the woodland of building a footway to adoptable standards, with street lighting etc.
- 3.8 The Council therefore requested that consideration be given to other available walking routes. Figure 3.2 shows the two options which were put forward to address this requirement.



- 3.9 Option 1 was set out in the original TA, and involves crossing the A71 to the west of the site access. As well as facilitating this walking route, this also provides a crossing between the two existing bus stops on the A71 at this location, which would be of benefit to workers and visitors in the Brucefield Industrial Estate, and would assist in encouraging the use of public transport in preference to the private car.
- 3.10 The route then follows existing public footpaths into Bellsquarry to the crossroads at Bellsquarry Primary School, where the route turns north through an underpass beneath the A71 to join the existing footpath and footway network in Adambrae.
- 3.11 Option 2 would provide a new footway along the north side of the A71, between the site access and the footway underpass at Bellsquarry. This route is approximately 200 metres, or 0.12 of a mile, shorter than the route shown as Option 1.
- 3.12 At the time, the Council's Transportation officers were satisfied that either of these options would be satisfactory in principle, and offered no objection on that basis.
- 3.13 Following the decision on the planning application, the Appellants decided that it would be helpful to the Reporter, to clarify that Option 2 is deliverable. The council required a 2 metre wide footway, separated from the carriageway by a 1 metre verge.
- 3.14 On that basis, ACTT prepared Drawing E101/SK/01, attached to this report as Appendix 1. The drawing includes two photographs showing a width of 3 metres from the kerb, to demonstrate that the footway and 1 metre separation strip can be provided within the width of the existing adopted road verge.
- 3.15 Appendix 2 contains more detailed drawings, prepared by Gladman, showing the proposed footway. Appendix 3 then contains further photographs to

demonstrate the existing verge width at regular intervals along the whole length. The photographs include a 3 metre pole, marked in red/white half-metre sections

- 3.16 For the last two photographs (chainages 450 and 463), the pole is 2 metres long, corresponding to the width of the footpath as it descends to join the existing footpath at the underpass.

## 4. Routes to School

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- 4.1 On the subject of Transport to schools, the Council's Education Planning original consultation response of 13 November 2014 (Document CR2) is somewhat vague, stating only that *"The site itself appears to be somewhat separate from the main conurbation that could result in awkward transportation to and from particular schools and may require additional transportation to be laid on. In light of these facts Education would register an objection to this application at present."*
- 4.2 It is notable that this response says that school transport may be "awkward" but not necessarily "impossible", that the "particular schools" are not specified, and that the development "may require" additional school transport.
- 4.3 At this stage, the appellants sought to meet with the Council to clarify their concerns and ascertain what further information might be required.
- 4.4 The Council's Education Planning submitted a second response to Planning on 15 March (Document CR2), although this was not forwarded to the Appellants before the Planning and Development Committee, so no opportunity was given to respond.
- 4.5 To respond to the points raised in that second response, the Appellants have first examined the Council's Policy for School Transport, and then the existing school transport provision.

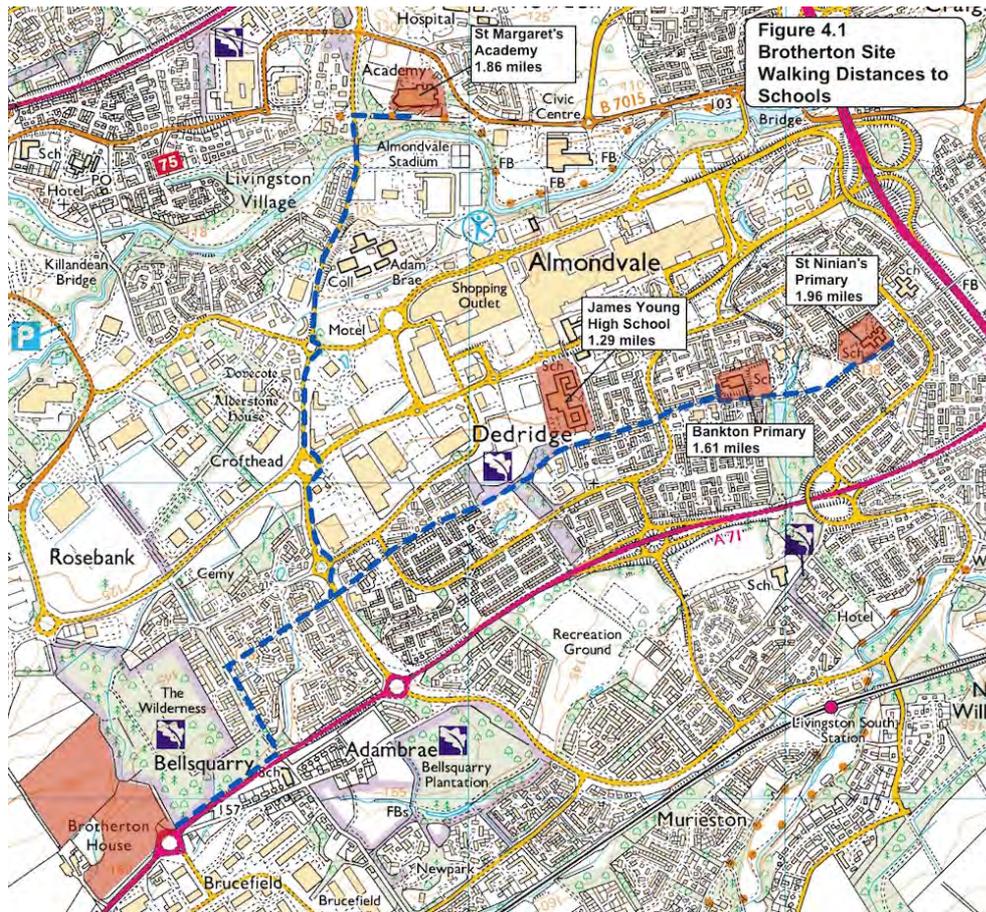
### **West Lothian Council Policy for School Transport**

- 4.6 West Lothian Council's Policy for Transport to and from Schools was updated in March 2015 (See Appendix 4 of this statement), and states in paragraph 1.2 that "Section 42 (4) of the Education (Scotland) Act 1980 sets a statutory walking distance of 2 miles for any pupil under the age of 8, and three miles for any other pupil."
- 4.7 Paragraph 1.3 goes on to state that "West Lothian Council has agreed to provide free transport to and from their designated catchment school for all secondary pupils living more than 2 miles from their designated catchment school and for all primary pupils living more than 1.5 miles from their designated catchment school."
- 4.8 Paragraph 6.5 states that "Where free transport is awarded, it is by means of contracts with bus, minibus taxi/private hire car providers. Season tickets on public service routes may be provided where appropriate."
- 4.9 It is understood that the Council's practice throughout West Lothian is to provide contract bus services, and that the option to issue passes to use existing bus services is rarely, if ever, exercised. However, that option does exist.

- 4.10 Paragraph 7.1 clarifies that “The distance is measured as the shortest suitable walking distance from home to school using public footpaths between the house gate (or door where this does not apply) and the nearest school gate.”
- 4.11 Section 15 of the Policy contains the following three paragraphs:
- 15.1 If there is spare seating capacity on any transport to and from schools, this will normally be offered on a fare paying basis.
- 15.2 Where the route is not fare paying, spare capacity may be offered to non-entitled pupils free of charge at the discretion of the Public Transport Unit.
- 15.3 Transport provided for non-entitled pupils may be withdrawn at any time in order to allow the Council to meet its obligations in terms of this policy, or its meet its obligations to achieve best value.
- 4.12 It is noted that this document was updated in March 2015, ie shortly before the decision was taken on the planning application at Brotherton Farm. The previous version is no longer available, but suggested that pupils who did not qualify for free school transport would be accommodated, if there was spare seating, on a “grace and favour” basis.
- 4.13 Appendix 5 of this Statement is a capture of the Council’s web site on 24 May 2015, which had not yet been updated to reflect the new policy wording. The highlighted paragraph states “Where transport is awarded, it is by means of season tickets on public service routes, failing the availability of which, private contracts will be arranged. Any spare seating capacity on private contract routes is used to accommodate non-entitled pupils on a grace and favour basis.”
- 4.14 The first step, therefore, is to identify the areas for which free school transport is required.

### **Walking Distances to School**

- 4.15 ACTT have examined routes and distances to schools. Figure 4.1 shows the walking routes and distances to the catchment schools for the site, assuming that a new footway is constructed along the A71, as discussed in the preceding section of this report.



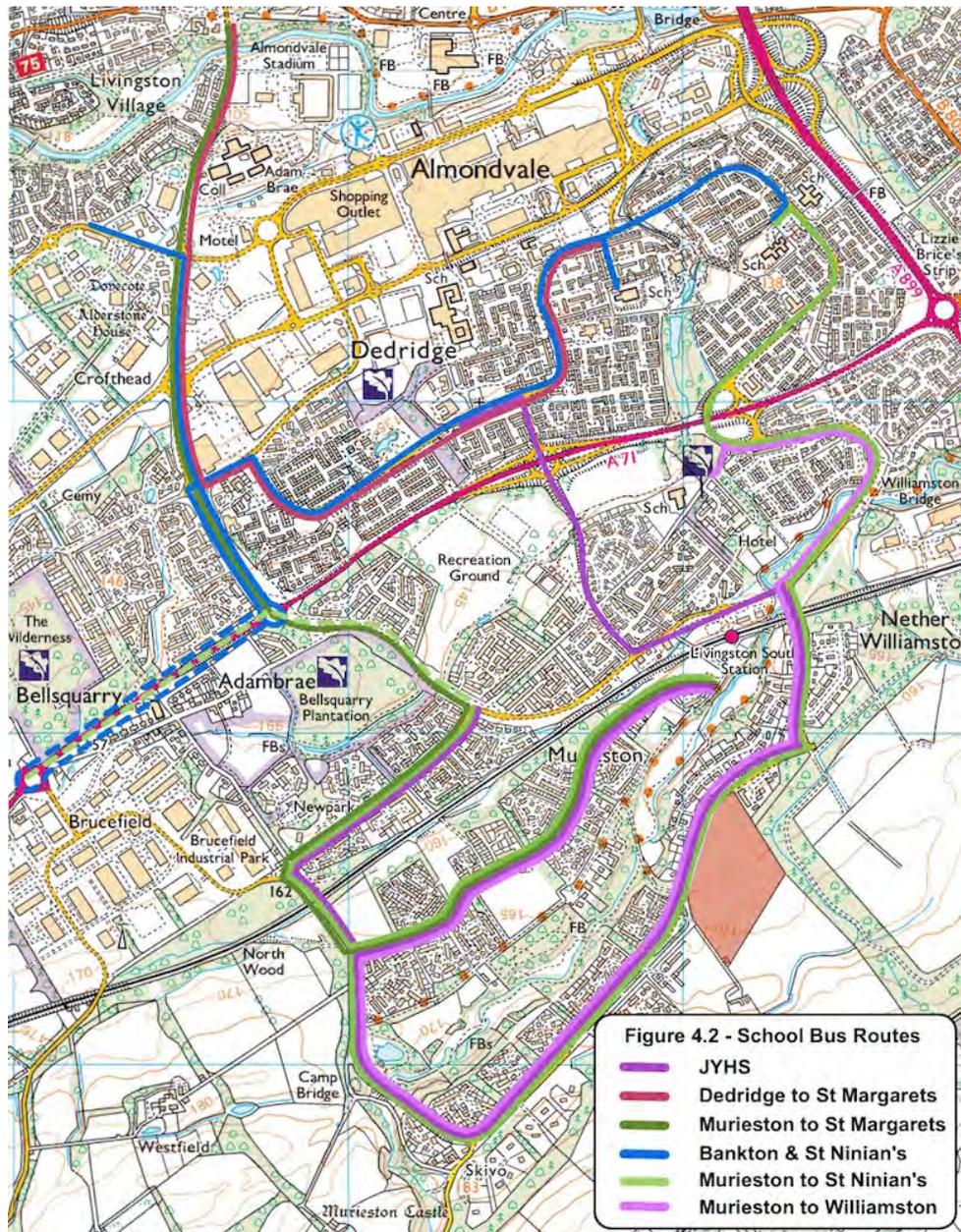
4.16 The respective walking distances to these schools from the corner of the site at the A71 roundabout are:

- Bankton Primary - 1.61 miles – requires school transport
- St Ninians Primary - 1.96 miles – requires school transport
- James Young High School - 1.29 miles – does not require school transport
- St Margaret's Academy - 1.86 miles – part of the site requires school transport.

4.17 Any requirement for school transport does not necessarily mean that new bus services are required: it may be that existing contract services can be diverted or extended. The logical first step, therefore, is to examine existing school transport routes and their use.

### Existing School Transport Routes

4.18 This report therefore sets out the applicant's understanding of existing school bus contract routes serving Adambrae, Dedridge and Murieston. This is based on observations undertaken first in January / February 2014, and again in May 2015, after the change in the council's policy on school transport. The observed routes are shown in Figure 4.2.



St Margaret's Academy

- 4.19 There are two contract buses to St Margaret's Academy. Both services are provided by E&M Horsburgh.
- 4.20 Route 1 is served by a double deck bus and is shown in dark green in Figure 4.2. This bus arrives empty at Murieston Valley Road, and travels to the railway station end and back, picking up 8 pupils. The bus then turns north and then into Bellsquarry South Road, where it collects 6 more pupils between Balmoral Gardens and Dunvegan Gardens. The bus then turns North on to Alderstone Road and picks up 3 more pupils opposite Bankton Brae before crossing the A71 and picking up 5 more pupils on Alderstone Road at Adambrae. From there, the bus goes straight to St Margaret's Academy. On the days observed, there were therefore approximately 20 to 25 pupils on this 81-seat double deck bus.

- 4.21 Route 2 is also served by a double deck bus and is shown in maroon in Figure 4.2. This bus travels through Dedridge, picking up 6 pupils at Staunton Rise and 3 at Templar Rise, before continuing to the school. On the days observed, this bus was relatively full, but still with spare seats, when it left Dedridge.
- 4.22 It should be noted, at this point, that most of Dedridge, (with the exception of a few houses near the Lizzie Brice roundabout) and all of Adambrae, lies within 2 miles walking distance of St Margaret's Academy. It must be presumed, therefore, that the 5 pupils boarding route 1 at Adambrae, and the 9 pupils boarding route 2 at Dedridge West, at least, are fare-paying, unless they qualify under other criteria such as medical grounds, etc.

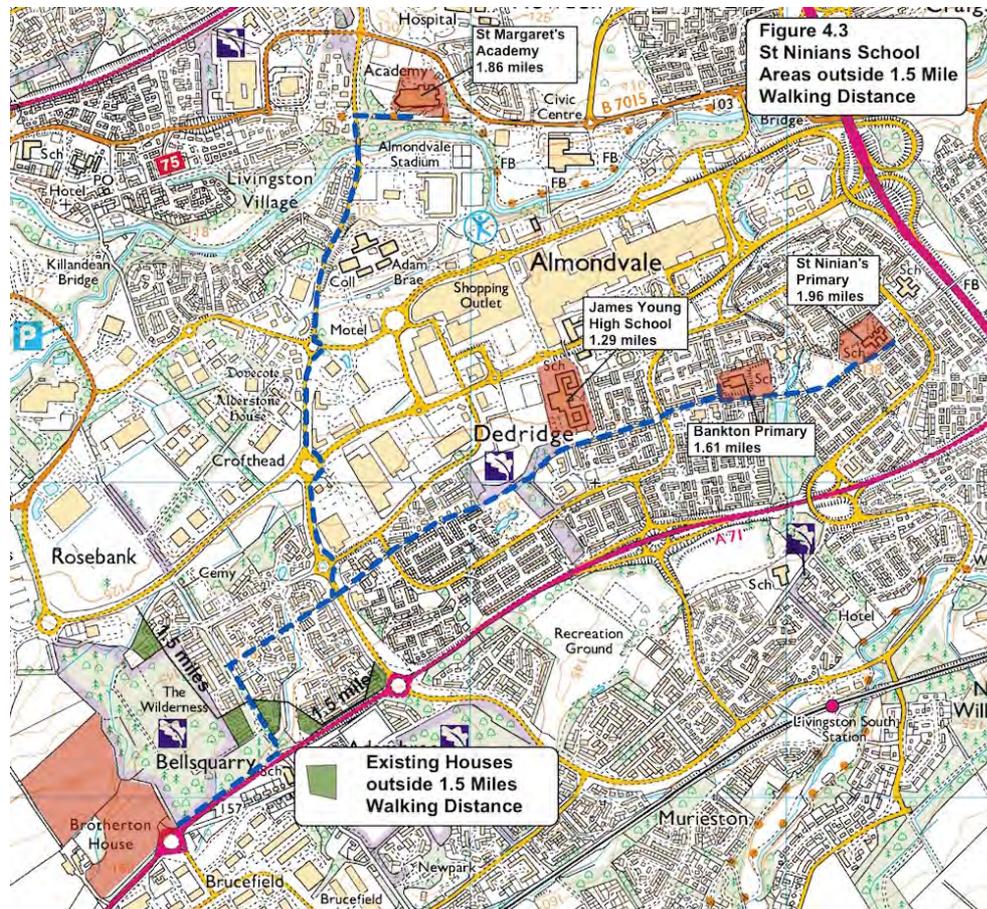
#### James Young High School

- 4.23 There is one bus to JYHS, provided by a full-size coach by Prentice of Westwood. Route 3 is shown in purple in Figure 4.2. This single-deck coach starts collecting 6 pupils at Bellsquarry South Road at Dunvegan Gardens, and then travels along Bellsquarry South Road and Murieston Road into Murieston Valley Road, where it collects another 6 pupils. From there, the bus turns south again on Murieston Road and collects 5 pupils outside Albyn Drive, and 7 more on Murieston Road near Murieston Vale and Murieston Green. From there, the bus goes straight to JYHS via Murieston Road and Bankton Road to Dedridge West. On the days observed, there were therefore approximately 25 pupils on this coach.

