

**Committee Minutes**

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**The City of Edinburgh Council**

**Year 2008/2009**

**Meeting 14 – Thursday 30 April 2009**

Edinburgh, 30 April 2009 - At a meeting of The City of Edinburgh Council.

**Present:-**

**LORD PROVOST**

**The Right Honourable George Grubb**

**COUNCILLORS**

Elaine Aitken  
Ewan Aitken  
Robert C Aldridge  
Jeremy R Balfour  
Eric Barry  
David Beckett  
Angela Blacklock  
Mike Bridgman  
Deidre Brock  
Gordon Buchan  
Tom Buchanan  
Steve Burgess  
Andrew Burns  
Ronald Cairns  
Steve Cardownie  
Maggie Chapman  
Maureen M Child  
Joanna Coleman  
Jennifer A Dawe  
Charles Dundas  
Cammy Day  
Paul G Edie  
Nick Elliott-Cannon  
Paul Godzik  
Norma Hart  
Stephen Hawkins  
Ricky Henderson  
Lesley Hinds  
Allan G Jackson

Alison Johnstone  
Colin Keir  
Louise Lang  
Jim Lowrie  
Gordon Mackenzie  
Kate MacKenzie  
Marilyne A MacLaren  
Mark McInnes  
Stuart Roy McIvor  
Tim McKay  
Eric Milligan  
Elaine Morris  
Joanna Mowat  
Rob Munn  
Gordon J Munro  
Ian Murray  
Alastair Paisley  
Gary Peacock  
Ian Perry  
Cameron Rose  
Jason G Rust  
Conor Snowden  
Marjorie Thomas  
Stefan Tymkewycz  
Phil Wheeler  
Iain Whyte  
Donald Wilson  
Norrie Work

## **1 The Quality Standard Award**

The Lord Provost and members of the Council congratulated five schools in achieving the Quality Standard Award in the most recent round of applications. The Lord Provost presented the award to the following schools in recognition of their achievements:

- Clovenstone Primary School
- East Craigs Primary School
- Fox Covert Primary School
- Gracemount High School
- James Gillespie's High School

(Reference – report no CEC/171/08-09 by the Director of Children and Families, submitted.)

## **2 Youngedinburgh: Presentation by Local Youth Forums**

Youngedinburgh, the Council's Youth Services Strategy, aimed to improve the quality of life of the city's young people aged 11-21 years. The strategy was developed and delivered by all Council departments and partner agencies and formed a key strand of the Council's community planning process.

Lucy McMath and Frazer Neil introduced a presentation in which young people from local youth forums provided brief examples of involvement in their local areas. The forums gave young people the opportunity to have their say on issues that affected their lives and they worked closely with Neighbourhood Partnerships. Following the presentation, invitations to the "Young People and Neighbourhood Partnerships" event in June were presented to the Lord Provost for him to pass to Neighbourhood Partnerships.

A question and answer session was then held with elected members. Topics covered included Pentlands Youth Forum activity, involvement in community councils and participation in decision making, lowering of the voting age in community council elections, barriers to achieving youth forum goals, funding for youth forum activities, negative portrayal of young people in the press, publicity and communications.

Councillor MacLaren thanked the young people for their presentation and gave a brief outline of the "Young People and Neighbourhood Partnership" event.

### 3 Deputations

**(a) “Who Gets to Choose?” Conference – Motion by Councillor Ewan Aitken**

The Lord Provost remitted the following requests for deputations to the Health, Social Care and Housing Committee, together with the motion by Councillor Ewan Aitken (see item 17 below), in terms of Standing Order 28(3):

- Learning Disability Alliance (Scotland)
- ARC (Association for Real Change) Scotland and In Control Scotland
- Powerful Partnerships
- Consultation and Advocacy Promotion Service

**(b) Edinburgh Tram Network – Edinburgh Railway Action Group**

The organisation had withdrawn its deputation request.

**(c) Community Facilities in the Gracemount Area – Gracemount Youth and Community Centre**

The deputation outlined the services they currently provided at the Gracemount Youth and Community Centre. They expressed concern at the level of funding which they received as they were now unable to provide the amount of youth services they would like to. They indicated that the new housing development in the area would have a major impact on the youth services required and expressed an interest in working in partnership with the Council to identify and provide the necessary services.