#### Bankton and St Ninian's Primary Schools

- 4.24 Route 4 is shown in blue in Figure 4.2, and goes to Bankton and St Ninians. This is the same single-deck Prentice coach that serves Route 3. After it drops off pupils at JYHS, it goes through Dedridge and north on Alderstone Road, where it collects 5 pupils for St Ninians on Kirkton Road South at Hunter Gardens. The bus then turns back south along Alderston Road, where it U-turns around Newpark roundabout on the A71 and heads north again to pick up 6 pupils (who appear to be a mix of Bankton and St Ninians pupils) at the bus stop at Adambrae.
- 4.25 The bus then turns east along Dedridge West, and picks up 6 pupils (again a mix) at the bus stop at Staunton Rise, and one at the bus stop at JYHS. It is therefore estimated that the 49-seat coach carries a total of approximately 18 pupils when it arrives at Bankton Primary.
- 4.26 Again, it should be noted, that all of Dedridge and Adambrae lies within 1.5 miles walking distance of Bankton Primary. It must be presumed, therefore, that all of the pupils going to Bankton Primary are fare-paying, unless they qualify under other criteria such as medical grounds, etc.
- 4.27 Similarly, all of Dedridge and most of Adambrae lies within 1.5 miles walking distance of St Ninians Primary. Figure 4.3 shows the areas of Adambrae that

are further than 1.5 miles from St Ninians Primary. It must be presumed, again, that all of the pupils going to St Ninians Primary from Dedridge, and the majority from Adambrae, are fare-paying, unless they qualify under other criteria such as medical grounds, etc.

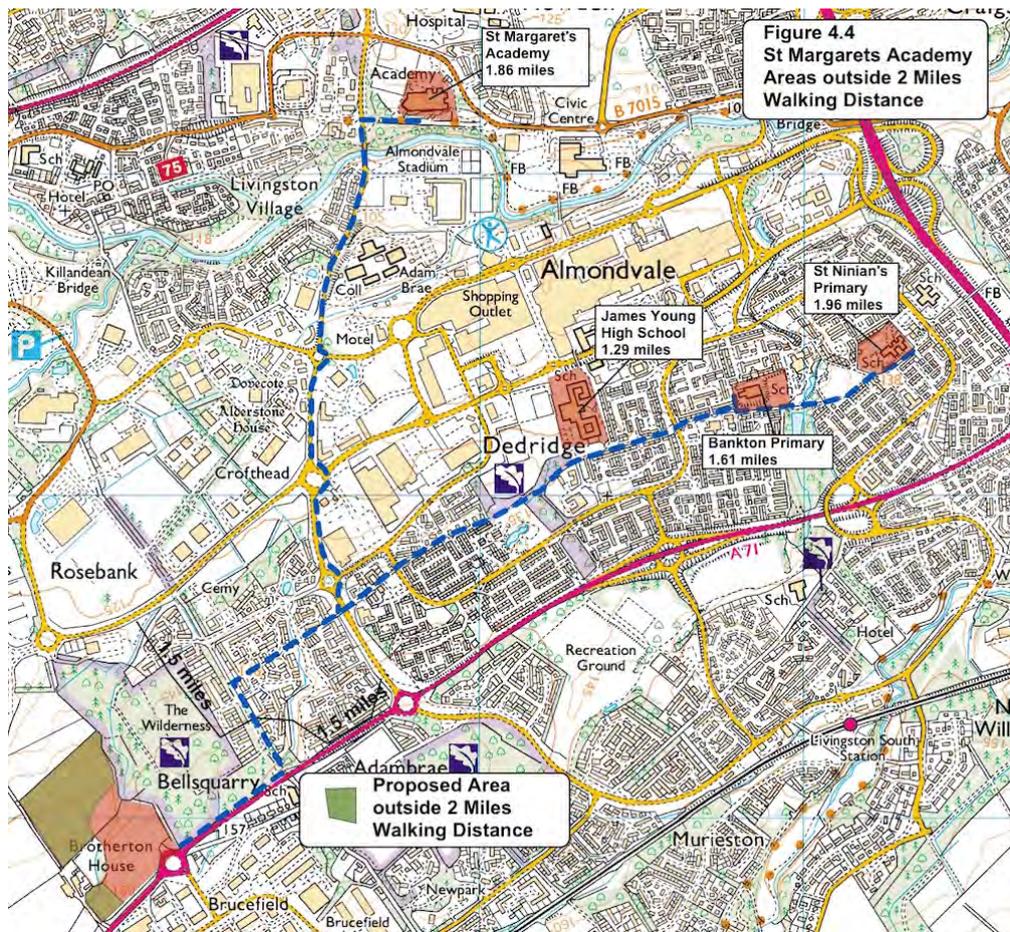


4.28 Route 5 connects Murieston to St Ninians School, and is shown in green in Figure 4.2, and is operated by a smaller Optara midi-bus by E&M Horsburgh. This bus follows a similar route to Route 3, starting by collecting 4 pupils at Bellsquarry South Road at Dunvegan Gardens, and then travelling along Bellsquarry South Road and Murieston Road into Murieston Valley Road, where it collects another 3 pupils. From there, the bus turns south again on Mureston Road and collects 5 pupils on Murieston Road near Murieston Vale and Murieston Green. From there, the bus goes straight to St Ninians Primary via Murieston East Road and Dedridge Road East. On the days observed, there were therefore approximately 15 pupils on this coach.

Williamston Primary School

- 4.29 Route 6 is shown in a lighter purple in Figure 4.2. This is again served by a single-deck coach, by Prentice of Westwood, and follows a similar route to Route 5 above. It picks up Pupils in Murieston Valley Road and at the south end of Murieston Road near Murieston Vale and Murieston Green, from where it goes straight to Williamston School. In total, there are approximately 6 to 8 pupils on this coach.
- 4.30 As explained earlier, observations of school buses were initially carried out in 2014, when the Transportation Assessment was submitted, and the issue of School Transport was first raised by the Council. Further observations were carried out in May 2015 after the council's policy on school transport was updated, and it was notable that the bus to Bankton and St Ninians (Route 4 above) was significantly less busy in the later observations than in the first observations – at that earlier time, the bus appeared full when it reached Bankton.
- 4.31 There may be two reasons for this. First, it is noted that some schools in West Lothian, including St Margaret's Academy, have indicated on their websites or in school newsletters that drivers will be checking bus passes to ensure that free travel is only available to pupils who are entitled to it (see Appendices 6 and 7 of this Statement). This suggests that there has been a difficulty, albeit not necessarily at these schools, with pupils travelling when they should not.
- 4.32 Second, for those who are not entitled to free travel, school bus fares increased on 1 April 2015, and that may have deterred some fare-paying pupils.
- 4.33 In parallel with these observations, the Appellants submitted a request under the Freedom of Information (Scotland) Act, requesting information on these existing school bus services. The request, and the Council's response, are shown in Documents CO5 and CO6, and in Appendix 8 of this Statement.
- 4.34 The Council have not answered the question on "how many pupils use these services", but have instead indicated the seating capacity of the buses used for each contract. For the reasons outlined earlier, where most of these buses are presently less than half-full, that answer is not relevant.
- 4.35 The Council's information indicates that the annual cost of the contract service between Dedridge / Adambrae and Bankton and St Ninian's Primary Schools, is £23,372. This is at some variance with the figures quoted in the Education Planning response of 15 March 2015 (Document CR2) which states that "As there would likely be some 60-70 primary school pupils from a development of 150 houses... this would require a dedicated bus exclusive for this development. Advice from school transport colleagues indicates that there is one contractor in West Lothian operating appropriate 70 seaters. If contract could be arranged then this would cost up to £200 per school day or up to £38,000 per school session. If a bus of this size was not available, or if there were more primary school children, then 2 vehicles would be required, each costing £150-160 per day or £57,000/£60,800 per annum."

- 4.36 These were the figures reported to the Planning and Development Committee (Document CM1). Paragraph 6.1 states “Members should note that neither footpath option removes the need for transport assistance to catchment primary schools which is likely to cost some £38,000 to £60,800 per annum.”
- 4.37 Based on the known cost of the existing service, it is difficult to understand why Members were advised of a much higher “likely” figure, if it transpired that a new contract service is indeed required (rather than an extension or diversion of the existing service, as outlined earlier in this report).
- 4.38 The Council’s FoI response (Appendix 8 of this Statement) states that 39 passes have been issued for this route, that the fare for non-pass-holders is £1.07 per day, and that £1,125.72 was collected in fares in 2014/15. A simple calculation suggests that 1,052 fares were collected over that period.
- 4.39 There are 183 days in the school year, not counting holidays, mid-term breaks and staff training days. Dividing the number of fares by the number of school days results in an average of 6 fare-paying pupils per day.
- 4.40 Adding these 6 fare-payers to the 39 passes issued would result in a total of 45 pupils, on a bus with a seating capacity of 49. As outlined earlier, there are fewer than half that number on the bus when it arrives at Bankton.
- 4.41 It is also interesting to note that, on the days observed, only the 5 St Ninians pupils from the Kirkton area, and some of the 5 pupils at Adambrae, could qualify for free school transport on the basis of walking distance. At least 8 of the pupils on the bus live within the distance where fares would be due.
- 4.42 In replying to the FoI request on School Transport to St Margaret’s Academy, the Council have stated that the bus from Murieston, serving Adambrae, has an annual contract cost of £30,766, and that 14 passes have been issued for free transport on this route.
- 4.43 Unfortunately, it is not possible to calculate the number of fare-paying passengers, as the Council have only provided a total fare income for 3 routes, including this one. As outlined earlier, however, there are presently approximately 20 to 25 pupils on this 81-seat bus.
- 4.44 The 5 pupils presently boarding this bus at Adambrae, unless they have walked from south of the A71, must all live within 2 miles of the school, and therefore would not qualify for free school transport.
- 4.45 Figure 4.4 shows that approximately half of the proposed development lies within 2 miles of St Margaret's Academy, depending on walking routes within the site.



4.46 Paragraph 6.1 of the report to the Planning and Development Committee states "Transport assistance to St Margaret's could cost up to £9500 per annum dependant on the footpath option and detailed layout within the application site." There is no indication of how this figure was calculated, although the Education Planning response of 15 March (Document CR2) suggests that "Transport assistance would be required to St Margaret's for the southern route but, part of the application site would be within transport assistance qualifying distance for the northern route. Therefore, some 10-20 secondary pupils may require transport assistance. These pupils may need taxi/minibus transport to St Margaret's Academy."

Proposals for School Transport for Brotherton Site

- 4.47 As set out earlier, the Council's policy for school transport allows for the issue of season tickets on existing public service routes.
- 4.48 The site at Brotherton is well placed to use such an option. Figure 3.1 earlier in this report showed the bus services passing the site. Of those, the 800 and 801 pass the bottom of Kenilworth Rise, from where there is a walk of approximately 200 metres to Bankton primary school, and a walk of approximately 860 metres to St Ninians Primary.

- 4.49 Those bus services continue through the Livingston Shopping Centre to head north on Alderstone Road past St Margaret's Academy. These routes could therefore offer an alternative to contracted transport.
- 4.50 Table 4.1 below sets out the number of pupils expected to travel to each of the four schools, from the proposed site at Brotherton. This is based on a development of 150 dwellings, with half of the development lying within walking distance of St Margaret's, as set out earlier.

	pupils/ dwelling	No of Pupils	Prop qualifying for free transport	Pupils using free transport
Bankton Primary	0.3156	47	100%	47
St Ninians Primary	0.0927	14	100%	14
JYHS	0.1796	27	0	0
St Margarets	0.0597	9	50%	4

**Table 4.1 - Number of School Pupils**

- 4.51 These pupils do not all suddenly appear as soon as the development starts. The Applicant proposes a five-year build period, ie 30 dwelling completions per annum. During the first year, there will therefore be an average of 15 dwellings, in the second year, 45, and in the third year, 75 and so on. That results in the number of pupils requiring school transport, over the build period, as shown in Table 4.2 below.

	Pupils	Year 1 ave	Year 2 ave	Year 3 ave	year 4 ave	year 5 ave
Bankton Primary	47	4	14	23	33	42
St Ninians Primary	14	1	4	6	9	12
JYHS	0	0	0	0	0	0
St Margarets	4	0	1	2	3	4

**Table 4.2 - Number of School Pupils Requiring School Transport over Build Period**

- 4.52 As discussed earlier, bus fares to schools were revised on 1 April 2015, and the schedule circulated to schools (Appendix 9 of this Statement) shows that an annual season ticket for a primary school age child is £187, while for pupils travelling to secondary schools, the annual season ticket cost is £224.75.
- 4.53 Applying these costs to the numbers of pupils shown in Table 4.2, results in the annual costs shown in Table 4.3.

	Year 1 cost	Year 2 costs	Year 3 costs	Year 4 costs	Year 5 costs	Later years
Bankton Primary	£748	£2,618	£4,301	£6,171	£7,854	£8,853
St Ninians Primary	£187	£748	£1,122	£1,683	£2,244	£2,600
JYHS	£0	£0	£0	0	0	0
St Margarets	£0	£225	£450	£674	£899	1,006
<b>Total Cost</b>	<b>£935</b>	<b>£3,591</b>	<b>£5,873</b>	<b>£8,528</b>	<b>£10,997</b>	<b>£12,459</b>
<b>Cumulative Cost</b>		<b>£4,526</b>	<b>£10,398</b>	<b>£18,927</b>	<b>£29,924</b>	<b>£42,383</b>

**Table 4.3 – School Transport Costs over Build Period**

- 4.54 While the option to issue passes to use existing bus services is rarely, if ever, exercised, that option does exist, and it can be seen from the above that this option would result in a cost of school transport for all pupils, for the first 5 years, of under £30,000. Another 5 years at £12,500 per annum would add £62,500, bringing the total for 10 years to just over £90,000.
- 4.55 This is clearly significantly less than the costs reported to the Council, of “£38,000 to £60,800 per annum” for the primary schools alone.
- 4.56 Alternatively, it is evident, from all of the observations set out earlier in this chapter, that there is adequate capacity on the existing contract school buses to accommodate pupils from the proposed development at Brotherton Farm, particularly in the early years of the development.
- 4.57 Route 1 to St Margaret’s, and Route 3 to JYHS could start at Brotherton, and then go along the A71 to Newpark roundabout to turn south to start their existing routes.
- 4.58 Route 4 to Bankton and St Ninians would require a short diversion, so that, after it picks up at Kirkton, instead of U-turning at the Newpark Roundabout, it would turn west along the A71 to turn at Brucefield, before returning along the A71 to rejoin its existing route.
- 4.59 Drawing E101/SK/02 (Appendix 9 of this report) shows how the first link from the A71 into the site could be designed to accommodate the bus, with an internal roundabout to allow the bus to turn and a bus stop, in a layby if necessary, where pupils could wait. This would obviously require amendment to the indicative development layout, since the “Designing Streets” layout would start from that roundabout, into the site.
- 4.60 Should it transpire, as development proceeds in the fullness of time, that the number of pupils exceeds the capacity of the existing contract vehicle (a 49-seat coach), as the council contend, then the route could be served by a larger (81-seat) double-deck bus. That would replace the existing service – it would

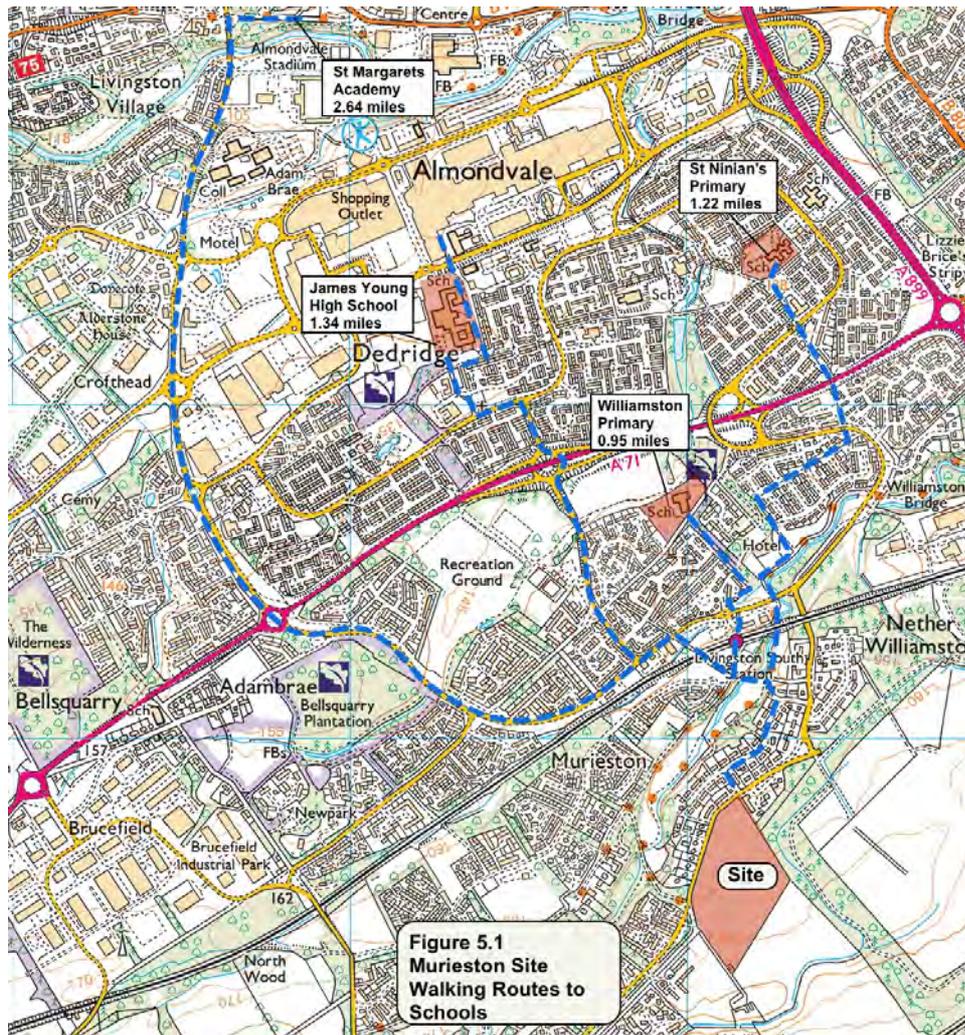
not have to be an additional service as suggested and costed in the report to the Planning and Development Committee.

- 4.61 These extensions or diversions are shown by broken lines in Figure 4.2.
- 4.62 It should be borne in mind that these contract school services are not provided primarily to generate fare income: they are provided to facilitate free transport to school for those pupils who qualify. Any pupils paying fares are only accommodated if spare seats are available.
- 4.63 With that in mind, pupils from the proposed development, who would qualify for free transport, would have “first refusal” on available bus capacity, over nearly all of the pupils on the contract service to St Margaret's Academy, and on the primary school service to Bankton and St Ninians.
- 4.64 West Lothian Council have no specific policy that allows for contributions from developers towards school transport requirements. The policy is simply that the council will provide free school transport for houses which qualify. If new houses are built, they will assume responsibility for school transport, under that policy.
- 4.65 That policy does not preclude the Council from entering into an agreement under Section 75, whereby the applicant could make payments of contributions towards part or all of the Council's school transport costs, whether that be to issue free bus passes for use on existing bus services, or to extend existing school contract services as set out above.
- 4.66 In any event, the proposals outlined above would not appear to lead to an excessive resource commitment to provide school transport.
- 4.67 Even in the event that a completely new school transport service was required, the cost, based on the costs of similar contracts, would appear to be considerably less than the figures quoted by the Council in their responses to Planning and in the report to Committee.

## 5. Comparison with LDP Preferred Sites

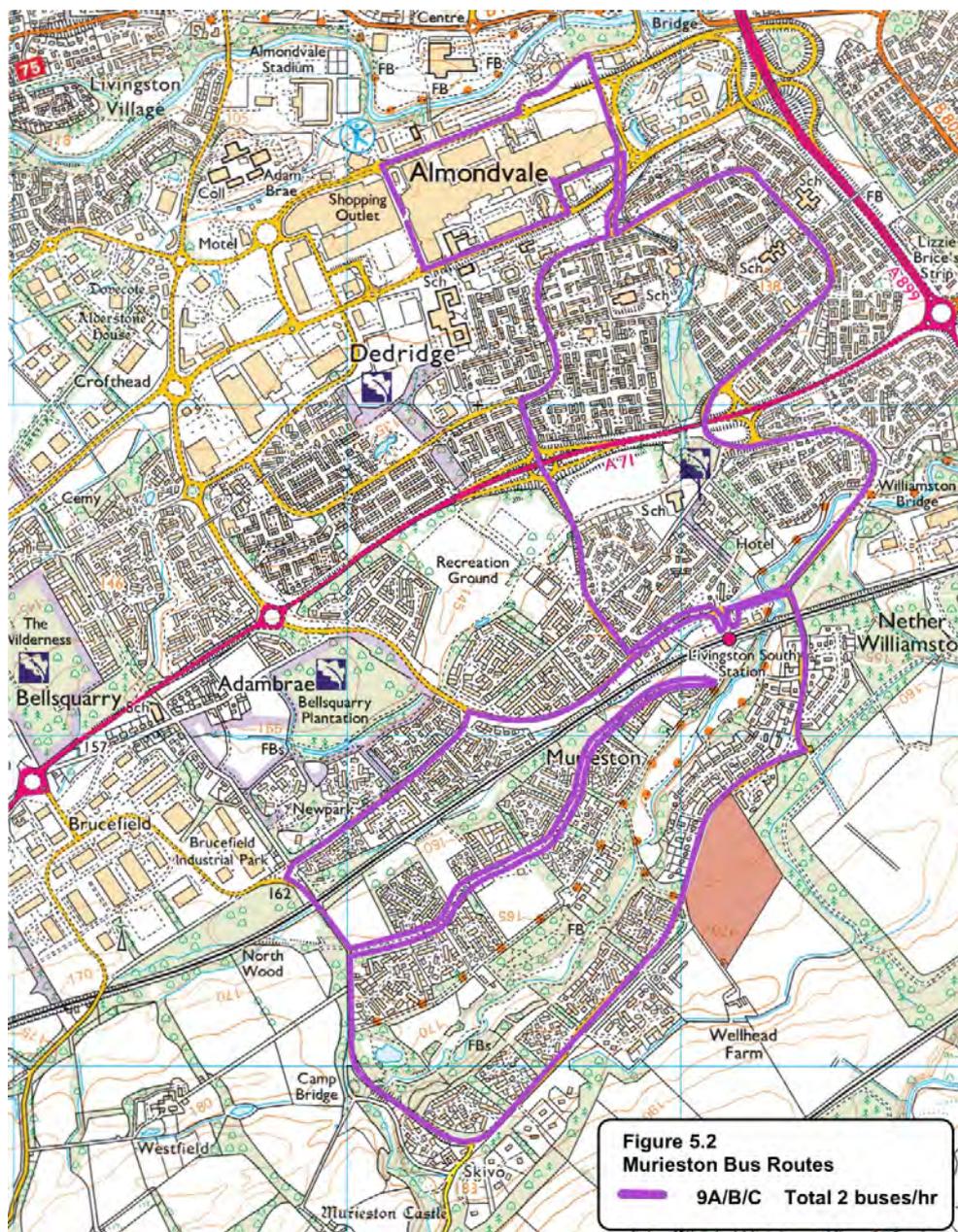
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- 5.1 A comparison can be drawn with “preferred sites” identified in the Council’s Main Issues Report. Map 6 of that report (Document PP14) shows two “preferred” residential sites in the surrounding area:
- (i) EOI-0051 and EOI-0055 at Wellhead Farm, Murieston South;
  - (ii) EOI-0099 at Linburn; and
- 5.2 The Main Issues Report was considered by the Council in August 2014, and was supported by a background paper summarising consultation responses. Appendix 11 of this Statement is an extract from that background paper, in respect of the above sites.
- 5.3 EOI-0051 and EOI-0055 at Wellhead Farm, Murieston South
- 5.3.1 In terms of school transport, the response from WLC Education on page 177 states “Education support - if less than 1000 units developed in this catchment. St Ninians RC Primary School could be extended.”



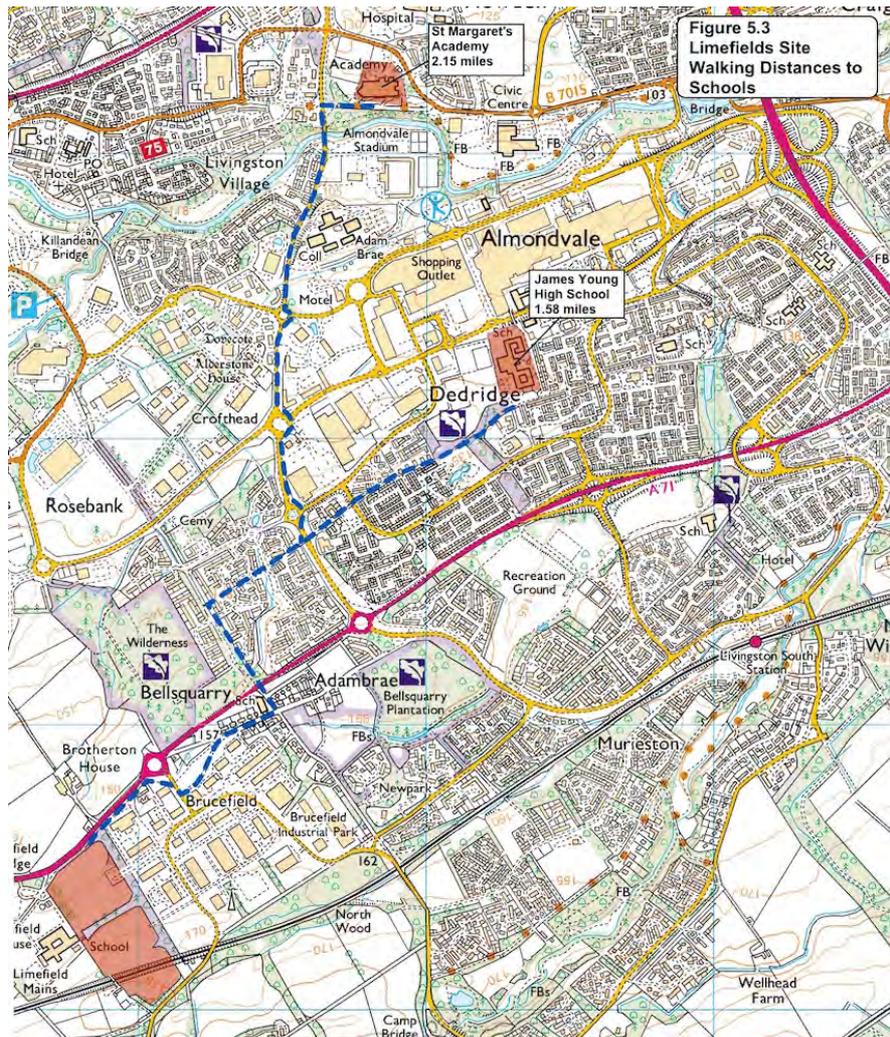
- 5.3.2 Figure 5.1 shows walking distances to the relevant catchment schools, from the nearest edge of the site.
- 5.3.3 It should be noted that part of the route to the primary schools and to JYHS goes through a park: while it is lit at night, it is not a suitable walking route in the winter months, because it is not overlooked by houses and so not very secure. The walking distance by public adopted footpaths, as per the Council's policy, is longer.
- 5.3.4 While the primary schools are closer than those serving Brotherton, it is notable that both secondary schools are further away, with St Margaret's Academy in particular, at 2.64 miles from the nearest edge of the site, requiring transport to school.
- 5.3.5 There is no mention, in the consultation response, of this necessity for a commitment to school transport, although St Margaret's Academy is well outside the specified walking distance of 2 miles.
- 5.3.6 It is notable that the response from WLC Transportation raises no objection to this proposal.

- 5.3.7 With regard to other public transport services, Figure 5.2 shows the existing bus service past the preferred Murieston site. It is a "Livingston Circular" town service operated by E&M Horsburgh, but does not offer public transport to a range of destinations, as is available at Brotherton Farm. Onward journeys, outside south Livingston, require a change at Livingston centre, requiring purchase of a separate ticket, so is more expensive than a single through journey.
- 5.3.8 The site at Murieston is served by 2 buses per hour in each direction, mainly to the town centre. The site at Brotherton is served by 4 or 5 buses per hour, to a range of destinations, and therefore better complies with the council's transport policies.



- 5.3.9 Both locations are a similar walking distance from the Livingston Centre, and from local shops (in the case of Brotherton, the shops at the Crofthead Centre in Templar Rise, and for Murieston, the shops near the rail station).
- 5.3.10 In terms of walking, cycling and public transport, therefore, this “preferred site” is no better placed than the proposal at Brotherton, yet has raised no adverse comment during the LDP consultation process.
- 5.4 EOI-0099 at Linburn
- 5.4.1 In terms of school transport, the response from WLC Education on page 317 states “Education support - but would eventually need a new primary school (ND), as Williamston Primary School heading to capacity, could allow for an additional 300 units.” There is no mention of travel to St Margaret’s, James Young High School, or St Ninian’s Primary School.
- 5.4.2 Walking distances to the relevant catchment schools, from the nearest edge of the site, are similar to those shown in Figure 5.1 for Murieston South.
- 5.4.3 As for the previous site, it should be noted that part of the route to the primary schools and to JYHS goes through a park: while it is lit at night, it is not a suitable walking route in the winter months, because it is not overlooked by houses and so not very secure. The walking distance by public adopted footpaths, as per the Council’s policy, is longer.
- 5.4.4 While the primary schools are closer than those serving Brotherton, it is notable that both secondary schools are further away, with St Margaret’s Academy in particular, at 2.64 miles from the nearest edge of the site, requiring transport to school.
- 5.4.5 There is no mention, in the consultation response, of this necessity for a commitment to school transport, although St Margaret’s Academy is well outside the specified walking distance of 2 miles.
- 5.4.6 It is notable that the response from WLC Transportation raises no objection to this proposal, subject to an extension of Oakbank Road and provision of a secondary access.
- 5.4.7 This site is served by the same "Livingston Circular" town bus service that is shown in Figure 5.2 earlier. shows the existing bus service past the preferred Murieston site. Again, this service does not offer public transport to a range of destinations, as is available at Brotherton Farm. Onward journeys, outside south Livingston, require a change at Livingston centre, requiring purchase of a separate ticket, so is more expensive than a single through journey.
- 5.4.8 The site at Linburn is served by 2 buses per hour in each direction, mainly to the town centre. The site at Brotherton is served by 4 or 5 buses per hour, to a range of destinations, and therefore better complies with the council’s transport policies.

- 5.4.9 Both locations are a similar walking distance from the Livingston Centre, and from local shops (in the case of Brotherton, the shops at the Crofthead Centre in Templar Rise, and for Murieston, the shops near the rail station).
- 5.4.10 In terms of walking, cycling and public transport, therefore, this “preferred site” is no better placed than the proposal at Brotherton, yet has raised no adverse comment during the LDP consultation process.
- 5.5 Approved Site at Limefields, Brucefield, Livingston
- 5.5.1 On 12 September 2012, the Council’s Development Management Committee granted planning consent for a 10 hectare residential development on land on the south side of the A71 and immediately to the west of West Calder High School. The location of this site is shown in Figure 5.3.
- 5.5.2 In reaching that decision, the Committee had considered a report by the Development Management Manager, recommending the granting of that consent. The Council’s Education Planning response to the consultation on the application confirmed that the site lies within the catchment for James Young High School and St Margaret’s Academy.
- 5.5.3 Figure 5.3 shows the walking distances to those two schools from the nearest edge of the site. It can be seen that St Margaret’s lies outside 2 miles, so those secondary pupils would require school transport.



- 5.5.4 Education have, however, made no objection to these proposals, and indeed, no mention is made of school transport requirements.
- 5.5.5 It is notable that the response from WLC Transportation raises no objection to this proposal, subject to details of access arrangements being agreed.
- 5.5.6 With regard to other public transport services, this site is served by exactly the same services as the site at Brotherton, one bus stop further to the east, ie served by 4 or 5 buses per hour, to a range of destinations, and therefore complies with the council's public transport policies.
- 5.5.7 It is, however, more remote from schools and other local facilities.
- 5.6 These comparisons indicate that Education Planning have offered no objection to three other residential development sites in the area, all of which carry implications for additional costs of school transport. Neither of the sites identified in the MIR as 'preferred sites' are as well served by existing bus services to a choice of destinations, and both are remote from local facilities.
- 5.7 The site at Limefields, recently granted planning consent, is further from catchment secondary schools, and from local facilities.

## 6. Conclusions

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- 6.1 Bus services past the Brotherton site have changed since the Transportation Assessment was prepared in February 2014, and this Statement provides current updated information.
- 6.2 This Statement provides more detail of the proposed footway along the A71 between the site and Adambrae, to demonstrate that it can be accommodated within the existing road verge.
- 6.3 Routes to school are examined, first by examining available walking routes and distances to the four catchment schools. The Council's policy for provision of free transport to schools is examined, and the operation of existing school contract services has been examined in detail.
- 6.4 This report demonstrates that all of the Adambrae area lies within 1.5 miles of Bankton Primary school, and only a few houses are outside 1.5 miles from St Ninians Primary, so very few of the pupils currently using the contract services to Bankton and St Ninians Primary schools can qualify for school transport. The existing contract bus is less than half full.
- 6.5 Similarly, some of the pupils using the bus services to St Margarets Academy live within 2 miles of the school. Again, the existing contract bus is less than half full.
- 6.6 It is notable that these school contract buses are less busy than was observed previously. There have been 3 changes in the intervening period:
- (i) The Council have amended their policy on Transport to Schools in March 2015;
  - (ii) School bus fares for non-qualifying pupil increased on 1 April 2015; and
  - (iii) Schools have issued newsletters to pupils, advising that bus passes will be checked more rigorously.
- 6.7 This Statement sets out measures by which the site could be served by the extension or diversion of existing school contract services, so that costs would be significantly less than those calculated by the council and reported to committee.
- 6.8 This Statement also examines the costs of issue of school bus passes to be used on existing public transport services past the site, and demonstrates that this would cost a fraction of the Council's estimated school transport costs as reported to committee.
- 6.9 Finally, this statement compares the proposed site with two sites identified by the Council as "preferred sites" in the Main Issues Report for the emerging

Local Development Plan, and demonstrates that although both give rise to similar issues with regard to the costs of school transport, WLC Education have raised no concerns in this regard.

- 6.10 Similarly, when consulted for a residential development at Limefields, to the south of the A71, Education have offered no objection, or even comment, on the associated necessary commitment to school transport provision.
- 6.11 Taking all of that into account, there would appear to be no justification for the Council's recommendation that planning consent should be refused because of a financial implication regarding school transport, when no similar concern has been expressed in respect of other sites which are equally, or more, reliant on transport to schools, and which are less well served by existing public bus services.