### 4 Community Facilities in the Gracemount Area – Motion by Councillor Hart

The following motion by Councillor Hart was submitted in terms of Standing Order 28:

“Council:

- acknowledges the major 21st century housing development planned in Gracemount following the demolition later this year of the Gracemount High Flats and the opportunity this presents for new community facilities;
- recognises the health and safety risks and anti-social behaviour that often accompany this type of development;

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- calls for a report about the current provision for young people in the Gracemount area, including a summary of services available at the K2 Base and the Mansion during 2007/8 and 2008/9 (including numbers of sessions, young people attending and levels of CEC investment).”

#### **Decision**

- 1) To acknowledge the expertise and experience demonstrated by Services for Communities in managing the demolition and subsequent regeneration of decanted housing areas, including managing health and safety considerations and localised anti-social behaviour. To instruct that the necessary level of resources and expertise etc be directed to this project in Gracemount.
- 2) To acknowledge the range and quality of community learning opportunities in the area, including 10 youth clubs and a wide range of voluntary sector provision.
- 3) To ask the Directors of Children and Families and Services for Communities to report to the Education, Children and Families Committee about the current provision for young people in the Gracemount area, including a summary of services available at the K2 Base and the Mansion during 2007/8 and 2008/9 (including numbers of sessions, young people attending and levels of Council investment).

## **5 Questions**

Questions put by members to this meeting, written answers and supplementary questions and answers are contained in the Appendix to this minute.

## **6 Minute**

#### **Decision**

To approve the minute of meeting of the Council of 12 March 2009, as submitted, as a correct record.

## **7 Appointments**

The Council was invited to fill vacancies on Council Committees, the Forth Estuary Transport Authority (FETA) and Waterfront Edinburgh Limited.



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**(a) Council Committees and FETA**

**Decision**

To appoint:

- 1) Councillor Burgess to the Policy and Strategy Committee in place of Councillor Johnstone.
- 2) Councillor Johnstone to the Audit Committee in place of Councillor Burgess.
- 3) Councillor Kate MacKenzie to FETA in place of Councillor McInnes.

**(b) Waterfront Edinburgh Ltd – Appointment of Director and Chair**

To appoint Councillor Buchanan to Waterfront Edinburgh Ltd.

- moved by Councillor Brock, seconded by Councillor Dawe (on behalf of the Administration).

To appoint Councillor Day to Waterfront Edinburgh Ltd.

- moved by Councillor Burns, seconded by Councillor Murray (on behalf of the Labour Group).

**Voting**

The voting was as follows:

For Councillor Buchanan	-	29 votes
For Councillor Day	-	15 votes

**Decision**

- 1) To appoint Councillor Buchanan to Waterfront Edinburgh Limited in place of Councillor Cardownie.
- 2) To appoint Councillor Buchanan as Chair of Waterfront Edinburgh Limited.

(References – Acts of Council No 3 of 24 May and No 5(c) of 28 June 2007; report no CEC/167/08-09/CS by the Director of Corporate Services, submitted.)

## 8 Leader's Report

The Leader presented her report to the Council. The Leader provided an update on:

- Swine flu – work of government agencies and the Council
- Relocation of tram mock-up to Leith
- Archery World Cup Final 2010 in Princes Street Gardens.

The following issues were raised on the report:

Councillor Burns	<ul style="list-style-type: none"> <li>– Edinburgh Tram – line 1(b)</li> <li>– PPP2 school building programme – biomass technology</li> </ul>
Councillor McIvor	<ul style="list-style-type: none"> <li>– Broughton High School – parking provision</li> </ul>
Councillor Whyte	<ul style="list-style-type: none"> <li>– City Chambers refurbishment – regimental colours</li> <li>– Edinburgh Tram               <ul style="list-style-type: none"> <li>– remit of Tram Sub-Committee</li> <li>– communications strategy</li> </ul> </li> </ul>
Councillor Wilson	<ul style="list-style-type: none"> <li>– Kerbside recycling – collection timetable</li> </ul>
Councillor Balfour	<ul style="list-style-type: none"> <li>– Edinburgh Tram – cost guarantee of line 1(a)</li> </ul>
Councillor Keir	<ul style="list-style-type: none"> <li>– Edinburgh Primary Schools Sports Association cross country event</li> </ul>
Councillor Buchan	<ul style="list-style-type: none"> <li>– HMOs – concerns of Community Council forums</li> <li>– Disabled parking provision at schools</li> </ul>
Councillor Munro	<ul style="list-style-type: none"> <li>– Affordable housing – Scottish government funding</li> <li>– Hibernian Under 19 Team – Scottish League and Scottish Cup</li> </ul>
Councillor Murray	<ul style="list-style-type: none"> <li>– Professor Sir Neil MacCormick - tribute</li> <li>– Economic downturn – Council tax freeze</li> </ul>