## **APPENDICES**

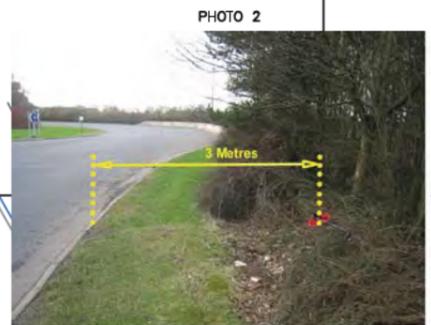
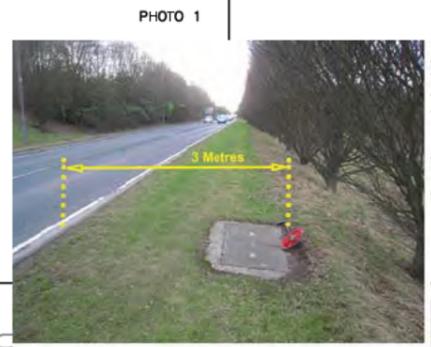
Drawing E101/SK/01 Footway Along A71 .....	Appendix 1
Gladman Drawings of Proposed Footway .....	Appendix 2
Photographs of A71 Verge Width .....	Appendix 3
West Lothian Council's Policy for Transport to School (March 2015) .....	Appendix 4
Capture from WLC website on Policy for School Transport (May 2015) .	Appendix 5
Linlithgow Academy E-news .....	Appendix 6
Capture from St Margarets Academy Social Media web page .....	Appendix 7
FOI request and response, regarding school transport .....	Appendix 8
Schedule of School Bus Fares, Updated 1 April 2015 .....	Appendix 9
Drawing E101/SK/02 Internal Roundabout and Bus Stop .....	Appendix 10
Consultation Responses on MIR sites (Extract) .....	Appendix 11

Notes:

1. The Council's adoption plan states that "verges are assumed to be 2 metres or a boundary fence"
2. Photo 1 shows a line of trees behind the verge, which therefore extends at least to the tree roots. A width of 3 metres is shown, which can accommodate a 1 metre verge plus 2 metre footway, without affecting the trees.
3. Photo 2 shows the line of trees behind the verge, with overgrown bushes in front. A width of 3 metres is shown, which can accommodate a 1 metre verge plus 2 metre footway, without affecting the trees.



**APPENDIX 1**



Rev.	Revision details	By	Checked	Date
			AC	14/8/13

Client  
GLADMAN DEVELOPMENTS LTD

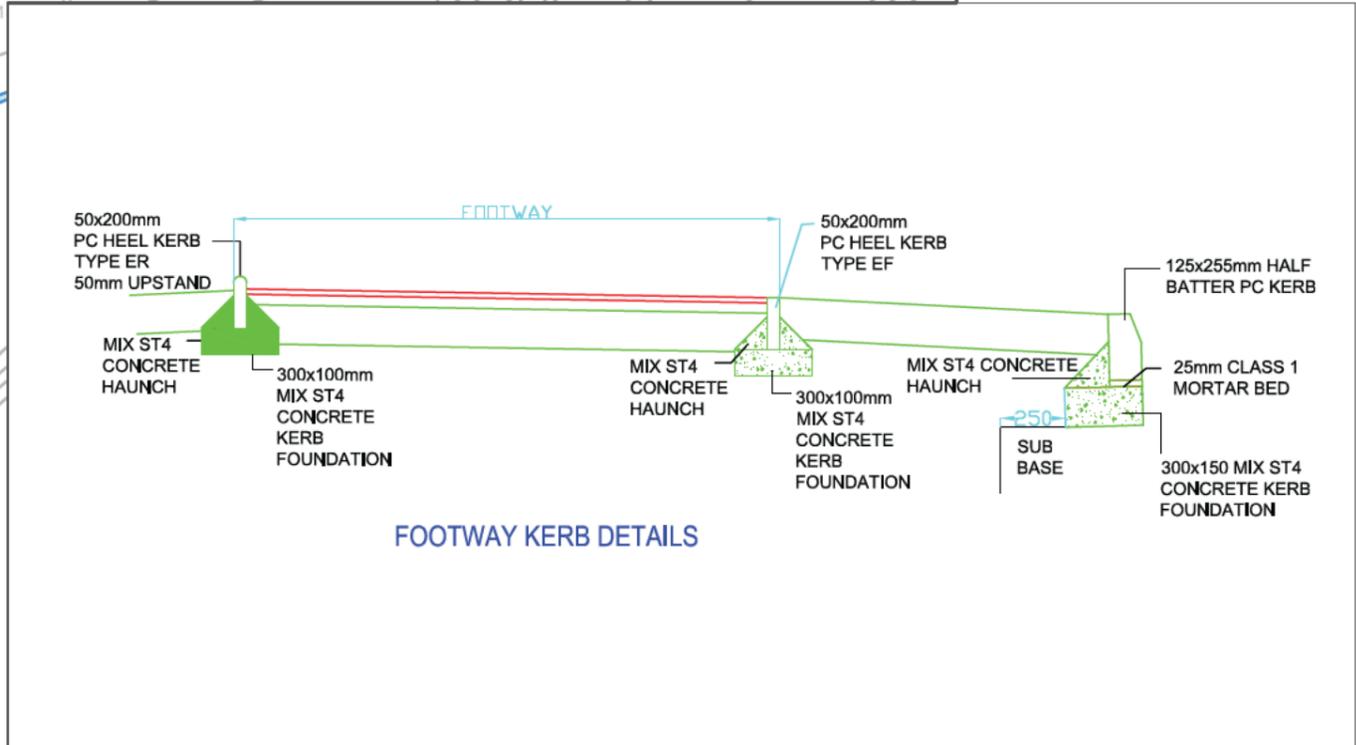
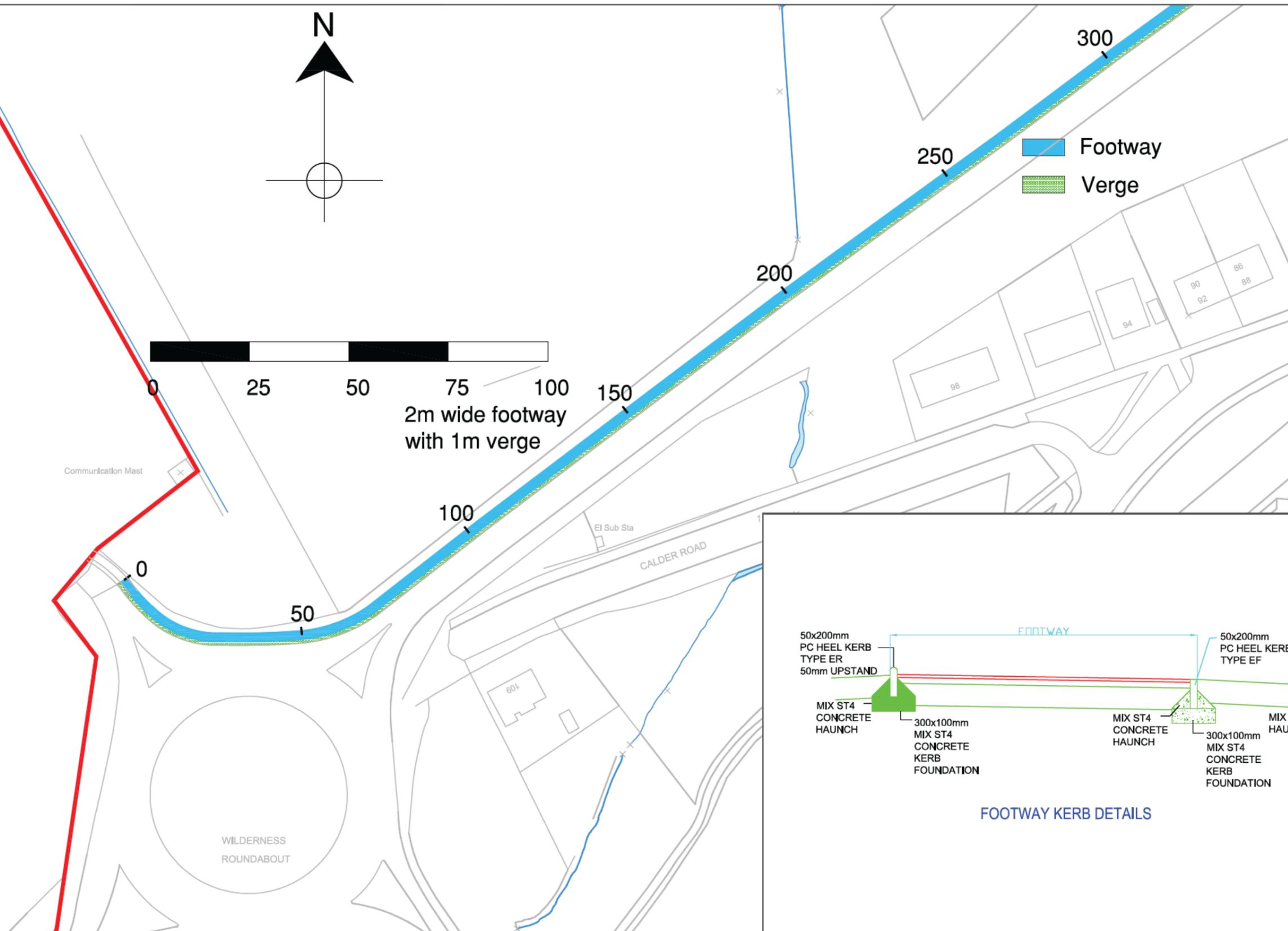
Project  
BROTHERTON FARM,  
LIVINGSTON

Drawing Title  
PROPOSED FOOTWAY ALONG NORTH  
SIDE OF A71

Drawn	AC	Checked	AC
Date	10/3/15	Date	10/3/15
Scale	1:1,000 at A1	Dwg. No.	E101/SK/01

**ANDREW CARRIE**  
TRAFFIC & TRANSPORTATION  
P.O. Box 2070  
Livingston  
West Lothian EH54 0EG  
Tel: 07798 648944  
Web: www.acarr.ie.net

**DO NOT** scale from this drawing




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Rev	Date	By	Revision notes
*	*	*	*

Status: **Preliminary**

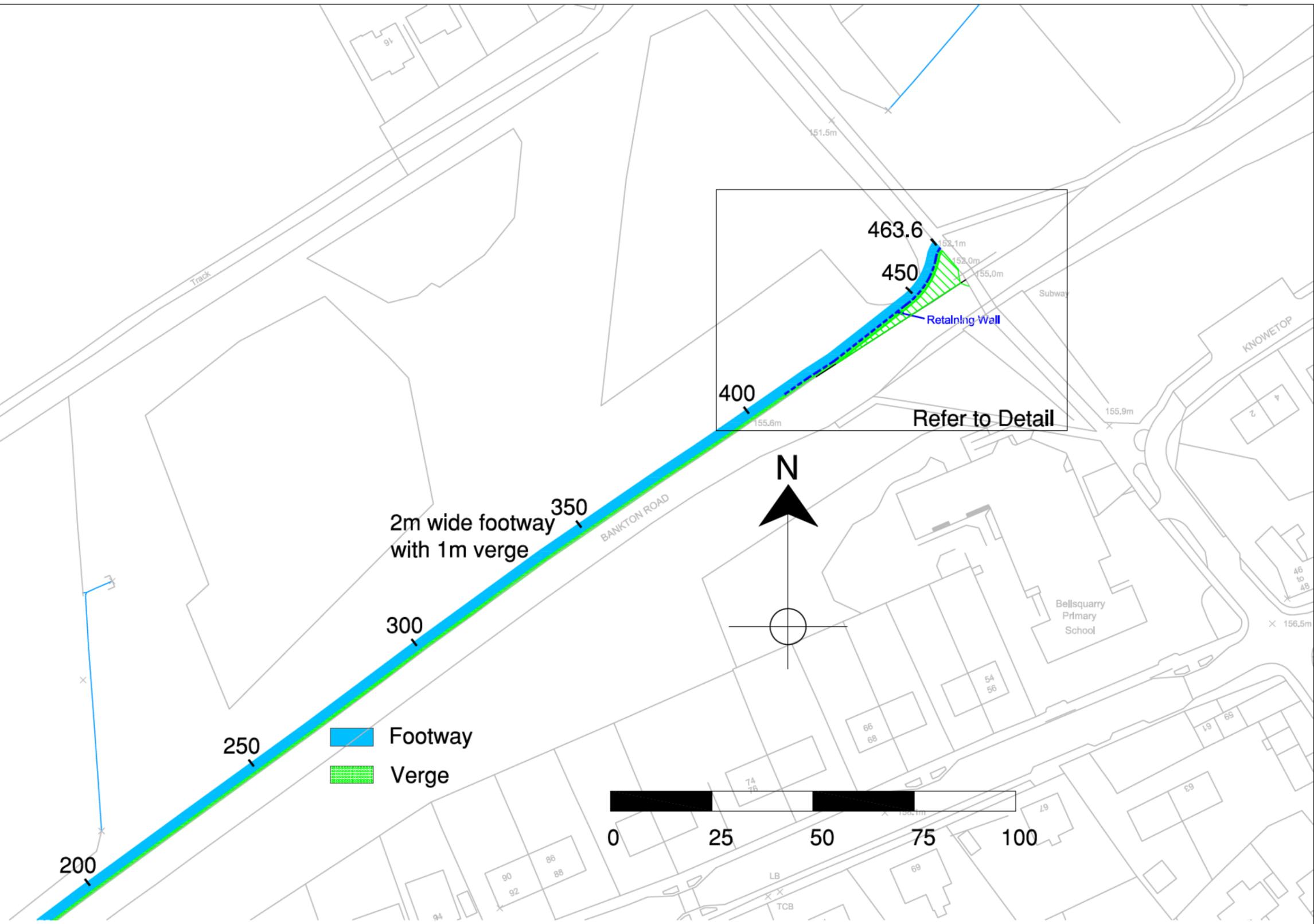
Project: **Brotherton Farm, Livingston**

Title: **Footpath Alignment Sheet 1 of 2**

Drawn by: AC  
Issue date: 16.06.15

Scale(s): **1:1000@A3**

Drawing No: **S013.WL04.004(1 of 2)**



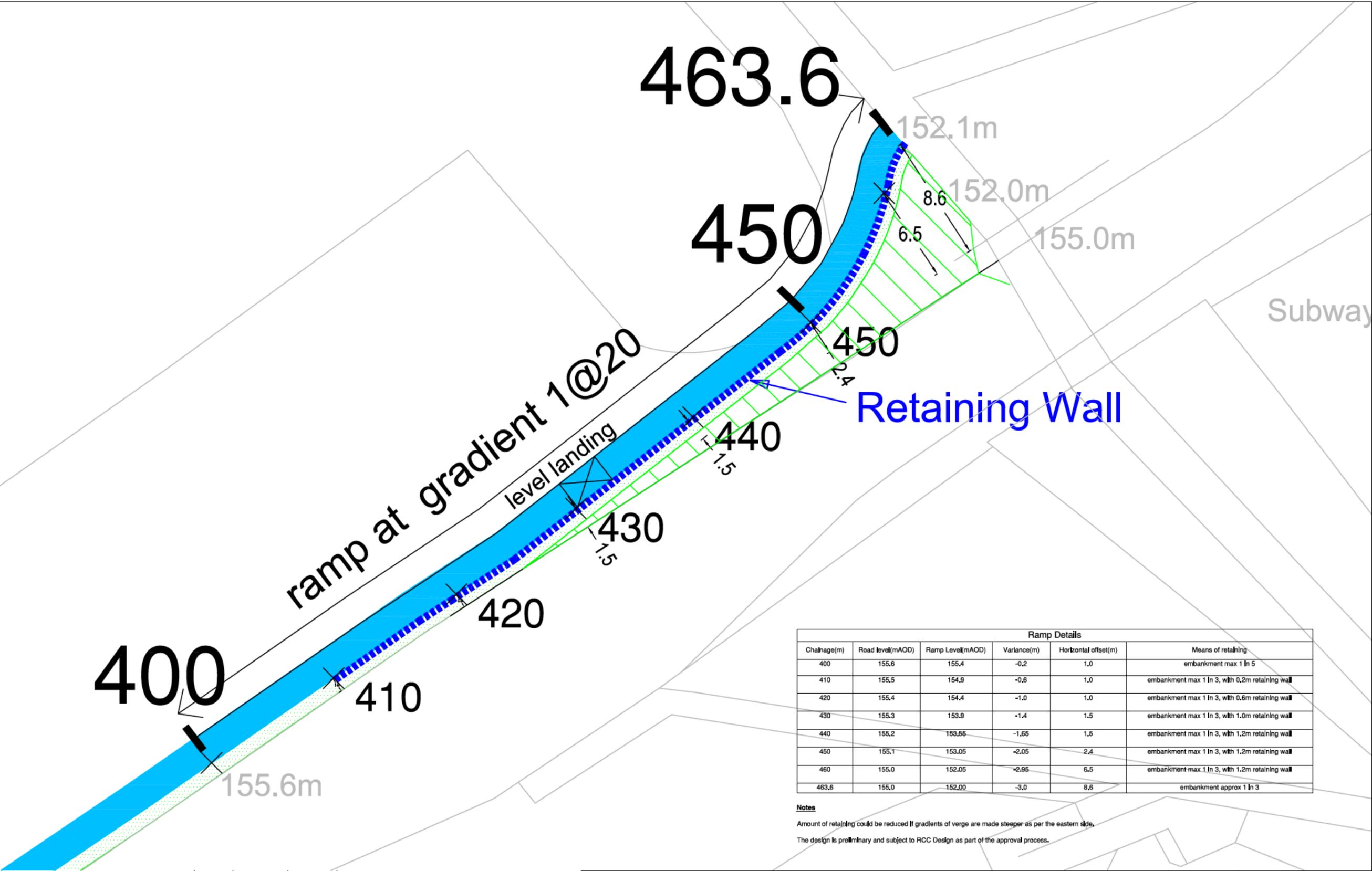

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Rev	Date	By	Revision notes
*	*	*	*
<b>Status</b>			
<b>Preliminary</b>			

<b>Project</b>	<b>Brotherton Farm, Livingston</b>
<b>Title</b>	<b>Footpath Alignment Sheet 2 of 2</b>

<b>Drawn by</b> AC	<b>Issue date</b> 16.06.15
<b>Scale(s)</b> 1:1000@A3	
<b>Drawing No</b> S013.WL04.004(2 of 2)	

Subway



Ramp Details					
Chainage(m)	Road level(mAOD)	Ramp Level(mAOD)	Variance(m)	Horizontal offset(m)	Means of retaining
400	155.6	155.4	-0.2	1.0	embankment max 1 in 5
410	155.5	154.9	-0.6	1.0	embankment max 1 in 3, with 0.2m retaining wall
420	155.4	154.4	-1.0	1.0	embankment max 1 in 3, with 0.6m retaining wall
430	155.3	153.9	-1.4	1.5	embankment max 1 in 3, with 1.0m retaining wall
440	155.2	153.55	-1.65	1.5	embankment max 1 in 3, with 1.2m retaining wall
450	155.1	153.05	-2.05	2.4	embankment max 1 in 3, with 1.2m retaining wall
460	155.0	152.05	-2.95	6.5	embankment max 1 in 3, with 1.2m retaining wall
463.6	155.0	152.00	-3.0	8.6	embankment approx 1 in 3

**Notes**  
 Amount of retaining could be reduced if gradients of verge are made steeper as per the eastern side.  
 The design is preliminary and subject to RCC Design as part of the approval process.