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Councillor Hart – Global City Forum and conference visits – economic benefits

(Reference – report no CEC/168/08-09/L by the Leader, submitted.)

## **9 Sale of Property at Cathedral Lane Ringfencing of Capital Receipt**

### **Decision**

To credit the capital receipt of £75,000 from the sale of the property at Cathedral Lane to Tram Line 1 as part of the Council's funding requirements for the project.

(References – Economic Development Committee 10 March 2009 (item 8); report no CEC/169/08-09/CSEC by the Council Secretary, submitted.)

### **Declaration of Interests**

Councillor Buchan declared a financial interest in the above item as an employee of a firm providing **tie** with technical advice.

### **Non-financial interests**

Councillors Balfour, Buchanan, Hart, Keir, Gordon Mackenzie, McKay and Wilson as Directors of EDI.

Councillors Jackson, Gordon Mackenzie, Perry and Wheeler as non-executive Directors of **tie**.

Councillors Buchanan, Chapman, Jackson, Gordon Mackenzie, Perry and Wheeler as non-executive Directors of TEL.

## **10 Annual Treasury Strategy 2009/10**

The Finance and Resources Committee had referred to the Council for approval the Annual Treasury Strategy for 2009/10.

### **Decision**

To approve the Council's Treasury Management Strategy for 2009/10.

(References – Finance and Resources Committee 31 March 2009 (item 9); report no CEC/170/08-09/CSEC by the Council Secretary, submitted.)

## 11 Edinburgh Tram Network – Update Report

Recent progress on the Edinburgh Tram Network was detailed. The funding position of Phase 1a of the network, the impact of Princes Street traffic diversions, issues surrounding the development of Phase 1b and the appointment of the new Chief Executive of **tie ltd** were also addressed.

### Motion

- 1) To reaffirm the Council's commitment to delivering Tramline 1A within the current funding envelope.
- 2) To note the updated position in relation to progress, programme and cost of Phase 1a.
- 3) To instruct the Directors of City Development and Finance to prepare a further report updating the Business Case for Tramline 1A in light of the current economic climate.
- 4) To approve the settlement negotiated by **tie ltd** under the MUDFA contract for Phase 1a.
- 5) To note the pedestrian footfall and car parking utilisation monitoring, including the major media and marketing campaign undertaken.
- 6) To note the position with the city events and that a final decision on the August roadworks embargo would be taken at the Policy and Strategy Committee on 12 May 2009.
- 7) To postpone the development of Phase 1b due to current economic and funding restraints.
- 8) To take forward discussions for the feasibility study in relation to the South East Tramline, formerly known as Tramline 3.
- 9) To note the appointment of the Chief Executive of **tie Ltd**.

- moved by Councillor Wheeler, seconded by Councillor Dawe (on behalf of the Scottish Liberal Democrat Group).

### Amendment 1

- 1) To acknowledge that, although the tram project was 'on time and on budget' prior to the last election, the financial position of the project had deteriorated substantially.

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- 2) To note severe concerns over the fiscal and political management of the Edinburgh Tram Project and, given concerns that the project appeared to be running over budget, to request a report within one cycle containing:
  - a full statement of the project's financial position against current and future budgets, including the current state of contingency budgets;
  - an update on the business case for Line 1a in light of the current economic climate.
- 3) To acknowledge that the postponement of the construction of line 1b would jeopardise not only the £6.2 million already invested in its development but also the good will of the local communities that were to be served by the line.
- 4) The postponement would be particularly detrimental to the regeneration of North Edinburgh as well as adding to the difficulties experienced by Edinburgh's economy. Major capital projects had the effect of stimulating demand which helped reduce the effects of the recession as well as shortening its duration.
- 5) Therefore, to ask the Director of Finance to report back within two cycles on alternative funding options that would allow the construction of line 1b to proceed on schedule.
- 6) To note that the Tram Sub-Committee had not fulfilled the functions outlined for it in previous Act of Council of 20 December 2007.
- 7) To approve the settlement negotiated by **tie ltd** under the MUDFA contract for Phase 1a.
- 8) To take forward discussions for the feasibility study in relation to the South East Tramline, formerly known as Tramline 3.