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Rev	Date	By	Revision notes
*	*	*	*

Status: **Preliminary**

Project: **Brotherton Farm, Livingston**

Title: **Footpath Detail at Bellsquarry Underpass**

Drawn by: **AC**

Issue date: **16.06.15**

Scale(s): **1:250@A3**

Drawing No: **S013.WL04.005**

**Proposed Residential Development - Brotherton, Livingston**

**APPENDIX 3**

**Proposed Footway Along North Side of A71**

(Photos to be read with Drawing No E101/SK/01)



**Photo 1 – Chainage 50 metres**



**Photo 1 – Chainage 100 metres**



**Photo 1 – Chainage 150 metres**



**Photo 1 – Chainage 200 metres**



**Photo 1 – Chainage 250 metres**



**Photo 1 – Chainage 300 metres**



**Photo 1 – Chainage 350 metres**



**Photo 1 – Chainage 400 metres**



**Photo 1 – Chainage 450 metres**



**Photo 1 – Chainage 463 metres**



## Education Services

<b>Policy:</b>	<b>Transport to and from Schools— Mainstream and Excursions</b>
Author:	Andrew Sneddon
Service:	Customer and Performance Manager
Last Updated:	March 2015

### 1.0 Policy Background and Statutory Position

- 1.1 Section 51 of the Education (Scotland) Act 1980, as amended, requires education authorities to make such arrangements as they consider necessary for the provision of transport to and from school.
- 1.2 Section 42 (4) of the Education (Scotland) Act 1980 sets a statutory walking distance of 2 miles for any pupil under the age of 8, and three miles for any other pupil.
- 1.3 West Lothian Council has agreed to provide free transport to and from their designated catchment school for all secondary pupils living more than 2 miles from their designated catchment school and for all primary pupils living more than 1.5 miles from their designated catchment school.
- 1.4 If a place cannot be granted at a catchment school, transport to and from the nearest equivalent West Lothian school will be provided as long as the distance from home to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.)
- 1.5 Where a pupil does not qualify for free transport to and from school, parents/carers are responsible for travel to and from school. In cases where transport to and from school is provided, the parent/carer is responsible for supervising the pupil's journey to and from the bus stop or pick-up point and set down point.
- 1.6 Scottish Executive Education Department Circular 7/2003 states that Education Authorities have a common law duty of care for the safety of pupils under their charge and this duty extends to pupils using transport to and from school.
- 1.7 There is no statutory requirement for education authorities to provide supervisors on school transport.
- 1.8 A separate **Transport to and from School – Additional Support for Learning** policy deals with transport for pupils attending additional support for learning schools and classes. Applications for transport to and from school on behalf of pupils with additional support for learning needs who are integrated into mainstream schools fulltime are dealt with in terms of this Transport to and from Schools- Mainstream policy. Applications for transport to and from school on behalf of pupils with additional support for learning needs who are integrated into mainstream schools on a less than fulltime basis are dealt with in terms of the **Transport to and from School – Additional Support for Learning** policy.

### 2.0 Seat Belts

- 2.1 Coaches (large buses with a maximum gross weight of more than 7.5 tonnes and with a maximum speed exceeding 60 mph) and minibuses (vehicles designed or adapted to carry more than 8, but not more than 16 seated passengers in addition to the driver) must be fitted with seat belts when carrying three or more children aged three or over but under the age of 16. The Road Vehicles (Construction and Use) Regulations 1986 (as amended) require that a forward facing seat must be provided with a seatbelt in these circumstances. For vehicles first used on or after 1 October 2001, rearward facing seats may also be used subject to these complying with seatbelt requirements. In addition, from 1 October 2001 seat belts have been required in all forward and rearward facing seats of all new minibuses, coaches and buses

(apart from those specifically designed for urban use with standing passengers.) This requirement applies to transport to and from school and all school excursions.

- 2.2 All transport to and from school and transport for school excursions carrying primary school pupils must use vehicles equipped with seat belts.
- 2.3 Transport to and from school and transport for school excursions carrying secondary school pupils need not use vehicles equipped with seat belts, as long as legislative requirements are met.
- 2.4 It is the driver's legal responsibility to ensure that pupils under 14 years of age, travelling in vehicles designed to carry 16 seated passengers in addition to the driver, wear the seat-belts provided. Passengers aged 14 years and over are themselves responsible for doing so. This requirement applies to transport to and from school and all school excursions.
- 2.5 Where a minibus is being driven by a contracted operator, the driver will be responsible for ensuring that legislative requirements are met regarding seatbelts. Where a Council employee is driving a minibus, that employee will be responsible for ensuring that legislative requirements are met regarding seatbelts, and advising and reminding all pupils to use seat-belts provided.
- 2.6 School staff should advise and remind pupils to use seat-belts provided, for example at school assemblies. Parents/carers should be asked to reinforce this message with pupils, for example in school handbooks, websites and newsletters.

### **3.0 Transport to and from School – Supervision of Arrival and Departure**

- 3.1 Headteachers must conduct a risk assessment of arrangements for supervising arrival and departure of pupils on transport to and from school. This will be retained in writing and reviewed annually or whenever there is a significant change in arrangements for transport to and from school.
- 3.2 Consideration of any risk arising from transport will be part of the process of planning any school excursion.
- 3.3 This policy will form the basis for managing supervision of arrival and departure of pupils on transport to and from school, although it is recognised that Headteachers will have to exercise discretion in relation to the particular layout of their school site and any particular local circumstances. Risk assessments should take account of the individual circumstances and layout of school grounds and reflect good practice in endeavouring to minimise risks to pupils. The level of supervision required will depend on the outcome of the risk assessment.
- 3.4 ***There is a general expectation that departure of transport from school will be supervised, especially where multiple vehicles are present at the same time. All supervision must be achievable within the resources available to the school's management.***
- 3.5 ***There is no general expectation placed on schools that the arrival of transport to school will be supervised, except where required due to the particular layout of their school site and any particular local circumstances following a risk assessment. Playground supervision is in place at all primary schools for 20 minutes before the start of the school day, and such staff may, dependant on the particular layout of the school site, monitor the arrival of pupils from transport to school whilst undertaking their principal task of supervising the playground. All supervision must be achievable within the resources available to the school's management.***
- 3.6 Schools must ensure that pupils are released from classes in good time to allow them to board transport from school without unnecessary haste, which can give rise to risk.
- 3.7 Transport timetables specified to contracted operators by the Public Transport Unit after consultation with the school must be adhered to by contract drivers. Any deviation from the

agreed time-table should be reported to the Public Transport Unit. Any change to the agreed timetable can only be made with the agreement of the Public Transport Unit.

- 3.8 There is no expectation that a register of pupils will be taken before a bus departs. School staff and bus drivers cannot be expected to know if all pupils who should be travelling are on board.

#### **4.0 Transport to and From School - School Staff Responsibilities**

4.1 School staff can contribute to safety and efficiency of transport to and from school by:-

- Ensuring that pupils understand the rules for safe travel on transport to and from school, including the consequences of misbehaviour and banned activities such as smoking, vandalism, fighting, moving about the vehicle and tampering with the emergency doors and windows.
- Taking firm action against any pupil reported misbehaving, behaving dangerously or smoking on or around transport to and from school in co-operation with operators and the Public Transport Unit.
- Warning pupils of the danger of distracting the driver's attention on the vehicle.
- Encouraging pupils to stand back from the edge of the kerb when waiting for the bus.
- Ensuring that all pupils and parents are aware of contingency plans for bad weather and other emergency situations which may prevent transport to and from school from running.
- Reminding all pupils and parents/carers, for example at assemblies and in school handbooks, that they should have in place a contingency plan for any occasion that the pupil misses transport to school, or where transport does not arrive.
- Putting in place a contingency plan for situations where a pupil misses transport from school at the end of the school day, and publicising this, for example in school handbooks and at assemblies.
- Advising and reminding pupils to use seat-belts provided, for example at school assemblies. Parents/carers should be asked to reinforce this message with pupils, for example in school handbooks, websites and newsletters.

#### **5.0 Behaviour on Transport to and from School**

5.1 Operators must report misconduct or disturbance by pupils to the school so that appropriate action may be taken. In serious cases of misconduct or disturbance, the pupil's travel permit may be withdrawn. Schools will take appropriate action, and involve the pupil's parent/carer in seeking assurances regarding future behaviour and a negotiated return to transport. The Public Transport Unit will liaise with the operator in this regard.

#### **6.0 Award of Free Transport to and from School**

6.1 The Public Transport Unit is responsible for the provision of free transport to and from mainstream schools.

6.2 The parents/carers of pupils wishing transport to and from school must make written application to the Public Transport Unit. Application forms and guidance notes are available in each school and from the Public Transport Unit.

6.3 The Public Transport Unit will issue permits to pupils whose applications are approved. Operators must only carry pupils who hold permits issued by the Public Transport Unit, and will not carry pupils at the request of Headteachers, parents/carers or any other person.

6.4 Free transport to and from school may be awarded on the following grounds:-

- the distance from home to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.)
- no suitable walking route from home to school exists
- medical reasons

- the parent has requested Gaelic Medium Education or a curricular subject not available in West Lothian
- the pupil is resident at a temporary address/Women's Refuge
- a catchment school cannot admit the pupil
- the pupil is in care
- childminding arrangements

6.5 Where free transport is awarded, it is by means of contracts with bus, minibus taxi/private hire car providers. Season tickets on public service routes may be provided where appropriate.

## **7.0 Award Criteria - Distance**

7.1 All pupils living within the catchment area of the school they attend qualify for free transport if their home is more than 2 miles, for secondary pupils, and 1.5 miles, for primary pupils, from the school. The home is defined as that of the parent or legal guardian. The distance is measured as the shortest suitable walking distance from home to school using public footpaths between the house gate (or door where this does not apply) and the nearest school gate.

## **8.0 Award Criteria - No Suitable Walking Route to School**

8.1 Pupils qualify for free transport to and from the catchment school, or the nearest equivalent West Lothian school if a place cannot be granted at a catchment school, if the Council agrees there is no suitable walking route to school. The standard criteria for suitable routes are that they are of adequate width, have an all weather surface, and are street lit. Routes which cross or follow derestricted main roads may not be considered suitable for primary aged pupils.

8.2 The Council will take reasonable steps to ensure the suitability of walking routes to schools, including improving lighting and lighting repairs, and cutting back vegetation.

8.3 Free transport to and from school is not provided on the grounds of personal safety. The Council does not consider any route in West Lothian unsafe for a responsible adult to follow on the grounds of personal safety.

8.4 The Council is committed to safe and healthy travel to school, to improving walking and cycling routes to schools and to road safety education in terms of the Curriculum for Excellence. The Council cannot, however, guarantee the safety of any pupil travelling to or from school.

## **9.0 Award Criteria - Medical Reasons**

9.1 Transport to and from school for medical reasons will normally be granted only to those pupils attending their catchment school.

9.2 A parent requesting free transport to and from school for medical reasons, or requesting special equipment or arrangements for medical reasons, should ask their school to apply to NHS Lothian on their behalf. NHS Lothian will provide a written response to the Council. The Council will follow the recommendations of NHS Lothian in relation to the provision of transport to and from school for medical reasons, and requests for special equipment or arrangements.

9.3 All decisions regarding transport to and from school on medical grounds will be taken with regard to the Council's duties under equalities legislation.

## **10.0 Award Criteria – Request for Gaelic Medium Education/Curricular Subject Not Available In West Lothian**

10.1. West Lothian Council does not have any schools offering Gaelic Medium Education, and will provide transport to a Gaelic medium school that is located in an authority that shares a boundary with West Lothian or in Glasgow. This will be in the form of a bus and/or rail pass. Pupils may have to make more than one change of transport. If public transport to the venue of the chosen subject is not a reasonable option due to travelling times or poor services, the

Council will only contribute the equivalent of a public transport fare.

- 10.2 Where West Lothian Council does not have any schools offering a particular subject or course, the Council may provide transport to a school that is located in an authority that shares a boundary with West Lothian or in Glasgow. This will be subject to the approval of the Head of Service with responsibility for the school the pupil attends. This will be in the form of a bus and/or rail pass. Pupils may have to make more than one change of transport. If public transport to the venue of the chosen subject is not a reasonable option due to travelling times or poor services, the Council will only contribute the equivalent of a public transport fare.

### **11.0 Award Criteria – Pupil Resident at Temporary Addresses/Women’s Refuges**

- 11.1 The Council recognises that moving school as a result of a temporary change of address may have a detrimental effect on a pupil’s education and for this reason transport to and from school may be provided.

- 11.2 The Council will provide transport to and from school from temporary address/women’s refuges subject to the following:-

- The distance from the temporary address to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.)
- Parents/carers have applied to the appropriate housing officer and a referral has been made to the Public Transport Unit from the appropriate officer within Housing Services recommending that transport is provided.
- Parents/carers have asked Women’s Aid to make a referral to the Public Transport Unit recommending that transport is provided.

- 11.3 When a family who are in receipt of transport to and from school from a temporary address/women’s refuge returns to a permanent home address, transport to and from school will only be provided under the normal qualification criteria.

### **12.0 Award Criteria - Place Cannot Be Granted At Catchment School**

- 12.1 If a place cannot be granted at a catchment school, free transport to and from the nearest equivalent West Lothian school will be provided as long as the distance from home to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.) If no place exists at any equivalent school within West Lothian, transport to and from an equivalent non-West Lothian school where places are available will be provided, taking account of the Council’s duty to obtain best value.

### **13.0 Award Criteria - Children in Care**

- 13.1 The Council’s Social Policy Service is responsible for transport to and from school for pupils in care.

### **14.0 Award Criteria - Childcare Arrangements**

- 14.1 The Council may agree to provide transport to and from school for pupils being looked after by child-minders on a regular and permanent basis away from their normal home address, subject to the following:-

- The pupil is attending the catchment school for his or her home address, or the nearest equivalent West Lothian school, if a place cannot be granted at a catchment school.
- The pupil is entitled to free transport to and from school from his or her home address to the catchment school, or the nearest equivalent West Lothian school, if a place cannot be granted at a catchment school.
- The child-minders address is within the catchment area of the pupil’s catchment school, or the nearest equivalent West Lothian school, if a place cannot be granted at a catchment

- school, and is more than the qualifying distance from the school.
- Transport will normally only be provided from one address, and not multiple addresses.

## **15.0 Transport to and from School – Non-Entitled Pupils**

- 15.1 If there is spare seating capacity on any transport to and from schools, this will normally be offered on a fare paying basis.
- 15.2 Where the route is not fare paying, spare capacity may be offered to non-entitled pupils free of charge at the discretion of the Public Transport Unit.
- 15.3 Transport provided for non-entitled pupils may be withdrawn at any time in order to allow the Council to meet its obligations in terms of this policy, or its meet its obligations to achieve best value.

## **16.0 Changes to School Hours - Transport to and from School Arrangements**

- 16.1 The Public Transport Unit must be consulted at least a term in advance on proposal to change school hours as many transport to and from school routes are operated to coincide with adjacent schools' needs or are integrated with public services. It may not be possible to alter school hours if this cannot be done within existing resources.
- 16.2 Head Teachers must not instruct operators to change their route or other arrangements unless it has been approved by the Public Transport Unit, except to prevent a risk to pupils.

## **17.0 Contract Conditions**

- 17.1 Operators must comply with the Council's current Conditions of Contract.
- 17.2 Contracts will be subject to procurement legislation and the Council's Standing Orders.

## **18.0 Monitoring Of Operator Performance**

- 18.1 The Public Transport Unit will assess and monitor the capacity of operators and their performance. All complaints and irregularities are investigated.
- 18.2 Head Teachers will report any problems with transport to and from school, including with time-keeping, the standard of vehicles, or the conduct of drivers, to the Public Transport Unit.
- 18.3 Transport to school should arrive at the school not more than 15 minutes and not less than 5 minutes before the start of the school day. Transport from school should be in position prior to the school dismissal time at the end of the school day. Departure at the end of the school day will be 10 minutes after the official dismissal time or otherwise as previously agreed with school staff.

## **19.0 Procurement of Transport**

- 19.1 Schools should consult the Public Transport Unit in relation to all procurement of transport, in order to achieve best value.

## **20.0 Curricular Activities - Transport**

- 20.1 Education Services retains responsibility for transport arranged to support curricular activities including:-
- sports and swimming activities out-with the school campus
  - Senior Phase Travel or other arrangements for secondary pupils

- attendance at Scottish Centres or Lowport school camps
- school excursions

## **21.0 Transition Events - Transport**

- 21.1 The Public Transport Unit will transport P7 pupils to the appropriate catchment secondary school for a maximum of three days to support transition from primary to secondary education. This transport will be provided where possible through existing transport to and from schools where there is existing spare seating capacity.
- 21.2 Schools may request a higher level of service, at their own expense.

## **22.0 Examinations - Transport**

- 22.1 Where an examination falls on a school day, no additional home to school transport will be provided for examinations which start after the normal school start time.
- 22.2 Where an examination falls on a day when transport to and from school would not otherwise be provided (including local holidays and in-service days) the Public Transport unit will provide transport to school to arrive in time for the first examination of that day, and transport from school after the last examination of that day.
- 22.3 Where an examination finishes after the normal departure time for school to home transport, arrangements will be made by the Public Transport Unit to either reimburse journey costs for pupils affected, or to provide transport where it is not feasible for a pupil to travel home independently.
- 22.4 Schools may request a higher level of service, at their own expense.

## **23.0 West Lothian College - Transport**

- 23.1 The Public Transport Unit will meet the costs incurred by West Lothian College in providing bus passes to pupils below school leaving age who attend West Lothian College in arrangement with their school. Funding will cease at the end of the school term in which the pupil reaches school leaving age.

## **24.0 Breakfast Clubs - Transport**

- 24.1 The Public Transport Unit will not provide transport to breakfast clubs unless this can be provided at no additional cost.

## **25.0 After School Activities - Transport**

- 25.1 The Public Transport Unit will not provide transport in connection with after school activities unless this can be provided at no additional cost.

## **26.0 Hosting and Permanent Exclusion**

- 26.1 If a child is placed in a host school in terms of the Council's Hosting Policy, the following procedures should be followed:
- the host school will ascertain whether the parent/carer has the capacity (including financial capacity) to ensure that their child gets to the host school safely and on time.
  - if this is not possible/feasible then transport will require to be made available.
  - this will be organised and approved by the Headteacher of the base school in liaison with the Headteacher of the host school and the Public Transport Unit.
  - for the period of the hosting (not exceeding six weeks), transport will be funded by the Public Transport Unit.

- If, after the end of the hosting, the pupil is enrolled at the host school then this shall be treated as a placing request and standard criteria for transport to and from school will apply.

26.2 Following a permanent exclusion, the Council will provide transport to the alternative West Lothian school to which the pupil is admitted, as long as the distance from home to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.)

The screenshot shows a web browser displaying the West Lothian Council website. The browser's address bar shows the URL [www.westlothian.gov.uk](http://www.westlothian.gov.uk). The page title is "School Transport - West Lothian Council". The navigation bar includes links for Home, e-News sign up, News, Contact Us, A to Z, Assist Dyslexia, Listen to this Page, and Change Text Size A+ / A-. The main header features the West Lothian Council logo and a search bar with the placeholder text "I'm looking for...". Below the header, a breadcrumb trail reads: "You are here: Home / Schools, Education and Learning / Schools and Nurseries / Transport To and From School".

**Home**

- Schools, Education and Learning
- Schools and Nurseries
  - Find a school or nursery
  - Apply for pre-school and school places
  - School Terms and Holidays
  - School Meals Menu
  - School Closure Information
  - Transport To and From School**
  - School Performance Data
- Groupcall Messenger
- Information for Parents/Carers

**School Transport**

**Education authorities have a statutory responsibility to provide and finance the transport of school pupils who live specified distances from school. The statutory qualifying distance for pupils of school age under eight is two miles and for those eight years and over is three miles.**

West Lothian Council has agreed to provide free transport for all secondary pupils living more than 2 miles from their designated catchment school and for all primary pupils living more than 1.5 miles from their designated Catchment school. The home is defined as that of the parent or legal guardian. The distance is measured as the shortest walking distance from home to school using public footpaths between the house gate (or door where this does not apply) to the school gate.

The provision of transport for pupils attending special schools and classes is not subject to these limitations, but is based on individual pupil need.

Responsibility for the provision of free transport to mainstream and special schools rests with Public Transport, Whitehill House, Whitestone Place, Whitehill Industrial Estate, Bathgate, EH48 2HA (Tel 01506 282 318).

Where transport is awarded, it is by means of season tickets on public service routes, failing the availability of which, private contracts will be arranged. Any spare seating capacity on private contract routes is used to accommodate non-entitled pupils on a grace and favour basis.

In addition to the distance criteria, other situations where there is entitlement to free travel are:-

**Related Documents**

- Transport to and from School - Mainstream [40kb] [subscribe]
- Transport to and from

Expand

From: Andrew Carrie [REDACTED]  
Subject: Fwd: Linlithgow Academy - eNews Update  
Date: 27 May 2015 08:00  
To:

From: Schools-Online [REDACTED]  
Date: 12 May 2015 02:39:02 BST  
To: undisclosed-recipients;  
Subject: Linlithgow Academy - eNews Update  
Reply-To: [REDACTED]



**New or updated pages:**

**Daily Bulletin**  
11 05 15

Recent paper copies of Daily Bulletin can be found in a folder outside School Main Office  
**PUPIL NEWS BULLETIN**

Tuesday 12th May 2015

**ALL YEARS:**

**FOR ATTENTION OF PUPILS WHO USE SCHOOL BUSES:**

Recent inspections of mainstream school bus contracts at several West Lothian Schools have revealed areas of concern regarding the day to day operations of our contracts

It was found on occasion that drivers were not checking pupils' bus passes for free school transport upon boarding the bus

Further to this on fare paying contracts fares were not taken and ten journey ticket passes were not being checked

These issues outlined above are serious failings of our contract terms and conditions and we have therefore instructed drivers to start checking passes and taking fares as of next week

Please can you ensure that all pupils are made aware of this and any who do not have a pass apply for one ASAP, and for those pupils not entitled to free transport to be aware that they must now pay a fare. The current price for a single journey is 78p for secondary pupils or ten journey tickets can be purchased at a lower cost

It was also observed that some pupils have been travelling on particular buses to allow them to travel with friends. This will also need to change as of next week as pupils will only be allowed to travel on the bus they have a relevant pass for

Please also be aware that due to the severity of the current situation pupils may be refused transport for failing to provide passes, fares or ten journey tickets

Supported study week beginning Mon 11th May

Tues 12th May Biology Nat 5 Ms Slaven Dep

Wed 13th May CDT Nat 5/Higher Ms Kerr Dep

Linlithgow Academy Association Quiz night on Friday 29th May, 7pm-9 30pm. Adults -£5,

**Safari** File Edit View History Bookmarks Develop Window Help

facebook.com

St Margaret's Academy | Livingston

St Margaret's Academy, Livingston

St Margaret's Academy, Livingston

Andrew Home 14 Find Friends

Create Page

Recent

- 2015
- 2014
- 2013
- 2012
- 2011
- Founded

scrap.txt

Project Status

lexus new mileage2.xls

Time and Billing

TVR.txt

Macintosh HD

draft.txt

Screen Shot 2014-12-03 at 13.17.50

Screen Shot 2014-12-03 at 13.21.25

Screen Shot 2015-04-16 at 10.47.12

St Margaret's Academy, Livingston added a new photo.  
11 May at 11:16 · 🌐

## School Transport

As of w/c 18<sup>th</sup> May bus drivers will check all bus passes. If you do not have a pass you will have to pay for the journey or have a temporary bus pass issued by the School Office.

10 journey tickets can be purchased from the School Office at a cost of £6.10

Like - Comment - Share

👍 12 people like this.

➦ 15 shares

**Annette Mchaffie Henderson** Busy day at school office. After sending in apps for pass, phoning , e mailing I gave up trying to get one from WLC. However without being rude and apologising to person before speaking to them I hope to receive 2 passes by Wed. The person on phone acknowledged they had Apps. I advise parents to do the same. The issuing dept will be up to their eyes processing passes for new kids joining school in Aug .

Like · Reply · 11 May at 11:32

Chat (1)

Education Scotland

Like

**From:** [REDACTED]  
**Date:** 22 April 2015 18:02:13 BST  
**To:** [REDACTED]  
**Subject:** Re: Freedom of Information Request - School Bus Travel Information

Dear [REDACTED]  
Information Request  
Reference no. 101004670871

I refer to your request for information dated 22/04/2015 .

Your request has been logged and transferred to the appropriate Information Liaison Officer (ILO), who will provide a response to your request in most cases within 20 working days.

Should the ILO require further information to process your request then they will contact you directly. If you require further assistance then please do not hesitate to contact us.

Kind regards

West Lothian Council

Tel: 01506 280000

Email: [REDACTED]

[www.westlothian.gov.uk](http://www.westlothian.gov.uk)

DATA LABEL: PRIVATE/CONFIDENTIAL

Your personal information will be held and used in accordance with the Data Protection Act 1998. The Council will not disclose your information to a third party or organisation but where appropriate will use your personal details to process this and any future enquiries that you may contact us about.

-----  
[REDACTED]  
[REDACTED]  
Sent: 2015-04-22 09:00:48.0  
To: [REDACTED]  
Subject: Freedom of Information Request - School Bus Travel Information

[cid:image001.jpg@01D07CDA.18DBB0F0]

Dear Sir/ Madam,

Under the Freedom of Information (Scotland) Act, we would like to please have a response to the following relating to school bus provision:

1. What is the annual operating cost of the school transport service from Adambrae and Dedridge to Bankton, St Ninians and Dedridge Primary Schools?
2. How many pupils use that service per day, to go to those schools?
3. How many of those pupils qualify for free school transport?

4. What is the daily fare, and what is the annual fare income?
5. Is that fare income returned to the Council, or retained by the operator?
6. What is the annual operating cost of the school transport service from Murieston, Bankton and Dedridge to St Margarets Academy?
7. How many pupils use that service per day, to go to that school?
8. How many of those pupils qualify for free school transport?
9. What is the daily fare, and what is the annual fare income?
10. Is that fare income returned to the Council, or retained by the operator?

Thank you in advance for your assistance.

Yours faithfully,

Catherine Wood.

Catherine Wood [REDACTED] - Strategic  
Land and Planning Manager|  
[REDACTED]

[REDACTED]  
Sent: 20 May 2015 14:02

[REDACTED]  
Subject: Freedom of Information request

20/05/2015

Dear [REDACTED]

Freedom Of Information

Reference no. 101004670871

I refer to your request for information dated 22/04/2015.

Q1 ¿ What is the annual operating cost of the school transport service from Adambrae and Dedridge to Bankton, St Ninians and Dedridge Primary Schools?

There is one mainstream school transport bus serving Adambrae and Dedridge going to St Ninian's Primary School and Bankton PS. The annual contract cost for this service is £23,371.90.

Q2 ¿ How many pupils use that service per day, to go to those schools?

The number of pupils using this service may vary day to day although no more than 49 pupils can be transported as this is the maximum capacity for the contracted vehicle.

Q3 ¿ How many of those pupils qualify for free school transport?

West Lothian Council has issued 39 free passes in this academic year.

Q4 ¿ What is the daily fare, and what is the annual fare income?

The daily fare charge is £1.07 for a return journey for primary pupils. The annual fare income on this service will vary dependant on the number of fare paying pupils travelling, however, the annual fare income for financial year 2014-2015 was £1125.72.

Q5 ¿ Is that fare income returned to the Council, or retained by the operator?

The fare income is returned to the council.

Q6 ¿ What is the annual operating cost of the school transport service from Murieston, Bankton and Dedridge to St Margaret's Academy?

The following services provide school transport from the requested areas to St Margaret's Academy:

The following services provide school transport from the requested areas to St Margaret's Academy:

SCH 081 ¿ Murieston and Bankton areas served with an annualised cost of £30,766

SCH 082 ¿ Murieston area served with an annualised cost of £30,766 SCH 083 ¿

Dedridge area served with an annualised cost of £30,766

Q7 ¿ How many pupils use that service per day, to go to that school?

The number of pupils using each service will vary day to day however each has the following maximum capacities:

SCH 081 ¿ 55.

SCH 082 ¿ 81

SCH 083 ¿ 49

Q8 ¿ How many of those pupils qualify for free school transport?

West Lothian Council has issued the following free passes in this academic year:

SCH 081 ¿ 48

SCH 082 ¿ 14

SCH 083 ¿ 3

Q9 ¿ What is the daily fare, and what is the annual fare income?

The daily fare charge is £1.29 for a return journey for secondary pupils.

£8950 fare income was received for St Margaret's Academy in the financial year 2014-2015.

Q10 ¿ Is that fare income returned to the Council, or retained by the operator?

Any fare income is returned to the council.

You are free to use the information supplied in this response for your own non-commercial research or private study purposes. The information may also be used for any other purpose allowed by a limitation or exception in copyright law, such as news reporting. Any such use must be in context and must not be misleading. Any other type of re-use, for example by publishing the information in analogue or digital form, including on the internet or commercial use, will require the permission of the intellectual property owner and copyright owner.

Further details as to how to apply to re-use information supplied by us can be found on our website at <http://www.westlothian.gov.uk/freedom-of-information>.

If you have any complaint about the Council's handling of your request for information, you may require the Council to review its actions and decisions in relation to this response. Please write, within 40 working days from 20/05/2015, to Carol Johnston, Chief Solicitor, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston EH54 6FF (Telephone: [REDACTED], email: [REDACTED])

You may, within a further six months, if you are dissatisfied with the outcome or with the Council's failure to review its actions and decisions in relation to this response, apply in writing to the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS [REDACTED]; email [REDACTED] requesting his decision in this matter.

Yours faithfully



Public Transport Manager

DATA LABEL: PRIVATE/CONFIDENTIAL

Your personal information will be held and used in accordance with the Data Protection Act 1998. The Council will not disclose your information to a third party or organisation but where appropriate will use your personal details to process this and any future enquiries that you may contact us about.

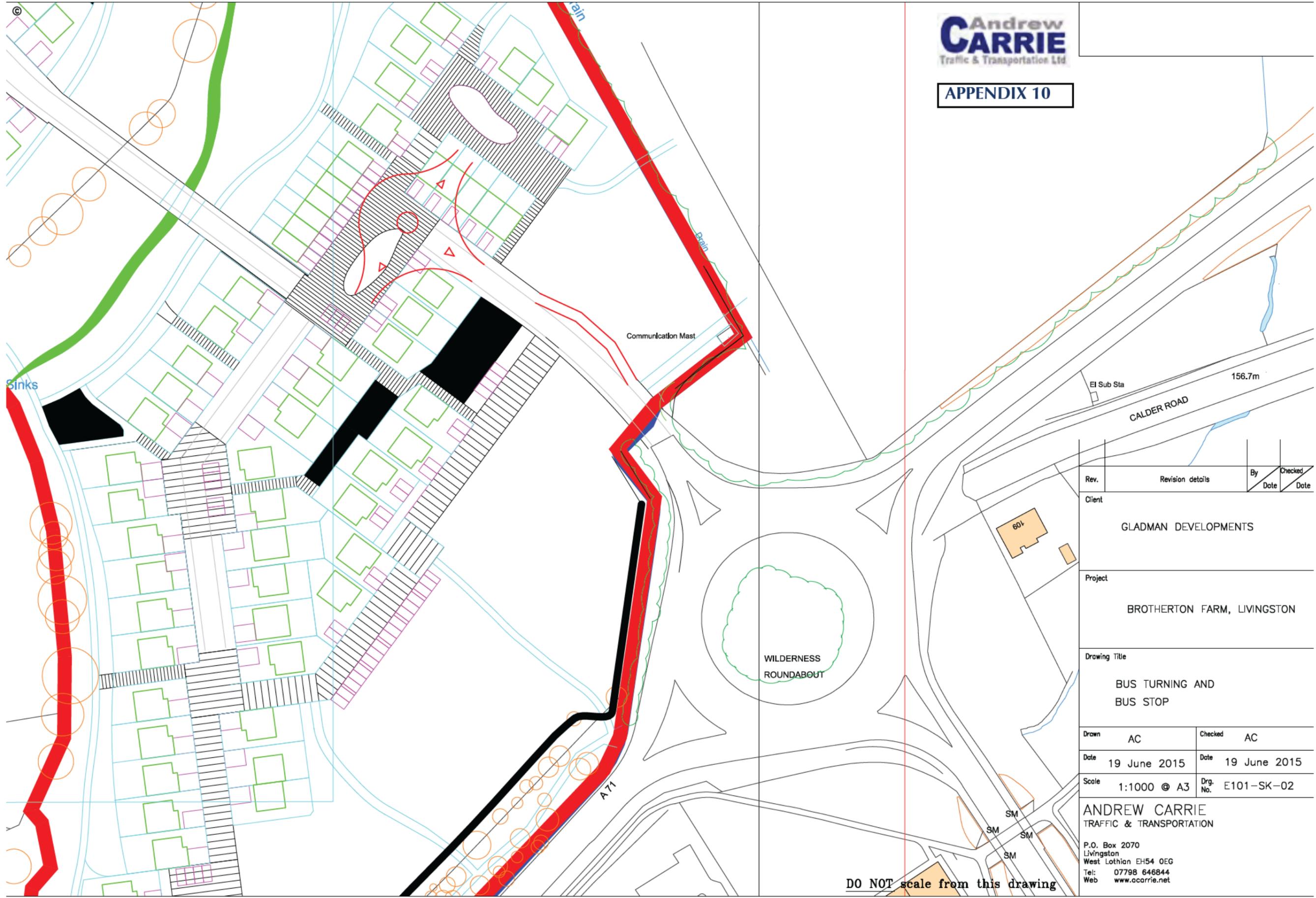
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1. It is sent in confidence for the addressee only. It may contain legally privileged information. The contents are not to be disclosed to anyone other than the addressee. Unauthorised recipients are requested to preserve this confidentiality and to advise the sender immediately.
2. It does not constitute a representation which is legally binding on the Council or which is capable of constituting a contract and may not be founded upon in any proceedings following hereon unless specifically indicated otherwise.