- moved by Councillor Perry, seconded by Councillor Day (on behalf of the Labour Group).

### **Amendment 2**

- 1) To note that the only political group that had maintained outright opposition to the Edinburgh Tram Network was the SNP and that in the minutes of the City of Edinburgh Council of 25 October 2007 it was recorded that the SNP Group supported the following amendment in its name:
  - "1) To reject the Final Business Case (FBC) for trams, agreeing that the expenditure required could not be justified for a single tram line from Newhaven to Edinburgh Airport.

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- 2) To note:
- (a) the absence of a detailed breakdown of costs.
  - (b) that the full risk report for the project would not be made available until after contract close, requiring Councillors to make decisions without access to essential information.
  - (c) the failure to prove the benefits of the scheme, with inadequate detail of what impact the trams would have on the flow of other traffic.
  - (d) that the public sector was to bear the risk (in whole or in part) for detailed design, the cost of utilities' diversion over-runs and fare-box revenue.
  - (e) the failure to explain how the trams could achieve segregation from other traffic at key points on the proposed route and the consequent negative impact on the projected journey times.
  - (f) that the FBC made the 'fundamental assumption' that the trams would be included in the National Concessionary Ticketing scheme but had no evidence that this would be the case."
- 2) The risks now associated with the Business Case had intensified. The significant component of the FBC predicated on Developers' contributions and Capital Receipts (Paragraph 4.13) had proven to be overly optimistic and was not achievable. To note that Developers' contributions currently were approximately £40.5m short of the projected income.
- 3) To note further that paragraphs 1.62 and 1.63 of Appendix 2 of the Final Business Case (FBC) stated:
- 1.62 – "Phase 1a of the tram will encourage and facilitate the new development planned in North and West Edinburgh and stimulate economic growth in the city. However, the forecast future TEL patronage and revenues, both for bus and tram, is in turn highly sensitive to the level and timing of new development and the underlying level of economic growth. Sensitivity tests indicate that with new development delayed by five years in other areas, overall TEL revenue would be reduced by 3% in 2011 (12% in 2031)."
- 1.63 – "..... In 2011, approximately 30% of forecast demand between Leith and Haymarket and 50% of demand between Haymarket and the airport will be directly dependent on new development."

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- 4) To agree that the current economic climate and forecasted development delays would clearly place the public tram and bus network at serious risk of a predatory bid by the private sector, due to the shortfall in predicted patronage and its consequences on the profitability of a benign ticket pricing policy. In short, Council would have to subsidise the integrated network to an intolerable extent or to increase fares to an intolerable level therefore defeating the rationale of the project.
- 5) To note that there would be a requirement for the bus element of the network to subsidise the tram element to the tune of £5m+ per year for at least the first two years. This would be in conjunction with the loss of bus patronage on the commencement of tram operations (estimated at 8.6m per year) and would mean a financial re-adjustment of reduced income to the bus operation of circa £10m per year. This would be an untenable position for the whole public transport service and could not be sustained.
- 6) To agree that the re-estimated costs referred to in paragraph 3.35 of the Update Report, coupled with the lack of provision in the budget at the very outset, had led to the recommendation to postpone Line 1B.
- 7) Given the above and the other associated risks, to agree that the Final Business Case approved by Council on 25 October 2007 (and opposed by the SNP Group) was based on a “best case scenario” which had proven to be riddled with budgetary optimism which could threaten the very existence of the retention of an “integrated transport system” within the public sector, and to now agree that:
  - (a) The Edinburgh Tram Network be “scrapped”;
  - (b) An exit strategy be devised which safeguarded costs as much as possible;
  - (c) Negotiations be entered into with the Scottish Government as to what steps should be taken to safeguard the City Council’s financial position regarding expenditure incurred; and
  - (d) Compose a transport strategy with key stakeholders in Edinburgh and the Lothians which would meet the demands of the city.