<http://www.westlothian.gov.uk>

**School Bus 10 Journey Tickets and Cash Fares Increase Effective From 1st April 2015**

<b>Secondary Prices</b>	<b>Old Price</b>	<b>New Price</b>
10 Journey book of 10	£5.89	£6.10
Term Passes		
Term 1	£96.02	£99.25
Term 2	£68.26	£70.50
Term 3	£53.22	£55.00
All Terms	£217.50	£224.75
Cash Fare single	£0.75	£0.78
Cash fare return	£1.29	£1.33
<b>Primary Prices</b>		
10 Journey book of 10	£4.82	£5.00
Term Passes		
Term 1	£80.02	£82.50
Term 2	£56.88	£58.75
Term 3	£44.35	£45.75
All Terms	£181.25	£187.00
Cash fare single	£0.64	£0.66
Cash fare return	£1.07	£1.10



Rev.	Revision details	By	Checked
		Date	Date

Client  
**GLADMAN DEVELOPMENTS**

Project  
**BROTHERTON FARM, LIVINGSTON**

Drawing Title  
**BUS TURNING AND BUS STOP**

Drawn	AC	Checked	AC
Date	19 June 2015	Date	19 June 2015
Scale	1:1000 @ A3	Drg. No.	E101-SK-02

**ANDREW CARRIE**  
TRAFFIC & TRANSPORTATION  
P.O. Box 2070  
Livingston  
West Lothian EH54 0EG  
Tel: 07798 646844  
Web: www.acarrie.net

**DO NOT scale from this drawing**

**EOI-0051**

**Preferred in part**

**Site at Wellhead Farm, Livingston (HLv59 in the ado**

Status

**Current**

MR GEORGE CLARK

18 November 2013

Residential use 60 units (site area 4.24ha)

Yes **Prime Quality Agric Land**

**Conclusions:**

**Greenfield**

**Class Description**

3.1

Although priority is to be given to development of brownfield land, there is not enough brownfield land to meet requirements of the Strategic Development Plan. Greenfield release is supported in this instance on a northern field forming part of this submission. Development on the remainder of the site would represent an overly significant intrusion into the Livingston Countryside Belt.

The site provides a natural infill between the existing residential areas.

Williamston Primary/James Young High (The), St Pauls/St Margarets Academy

**Consultation Responses**

**Current Status**

**Proposed Use**

*British Airports Authority (BAA)*

09-Jul-13

The site falls within the safeguarding consultation zone (which is 13km from an aerodrome, in this case Edinburgh Airport) under Circular 2/2003 'Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas' and also falls within the Edinburgh Airport Lden noise contours as specified by The Environmental Noise Directive (2002/49) and supplemented in Scotland by the Environmental Noise (Scotland) Regulations 2006, relating to aircraft noise. Any proposal/application therefore will require to be subject of consultation with BAA aerodrome safeguarding. Any development is likely to be restricted to two storeys in height and will contain flat roofs only and above ground SUDs systems should be avoided in order to minimise the potential of bird strike and landscaping will require careful design. Birds are mobile and whilst every effort can be taken on an aerodrome to address potential bird hazards, aerodrome safeguarding, through local authority planning permissions, is one of the key methods for addressing existing and potential hazards off-airport. To reduce the risk of bird strikes, specific requirements associated with landscaping schemes within 13km of Edinburgh Airport should be factored into development proposals from the outset. Addressing the constraint from the outset will also ensure the council as planning authority do not require amended landscaping schemes whilst processing any application and will not require amended plans post the granting of planning permission.

*Coal Authority*

16-Feb-12

Coal resources are present within West Lothian, and the area has been subjected to coal mining which will have left a legacy. In terms of the site assessments and any eventual site allocations, it would be prudent to include a criterion which assessed coal mining data. This would be a due diligence check to ensure that potential development sites do not contain any mine entries or other coal related hazards which would require remediation or stabilisation prior to development. Former mining activities and related hazards are not a strict constraint on development. The Coal Authority would not wish to suggest that any potential sites should be excluded from the assessment on the grounds of former mining legacy issues. In addition, an assessment should be made of the likely impact on mineral resources, including coal. This will help to ensure that any potential sterilisation effects (along with whether prior extraction of the resource would be appropriate) are properly considered in line with the guidance in Scottish Planning Policy.

*Historic Scotland*

05-Mar-12

No specific comments. Robust application of national and appropriate local policies should be able to mitigate any adverse impacts. For those sites which are carried forward, early engagement with Historic Scotland on development proposals which raise complex or significant issues will be key to avoiding adverse impacts and optimising positive outcomes for the historic environment.

## *HSE (Health and Safety Executive)*

- 09-Jan-14 No specific comments.  
Regulations contained in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (as amended) require that in strategic and local development plans regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents. The regulations require that regard also be had in strategic and local development plans for the need in the long term, to maintain appropriate distances between establishments and residential areas, buildings and areas of public use, major transport routes as far as possible and recreational areas, these being the objectives of the European Commission. The Health and Safety Executive has assessed this site and do not recommend that they, or any other third party such as operators of major hazard installations and major accident hazard pipelines, require to be consulted at the time of writing, with regard to potential allocation of this site in the West Lothian Local Development Plan, should the council choose to allocate it.
- 

## *NHS - Lothian*

- 03-May-12 All GP Practices have their own 'catchment areas' and GPs work independently to the NHS with there being a mixture of ownership and tenures regarding building usage and stock. The focus in recent years has been a move towards shared services and the development of Partnership Centres. Further dialogue with the NHS will be required once new allocations have been identified.
- Livingston has a number of health centres within its neighbourhoods. NHS Lothian has not advised of any individual problems or capacity issues.
- \* Knightsridge, Deans, Eliburn & Ladywell - Existing facility : Carmondean Medical Group
  - \* Knightsridge, Deans & Eliburn - Existing facility : Deans & Eliburn Medical Practice
  - \* Craigshill, (and parts of Pumpherston & Midcalder) - Existing facility : Craigshill Health Centre
  - \* Dedridge - Existing facility : Dedridge Health Centre
  - \* Howden, Ladywell, Eliburn and Livingston Village - Existing facility : Howden Health Centre
  - \* Bellsquarry, Murieston, Adambrae (and Polbeth) - Existing facility : Murieston Medical Practice. The temporary facility is to be replaced by a permanent facility.
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## *Scottish Enterprise*

- 13-Mar-12 No specific issues or concerns.
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## *Scottish Water*

- 27-Feb-12 In terms of water supply the site is served by the PATESHILL water treatment works (WTW) where there is sufficient capacity. Water mains extensions may be required.
- In terms of waste water treatment the site is served by the AVSE PFI EAST CALDER waste water treatment works (WWTW) where there is sufficient capacity. Sewer extensions may be required.
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## *SEPA - Flooding*

- 14-Mar-12 SEPA require the submission of a Flood Risk Assessment for this site and development of this site would lead to an increased potential of flooding to this site and out with this site, due to the flood risk from the small watercourse that flows through the site. Due to steep topography, consideration should be given to surface runoff issues to ensure adequate mitigation is implemented.
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## *SEPA - Water Environment*

- 14-Mar-12 The nearest water body of any significance to the site is the Linhouse Water and Camilty Burn. There is no requirement for a buffer strip and there are no restoration opportunities.
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## *SNH*

- 14-Feb-12 No records from site. Sited on opposite side of railway from Linhouse Valley SSSI. No connectivity with SSSI, impacts unlikely. Some remnant field boundary features within site could form the basis of green infrastructure. Existing informal network of paths to the east offers good opportunity for linking to wider access provision and adding value.
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## *Transport Scotland*

19-Sep-11 The majority of strategic transport network impacts will result from cumulative, rather than individual, impacts of development. A cumulative appraisal of sites impacting on the strategic transport network i.e. trunk roads and rail networks will need to be undertaken once there is certainty on what sites are preferred to come forward.

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## *WLC Contaminated Land*

30-Jan-12 Old gravel pit on site will require investigation.

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## *WLC Economic Property Development*

21-Jun-12 No comments.

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## *WLC Education*

09-Jul-12 Education support - site adjacent to existing WLLP allocation HLv59.

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## *WLC Environmental Health*

19-Jun-12 No issues.

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## *WLC Flood Risk Assessment*

15-Feb-12 No issues, Flood Risk Assessment is required.

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## *WLC NETS and Land Services*

12-Jul-12 Residential development can be supported provided the open spaces are provided & designed in accordance with the Open Space Strategy e.g. accessibility & quality standards. With specific reference to woodlands, full consideration should be given to retaining the existing character of the area, its conservation value and biodiversity to minimise any negative environmental impact.

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## *WLC Transportation*

27-Nov-13 Existing access onto unclassified road. Link road connection required through the Murieston area to allow development sites to come forward. See also Transportation Background Paper to the Main Issues Report (MIR) for further details.

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## *WLC Waste Management*

12-Jul-12 Generic Response - The only comment that Waste would wish to make at this stage is that the proposed 13,000 properties noted could in time merit a minimum of four additional vehicles for Waste Services. This is assuming the current collection regime remains as is (no shift changes) and accounts for food waste and glass taking off as well. Some detailed consideration would also need to be undertaken on recycling points and /or the potential for additional pressure on the amount of CRC sites we might operate at that time.

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## *WOSAS*

27-Feb-12 No sites have been identified from within this site. Comparison with the 1st edition OS map indicates that the farmstead of Wellhead was already in place by the mid 19th century, and the settlement is also shown on Roy's Military Survey of Scotland, conducted in the period 1747-55, indicating that occupation on the site pre-dates the period of widespread agricultural improvement. The 1st edition also depicted a gravel pit in the area to the west of the farm, but this was no longer mapped by the time of the 2nd edition. Other than this, the area appears to have been largely undeveloped Greenfield for at least the last 150 years, suggesting that it may retain some potential to produce buried deposits associated with earlier occupation.

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GEORGE CLARK &amp; IAN CLARK

18 November 2013

Mixed use but primarily residential development (site area circa 20ha)

Yes **Prime Quality Agric Land****Conclusions:****Greenfield**

Class Description

3.1

Although priority is to be given to development of brownfield land, there is not enough brownfield land to meet requirements of the Strategic Development Plan. Greenfield release is supported in this instance on a northern field forming part of this submission. Development on the remainder of the site would represent an overly significant intrusion into the Livingston Countryside Belt.

The site provides a natural infill between the existing residential areas.

Williamston Primary/James Young High (The), St Ninians/St Margarets Academy

**Consultation Responses****Current Status****Proposed Use***British Airports Authority (BAA)*

09-Jul-13

The site falls within the safeguarding consultation zone (which is 13km from an aerodrome, in this case Edinburgh Airport) under Circular 2/2003 'Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas' and also falls within the Edinburgh Airport Lden noise contours as specified by The Environmental Noise Directive (2002/49) and supplemented in Scotland by the Environmental Noise (Scotland) Regulations 2006, relating to aircraft noise.

Any proposal/application therefore will require to be subject of consultation with BAA aerodrome safeguarding.

Any development is likely to be restricted to two storeys in height and will contain flat roofs only and above ground SUDs systems should be avoided in order to minimise the potential of bird strike and landscaping will require careful design. Birds are mobile and whilst every effort can be taken on an aerodrome to address potential bird hazards, aerodrome safeguarding, through local authority planning permissions, is one of the key methods for addressing existing and potential hazards off-airport. To reduce the risk of bird strikes, specific requirements associated with landscaping schemes within 13km of Edinburgh Airport should be factored into development proposals from the outset. Addressing the constraint from the outset will also ensure the council as planning authority do not require amended landscaping schemes whilst processing any application and will not require amended plans post the granting of planning permission.

*Coal Authority*

16-Feb-12

Coal resources are present within West Lothian, and the area has been subjected to coal mining which will have left a legacy. In terms of the site assessments and any eventual site allocations, it would be prudent to include a criterion which assessed coal mining data. This would be a due diligence check to ensure that potential development sites do not contain any mine entries or other coal related hazards which would require remediation or stabilisation prior to development.

Former mining activities and related hazards are not a strict constraint on development. The Coal Authority would not wish to suggest that any potential sites should be excluded from the assessment on the grounds of former mining legacy issues.

In addition, an assessment should be made of the likely impact on mineral resources, including coal. This will help to ensure that any potential sterilisation effects (along with whether prior extraction of the resource would be appropriate) are properly considered in line with the guidance in Scottish Planning Policy.

*Historic Scotland*

05-Mar-12

No specific comments. Robust application of national and appropriate local policies should be able to mitigate any adverse impacts. For those sites which are carried forward, early engagement with Historic Scotland on development proposals which raise complex or significant issues will be key to avoiding adverse impacts and optimising positive outcomes for the historic environment.

## *HSE (Health and Safety Executive)*

- 09-Jan-14 No specific comments.  
Regulations contained in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (as amended) require that in strategic and local development plans regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents. The regulations require that regard also be had in strategic and local development plans for the need in the long term, to maintain appropriate distances between establishments and residential areas, buildings and areas of public use, major transport routes as far as possible and recreational areas, these being the objectives of the European Commission. The Health and Safety Executive has assessed this site and do not recommend that they, or any other third party such as operators of major hazard installations and major accident hazard pipelines, require to be consulted at the time of writing, with regard to potential allocation of this site in the West Lothian Local Development Plan, should the council choose to allocate it.
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## *NHS - Lothian*

- 03-May-12 All GP Practices have their own 'catchment areas' and GPs work independently to the NHS with there being a mixture of ownership and tenures regarding building usage and stock. The focus in recent years has been a move towards shared services and the development of Partnership Centres. Further dialogue with the NHS will be required once new allocations have been identified.

Livingston has a number of health centres within its neighbourhoods. NHS Lothian has not advised of any individual problems or capacity issues.

- \* Knightsridge, Deans, Eliburn & Ladywell - Existing facility : Carmondean Medical Group
  - \* Knightsridge, Deans & Eliburn - Existing facility : Deans & Eliburn Medical Practice
  - \* Craigshill, (and parts of Pumpherston & Midcalder) - Existing facility : Craigshill Health Centre
  - \* Dedridge - Existing facility : Dedridge Health Centre
  - \* Howden, Ladywell, Eliburn and Livingston Village - Existing facility : Howden Health Centre
  - \* Bellsquarry, Murieston, Adambrae (and Polbeth) - Existing facility : Murieston Medical Practice. The temporary facility is to be replaced by a permanent facility.
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## *Scottish Enterprise*

- 13-Mar-12 No specific issues or concerns. Ensure supply of effective allocated employment sites exists to adequately support the predicted level of demand that is anticipated.
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## *Scottish Water*

- 27-Feb-12 In terms of water supply the site is served by the PATESHILL water treatment works (WTW) where there is sufficient capacity. Water mains extensions may be required.

In terms of waste water treatment the site is served by the AVSE PFI EAST CALDER waste water treatment works (WWTW) where there is insufficient capacity. Sewer extensions may be required.

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## *SEPA - Flooding*

- 14-Mar-12 SEPA require the submission of a Flood Risk Assessment for this site and development of this site would lead to an increased potential of flooding to this site and out with this site, due to the flood risk from the small watercourse that flows through the site. Due to steep topography, consideration should be given to surface runoff issues to ensure adequate mitigation is implemented.
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## *SEPA - Water Environment*

- 14-Mar-12 The nearest water body of any significance to the site is the Linhouse Water and Camilty Burn. There is no requirement for a buffer strip and there are no restoration opportunities.
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## *SNH*

- 14-Feb-12 No records from site. Sited on opposite side of railway from Linhouse Valley SSSI. No connectivity with SSSI, impacts unlikely. See comments at site EO1-0051.
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## *Transport Scotland*

19-Sep-11 The majority of strategic transport network impacts will result from cumulative, rather than individual, impacts of development. A cumulative appraisal of sites impacting on the strategic transport network i.e. trunk roads and rail networks will need to be undertaken once there is certainty on what sites are preferred to come forward.

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## *WLC Contaminated Land*

30-Jan-12 Old gravel pit on site will require investigation.

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## *WLC Economic Property Development*

21-Jun-12 A small local allocation for employment use may be appropriate if planning permission were to be granted for a mixed development.

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## *WLC Education*

09-Jul-12 Education support - if less than 1000 units developed in this catchment. St Ninians RC Primary School could be extended.

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## *WLC Environmental Health*

04-Apr-13 Potential mitigation required at south boundary for railway noise.

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## *WLC Flood Risk Assessment*

15-Feb-12 No issues, Flood Risk Assessment is required. Some minor flooding on site, pluvial/fluvial, minor issues, could be resolved.

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## *WLC NETS and Land Services*

12-Jul-12 Residential development can be supported provided the open spaces are provided & designed in accordance with the Open Space Strategy e.g. accessibility & quality standards. With specific reference to woodlands, full consideration should be given to retaining the existing character of the area, its conservation value and biodiversity to minimise any negative environmental impact.

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## *WLC Transportation*

27-Nov-13 Existing access onto unclassified road. Link road connection required through the Murieston area to allow development sites to come forward. See also Transportation Background Paper to the Main Issues Report (MIR) for further details.

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## *WLC Waste Management*

12-Jul-12 Generic Response - The only comment that Waste would wish to make at this stage is that the proposed 13,000 properties noted could in time merit a minimum of four additional vehicles for Waste Services. This is assuming the current collection regime remains as is (no shift changes) and accounts for food waste and glass taking off as well. Some detailed consideration would also need to be undertaken on recycling points and /or the potential for additional pressure on the amount of CRC sites we might operate at that time.

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## *WOSAS*

27-Feb-12 No sites have been identified from within this site. Comparison with the 1st edition OS map indicates that the farmstead of Wellhead was already in place by the mid 19th century, and the settlement is also shown on Roy's Military Survey of Scotland, conducted in the period 1747-55, indicating that occupation on the site predates the period of widespread agricultural improvement. The 1st edition also depicted a gravel pit in the area to the west of the farm, but this was no longer mapped by the time of the 2nd edition. Other than this, the area appears to have been largely undeveloped Greenfield for at least the last 150 years, suggesting that it may retain some potential to produce buried deposits associated with earlier occupation.

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PROPERTY MANAGEMENT AND DEVEL

08 July 2014

Mixed use (residential, local centre, employment and education) existing employment site ELv54 of national importance in the WLLP (site area 51ha developable)

Yes **Prime Quality Agric Land****Conclusions:****Greenfield**

Class Description

3.1

Although priority is to be given to development of brownfield land, there is not enough brownfield land to meet requirements of the Strategic Development Plan. Greenfield release is supported in this instance on this site, and the principal of development on this site has long since been established. The impact on the overall integrity and function of the countryside belt will be minimal.

The site presents a logical extension to the south side of Livingston and there is also infrastructure capacity in local schools. Capacity in the local road network would, however, require to be agreed. Part of the site will be developed for employment uses. The site is currently allocated in the adopted Local Plan for a single user employment use.

The site is currently allocated in the adopted Local Plan for a single user employment use and as specified in Scottish Planning Policy published in February 2010, the site no longer requires to be for allocated for a single user.

Williamston Primary/James Young High (The), St Pauls/St Margarets Academy

**Consultation Responses****Current Status****Proposed Use***British Airports Authority (BAA)*

09-Jul-13

The site falls within the safeguarding consultation zone (which is 13km from an aerodrome, in this case Edinburgh Airport) under Circular 2/2003 'Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas' and also falls within the Edinburgh Airport Lden noise contours as specified by The Environmental Noise Directive (2002/49) and supplemented in Scotland by the Environmental Noise (Scotland) Regulations 2006, relating to aircraft noise.

Any proposal/application therefore will require to be subject of consultation with BAA aerodrome safeguarding.

Any development is likely to be restricted to 15m in height and will contain flat roofs only and above ground SUDs systems should be avoided in order to minimise the potential of bird strike and landscaping will require careful design. Birds are mobile and whilst every effort can be taken on an aerodrome to address potential bird hazards, aerodrome safeguarding, through local authority planning permissions, is one of the key methods for addressing existing and potential hazards off-airport. To reduce the risk of bird strikes, specific requirements associated with landscaping schemes within 13km of Edinburgh Airport should be factored into development proposals from the outset. Addressing the constraint from the outset will also ensure the council as planning authority do not require amended landscaping schemes whilst processing any application and will not require amended plans post the granting of planning permission.

*Coal Authority*

16-Feb-12

Coal resources are present within West Lothian, and the area has been subjected to coal mining which will have left a legacy. In terms of the site assessments and any eventual site allocations, it would be prudent to include a criterion which assessed coal mining data. This would be a due diligence check to ensure that potential development sites do not contain any mine entries or other coal related hazards which would require remediation or stabilisation prior to development.

Former mining activities and related hazards are not a strict constraint on development. The Coal Authority would not wish to suggest that any potential sites should be excluded from the assessment on the grounds of former mining legacy issues.

In addition, an assessment should be made of the likely impact on mineral resources, including coal. This will help to ensure that any potential sterilisation effects (along with whether prior extraction of the resource would be appropriate) are properly considered in line with the guidance in Scottish Planning Policy.

## *Historic Scotland*

- 05-Mar-12 No specific comments. Robust application of national and appropriate local policies should be able to mitigate any adverse impacts. For those sites which are carried forward, early engagement with Historic Scotland on development proposals which raise complex or significant issues will be key to avoiding adverse impacts and optimising positive outcomes for the historic environment.
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## *HSE (Health and Safety Executive)*

- 09-Jan-14 No specific comments.  
Regulations contained in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (as amended) require that in strategic and local development plans regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents. The regulations require that regard also be had in strategic and local development plans for the need in the long term, to maintain appropriate distances between establishments and residential areas, buildings and areas of public use, major transport routes as far as possible and recreational areas, these being the objectives of the European Commission. The Health and Safety Executive has assessed this site and do not recommend that they, or any other third party such as operators of major hazard installations and major accident hazard pipelines, require to be consulted at the time of writing, with regard to potential allocation of this site in the West Lothian Local Development Plan, should the council choose to allocate it.
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## *NHS - Lothian*

- 03-May-12 All GP Practices have their own 'catchment areas' and GPs work independently to the NHS with there being a mixture of ownership and tenures regarding building usage and stock. The focus in recent years has been a move towards shared services and the development of Partnership Centres. Further dialogue with the NHS will be required once new allocations have been identified.

Livingston has a number of health centres within its neighbourhoods. NHS Lothian has not advised of any individual problems or capacity issues.

- \* Knightsridge, Deans, Eliburn & Ladywell - Existing facility : Carmondean Medical Group
  - \* Knightsridge, Deans & Eliburn - Existing facility : Deans & Eliburn Medical Practice
  - \* Craigshill, (and parts of Pumpherston & Midcalder) - Existing facility : Craigshill Health Centre
  - \* Dedridge - Existing facility : Dedridge Health Centre
  - \* Howden, Ladywell, Eliburn and Livingston Village - Existing facility : Howden Health Centre
  - \* Bellsquarry, Murieston, Adambrae (and Polbeth) - Existing facility : Murieston Medical Practice. The temporary facility is to be replaced by a permanent facility.
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## *Scottish Enterprise*

- 13-Mar-12 National planning policy previously identified and safeguarded the Eliburn and Linhouse (both in Livingston) employment sites as a large single user high amenity sites. The Scottish Government no longer considers it necessary to identify and safeguard large single user high amenity sites for inward investment through national planning policy, and has stated in its recently published SPP (Feb 2010) that local planning authorities when identifying and safeguarding strategic high amenity sites, should take into account the potential for sub-division of large sites and take a flexible approach to the range of uses and scale of development that these kinds of sites could accommodate. This kind of approach is very much supported by Scottish Enterprise, and it is hoped that the LDP policies and proposals that emerge for these sites overtime, will fully reflect this guidance.
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## *Scottish Water*

- 27-Feb-12 In terms of water supply the site is served by the MARCHBANK water treatment works (WTW) where there is sufficient capacity. Water main extensions may be required. There are two large diameter water mains on the north border of the site.

In terms of waste water treatment the site is served by the AVSE PFI EAST CALDER waste water treatment works (WWTW) where there is insufficient capacity. Sewer extensions may be required.

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## *SEPA - Flooding*

- 14-Mar-12 SEPA require a Flood Risk Assessment which assesses the flood risk from the small watercourses that flow through the site. Consideration should be given to any culverted structures within or nearby the site which may exacerbate flood risk. There may be some development constraints due to flood risk. Development of this site could increase flood risk potential out with the site if developed
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## *SEPA - Water Environment*

14-Mar-12 The nearest water body is the Linhouse Water / Camilty Burn. There are no restoration opportunities and there is no requirement for a buffer strip.

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## *SNH*

14-Feb-12 No records. Site boundary opposite Linhouse Valley SSSI but consider no connectivity likely. Site hosts established access route and woodlands along west and south boundaries with some hedgerows within the site. Consider basing green network on these, with additional access (based on field boundary features within site?) delivered to link these features.

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## *Transport Scotland*

19-Sep-11 The majority of strategic transport network impacts will result from cumulative, rather than individual, impacts of development. A cumulative appraisal of sites impacting on the strategic transport network i.e. trunk roads and rail networks will need to be undertaken once there is certainty on what sites are preferred to come forward.

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## *WLC Contaminated Land*

30-Jan-12 No known issues. However, developers should satisfy themselves that all matters relating to ground conditions have been assessed.

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## *WLC Economic Property Development*

21-Jun-12 Opportunity for mixed use development to include elements of class 4, 5 and 6 uses.

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## *WLC Education*

09-Jul-12 Education support - but would eventually need a new primary school (ND), as Williamston Primary School heading to capacity, could allow for an additional 300 units.

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## *WLC Environmental Health*

19-Jun-12 No issues.

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## *WLC Flood Risk Assessment*

18-Oct-13 There are no significant flood issues associated with this site, but nothing insurmountable and there is a history of flooding of watercourse at northern end of site, unnecessarily culverted, that needs to be daylighted. It is noted that SEPA require a Flood Risk Assessment for the site.

This site was prepared for development a number of years ago. Draft flood hazard maps indicate limited susceptibility to pluvial flooding though it is anticipated that there are engineered solutions to these. There is also a culverted watercourse on site which requires to be daylighted and a natural watercourse which has been heavily modified which requires to be restored to a more natural channel. The watercourse has a history of flooding due to obstruction of the culvert inlet though the impact of the flooding has been off site at Murieston Gardens. Restoration of the channel and daylighting of the culverted section along with setback from the watercourse should allow development to proceed.

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## *WLC NETS and Land Services*

12-Jul-12 Residential development can be supported provided the open spaces are provided & designed in accordance with the Open Space Strategy e.g. accessibility & quality standards. With specific reference to woodlands, full consideration should be given to retaining the existing character of the area, its conservation value and biodiversity to minimise any negative environmental impact.

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## *WLC Transportation*

27-Nov-13 Extension of Oakbank Road required and provision of a secondary access. See also Transportation Background Paper to the Main Issues Report (MIR) for further details.

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## *WLC Waste Management*

12-Jul-12      Generic Response - The only comment that Waste would wish to make at this stage is that the proposed 13,000 properties noted could in time merit a minimum of four additional vehicles for Waste Services. This is assuming the current collection regime remains as is (no shift changes) and accounts for food waste and glass taking off as well. Some detailed consideration would also need to be undertaken on recycling points and /or the potential for additional pressure on the amount of CRC sites we might operate at that time.

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## *WOSAS*

27-Feb-12      No sites have been recorded from within the boundaries of this site. The land-use and land divisions appear to have changed little since the mid 19th century, as the area was depicted as primarily open farmland on the 1st and 2nd edition OS maps. This would suggest that it may retain some potential to produce buried deposits associated with earlier occupation.

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PROPERTY MANAGEMENT AND DEVEL

08 July 2014

Residential use circa 70 units (site area 1.904ha)

No Prime Quality Agric Land

**Conclusions:**

Greenfield

Class Description

The council's strategy is to give priority to the development of brownfield sites the aim being to limit the amount of greenfield land released for development. This strategy is in accordance with Scottish Government policy and the Strategic Development Plan. the site is greenfield.

Although the site forms part of a long established housing allocation (HLv94) development is restricted by the presence of a mineshaft. It is therefore proposed that part of the site be de-allocated and that development be limited to a street frontage development to Murieston Valley Road.

Bellsquarry Primary/James Young High (The), St Ninians/St Margarets Academy

**Consultation Responses****Current Status****Proposed Use***British Airports Authority (BAA)*

09-Jul-13

The site falls within the safeguarding consultation zone (which is 13km from an aerodrome, in this case Edinburgh Airport) under Circular 2/2003 'Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas' and also falls within the Edinburgh Airport Lden noise contours as specified by The Environmental Noise Directive (2002/49) and supplemented in Scotland by the Environmental Noise (Scotland) Regulations 2006, relating to aircraft noise.

Any proposal/application therefore will require to be subject of consultation with BAA aerodrome safeguarding.

Any development is likely to be restricted to 10m in height and will contain flat roofs only and above ground SUDs systems should be avoided in order to minimise the potential of bird strike and landscaping will require careful design. Birds are mobile and whilst every effort can be taken on an aerodrome to address potential bird hazards, aerodrome safeguarding, through local authority planning permissions, is one of the key methods for addressing existing and potential hazards off-airport. To reduce the risk of bird strikes, specific requirements associated with landscaping schemes within 13km of Edinburgh Airport should be factored into development proposals from the outset. Addressing the constraint from the outset will also ensure the council as planning authority do not require amended landscaping schemes whilst processing any application and will not require amended plans post the granting of planning permission.

*Coal Authority*

16-Feb-12

Coal resources are present within West Lothian, and the area has been subjected to coal mining which will have left a legacy. In terms of the site assessments and any eventual site allocations, it would be prudent to include a criterion which assessed coal mining data. This would be a due diligence check to ensure that potential development sites do not contain any mine entries or other coal related hazards which would require remediation or stabilisation prior to development.

Former mining activities and related hazards are not a strict constraint on development. The Coal Authority would not wish to suggest that any potential sites should be excluded from the assessment on the grounds of former mining legacy issues.

In addition, an assessment should be made of the likely impact on mineral resources, including coal. This will help to ensure that any potential sterilisation effects (along with whether prior extraction of the resource would be appropriate) are properly considered in line with the guidance in Scottish Planning Policy.

*Historic Scotland*

05-Mar-12

No specific comments. Robust application of national and appropriate local policies should be able to mitigate any adverse impacts. For those sites which are carried forward, early engagement with Historic Scotland on development proposals which raise complex or significant issues will be key to avoiding adverse impacts and optimising positive outcomes for the historic environment.

## *HSE (Health and Safety Executive)*

09-Jan-14 No specific comments.  
Regulations contained in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (as amended) require that in strategic and local development plans regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents. The regulations require that regard also be had in strategic and local development plans for the need in the long term, to maintain appropriate distances between establishments and residential areas, buildings and areas of public use, major transport routes as far as possible and recreational areas, these being the objectives of the European Commission. The Health and Safety Executive has assessed this site and do not recommend that they, or any other third party such as operators of major hazard installations and major accident hazard pipelines, require to be consulted at the time of writing, with regard to potential allocation of this site in the West Lothian Local Development Plan, should the council choose to allocate it.

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## *NHS - Lothian*

03-May-12 All GP Practices have their own 'catchment areas' and GPs work independently to the NHS with there being a mixture of ownership and tenures regarding building usage and stock. The focus in recent years has been a move towards shared services and the development of Partnership Centres. Further dialogue with the NHS will be required once new allocations have been identified.

Livingston has a number of health centres within its neighbourhoods. NHS Lothian has not advised of any individual problems or capacity issues.

- \* Knightsridge, Deans, Eliburn & Ladywell - Existing facility : Carmondean Medical Group
  - \* Knightsridge, Deans & Eliburn - Existing facility : Deans & Eliburn Medical Practice
  - \* Craigshill, (and parts of Pumpherston & Midcalder) - Existing facility : Craigshill Health Centre
  - \* Dedridge - Existing facility : Dedridge Health Centre
  - \* Howden, Ladywell, Eliburn and Livingston Village - Existing facility : Howden Health Centre
  - \* Bellsquarry, Murieston, Adambrae (and Polbeth) - Existing facility : Murieston Medical Practice. The temporary facility is to be replaced by a permanent facility.
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## *Scottish Enterprise*

13-Mar-12 No specific issues or concerns.

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## *Scottish Water*

27-Feb-12 In terms of water supply the site is served by the PATESHILL water treatment works (WTW) where there is sufficient capacity. A 4" water main crosses the site.

In terms of waste water treatment the site is served by the AVSE PFI EAST CALDER waste water treatment works (WWTW) where there is insufficient capacity. Sewer extensions may be required.

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## *SEPA - Flooding*

14-Mar-12 There is no requirement for a Flood Risk Assessment and Drainage Assessment for this site.

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## *SEPA - Water Environment*

14-Mar-12 The nearest water body to the site is the Murieston Water some 400m south of the site. There is also no requirement for a buffer strip and there are no restoration opportunities.

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## *SNH*

14-Feb-12 No records.

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## *Transport Scotland*

19-Sep-11 The majority of strategic transport network impacts will result from cumulative, rather than individual, impacts of development. A cumulative appraisal of sites impacting on the strategic transport network i.e. trunk roads and rail networks will need to be undertaken once there is certainty on what sites are preferred to come forward.

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### *WLC Contaminated Land*

30-Jan-12 Site impacted by historically deposited incinerator ash. Site Investigation information available but further investigation will be required. Remediation likely to be required. Mine shaft also present on site.

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### *WLC Economic Property Development*

21-Jun-12 No comments.

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### *WLC Education*

09-Jul-12 Education support - existing allocation, site likely just to be street frontage, as there is a mine shaft immediately to the rear of the existing allocation. Site possibly subject to previous planning brief history (site may accommodate around 5 units).

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### *WLC Environmental Health*

19-Jun-12 No issues.

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### *WLC Flood Risk Assessment*

18-Oct-13 Mineshaft present. There is a small section of potential susceptibility to flooding associated with the watercourse at the north boundary of the site which will be subject to out of bank flows and potential obstruction at the culvert inlet. A Flood Risk Assessment is required to determine the potential extents of both these phenomena on the site. It is more than likely that development of all or the majority of the site will be possible. The usual attenuation and treatment of runoff criteria would also apply.

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### *WLC NETS and Land Services*

12-Jul-12 Residential development can be supported provided the open spaces are provided & designed in accordance with the Open Space Strategy e.g. accessibility & quality standards. With specific reference to woodlands, full consideration should be given to retaining the existing character of the area, its conservation value and biodiversity to minimise any negative environmental impact.

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### *WLC Transportation*

27-Nov-13 New access required onto Murieston Valley. See also Transportation Background Paper to the Main Issues Report (MIR) for further details.

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### *WLC Waste Management*

12-Jul-12 Generic Response - The only comment that Waste would wish to make at this stage is that the proposed 13,000 properties noted could in time merit a minimum of four additional vehicles for Waste Services. This is assuming the current collection regime remains as is (no shift changes) and accounts for food waste and glass taking off as well. Some detailed consideration would also need to be undertaken on recycling points and /or the potential for additional pressure on the amount of CRC sites we might operate at that time.

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### *WOSAS*

27-Feb-12 No sites have been recorded from within the boundaries of this site. The area was depicted as largely undeveloped ground on the 1st edition OS map of the mid 19th century, though an air shaft was shown towards the centre of the site, with a tramway or mineral railway running off from it to the east. By the time of the 2nd edition, a large sand pit was shown in the SW corner of the site, and the excavation of this feature is likely to have removed any archaeological deposits that may have been present within this section of the plot. WoSAS is unable to determine whether expansion of the sand pit continued, or whether the feature shown on the 2nd edition represents its maximum extent. If it is the latter, then the majority of the site appears to represent largely undisturbed ground, and would therefore retain some potential to produce buried deposits associated with earlier occupation.

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