- moved by Councillor Cardownie, seconded by Councillor Buchanan (on behalf of the SNP Group).

### Voting

In a first vote, for or against amendment 2 by Councillor Cardownie, the voting was as follows:

For amendment 2	-	12 votes
Against amendment 2	-	45 votes

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In a second vote, the voting between the motion and amendment 1 was as follows:

For the motion	-	29 votes
For amendment 1	-	28 votes

### **Decision**

To approve the motion by Councillor Wheeler.

(References – Acts of Council No 3 of 25 October 2007, No 14 of 20 December 2007 and No 23 of 12 March 2009; joint report no CEC/172/08-09/CD&F by the Directors of City Development and Finance, submitted.)

### **Declaration of Interests**

Councillor Buchan declared a financial interest in the above item as an employee of a firm providing **tie** with technical advice and left the Chamber during the debate on the matter.

### **Non-financial interests**

Councillors Jackson, Gordon Mackenzie, Perry and Wheeler as non-executive Directors of **tie**.

Councillors Buchanan, Chapman, Jackson, Gordon Mackenzie, Perry and Wheeler as non-executive Directors of TEL.

## **12 *hub* Initiative – South East Scotland Pathfinder – Further Development**

Progress was detailed on initiating the Scottish Government's proposals for improving the delivery of joint agency procurement projects, known as the *hub* Initiative. Approval was sought to sign a 'Memorandum of Understanding' for the South East of Scotland *hub* Pathfinder.

Details were also given of the Programme Initiation Document, which set out the project's resource plan, and of the next steps in the process.

### **Decision**

- 1) To note the good progress that had been made to secure a *hub* Pathfinder for the South East Scotland Territory.
- 2) To note the progress on the implementation of the *hub* and that development of local *hub* projects would be reported in due course.



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- 3) Additionally, to note paragraph 3.23 of the report by the Director of Corporate Services, which stated “it is proposed that progress will be reported regularly to the Edinburgh Partnership Board”.
- 4) To note further paragraph 4.1 of the ‘Draft Memorandum of Understanding’ attached as Appendix 3 to the Director’s report, which stated that “Territory Participants are committed to ensuring the development of the Territory Programme ... is as transparent as possible to all, each other and to the public”.
- 5) Thus, to agree to the Chief Executive signing the South East Scotland *hub* Territory ‘Memorandum of Understanding’ only on the condition that the Edinburgh Partnership Board received a full and detailed update when there was progress with all *hub* projects, in order that proper political scrutiny could be undertaken of any proposals *before* they were formally agreed

(References – Policy and Strategy Committee 4 November 2008 (item 7); report no CEC/173/08-09/CS by the Director of Corporate Services, submitted.)

### **13 European Parliamentary Election 4 June 2009 – Polling Places**

A list of premises designated as polling places for the European Parliamentary Election on 4 June 2009 was provided.

#### **Decision**

- 1) To note the scheme of parliamentary polling districts and polling places as amended, contained in Appendix 2 to the report by the Chief Executive and Local Returning Officer, for the forthcoming European Parliament Election on Thursday 4 June 2009.
- 2) To note that a full review of the scheme of polling districts would take place once the findings of the Boundary Commission’s review of the Scottish Parliamentary constituency boundaries had been published.
- 3) To agree that the scheme should be used for any election that might take place prior to the review being completed.

(Reference – report no CEC/174/08-09/CE&LRO by the Chief Executive and Local Returning Officer, submitted.)

#### **14 Councillors' Expenses – Motion by Councillor Rose**

The following motion by Councillor Rose was submitted in terms of Standing Order 28:

“Council agrees to make available on the Council website full details of expenses charged to the Council for each Councillor within three months of the end of the financial year beginning with the year ending March 2009.”

The Lord Provost ruled the motion incompetent because the Council was already required by Regulations to publish on its website information on Councillors' remuneration, allowances and expenses in respect of the previous financial year. There was a prescribed format for this and the deadline was 1 June 2009.

#### **15 Twinning Link with Gaza – Motion by Councillor Blacklock**

The following motion by Councillor Blacklock was submitted in terms of Standing Order 28:

“Council acknowledges Edinburgh's proud history of international solidarity. Just as Edinburgh Direct Aid in the 1990s led a humanitarian campaign to support the victims of the Balkan Bosnian war, Edinburgh's citizens have again taken immediate action in protesting against Israel's war and in supporting the efforts of charities to help rebuild hospitals, water supplies, schools and public services in Gaza. For example, 'Artists for Gaza' was formed in Edinburgh just a few months ago and has to date held two benefit concerts to raise funds for electricity generators in Gaza; Oxfam and Medical Aid for Palestine are other charities through which Edinburgh people support the people of Gaza.

Council recognises that the peaceful resolution of the Middle East conflict will take many more years of negotiations but during this time Edinburgh Council could take a lead to build links between our communities in Edinburgh and those in Gaza. Council also recognises that twinning arrangements can do much to educate, help dispel prejudice, build cultural understanding and bring humanitarian aid.

In addition, Council is encouraged by the Scottish Government's recent allocation of £420,000 for Gaza relief via several Scottish charities.

As the Council is reviewing its existing twinning, partnership and international links with other countries, Council also agrees to consider twinning with Gaza and include this consideration within this forthcoming report in order to develop our links with the people of Gaza.”

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**Motion**

To approve the motion.

- moved by Councillor Blacklock, seconded by Councillor Munro (on behalf of the Labour Group).

**Amendment 1**

- 1) To acknowledge the educational, cultural and humanitarian aid links that currently existed between Edinburgh and Gaza, including the successful collaboration with Windows for Peace, an organisation that worked closely with young Israeli and Palestinian people.
- 2) To note that a full report, within two cycles, on existing twinning, partnership and other international links with Edinburgh, was commissioned by the Policy and Strategy Committee on 24 March 2009.
- 3) To await that report before considering any additional links.

- moved by Councillor Dawe, seconded by Councillor Cardownie (on behalf of the Administration).

**Amendment 2**

To take no action on the matter.

- moved by Councillor Whyte, seconded by Councillor Balfour (on behalf of the Conservative Group).

**Voting**

In a first vote, for or against amendment 2 by Councillor Whyte, the voting was as follows:

For amendment 2	-	11 votes
Against amendment 2	-	47 votes

In a second vote, the voting between the motion and amendment 1 was as follows:

For the motion	-	18 votes
For amendment 1	-	29 votes

**Decision**

To approve amendment 1 by Councillor Dawe.

(Reference – Policy and Strategy Committee 24 March 2009 (item 6).

**16 Garden Aid – Motion by Councillor Ewan Aitken**

The following motion by Councillor Ewan Aitken was submitted in terms of Standing Order 28:

“Council

Notes the introduction of Garden Aid to all those aged over 80.

Calls for a report on the financial and logistical consequences of introducing a similar service for over 75s, over 70s and over 65s, including a distinction between a universal service and a service with infirmity as the defining criterion.”

**Decision**

- 1) To note that a report was currently being prepared on the Garden Aid scheme which would encompass the terms of Councillor Ewan Aitken’s motion and would address encouraging and stimulating Third Sector provision.
- 2) Otherwise, to take no further action on the terms of the motion.

**17 “Who gets to Choose?” Conference – Motion by Councillor Ewan Aitken**

The following motion by Councillor Ewan Aitken was submitted in terms of Standing Order 28:

“Council notes the conference "Who gets to Choose?" held on 15 April in the City Chambers and agrees to receive the report from the day.

Council further notes the concerns raised by many participants about how services for people with complex needs are to be delivered in the future.

Council agrees for a cross party group, led by the Convener of the Health, Social Care and Housing Committee, to meet with conference participants to discuss their concerns.”

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The Lord Provost remitted the motion and the related deputation requests from Learning Disability Scotland, ARC (Association for Real Change) Scotland and In Control Scotland, Powerful Partnerships and the Consultation and Advocacy Promotion Service to the Health, Social Care and Housing Committee in terms of Standing Order 28(3), subject to competency.

## **18 “Keep Stockbridge Local” Campaign – Motion by Councillor Hinds**

The following motion by Councillor Hinds was submitted in terms of Standing Order 28:

“This Council supports Stockbridge Community Council in their campaign to support independent retail shops in the Stockbridge area. Council asks for a report to be submitted to the Economic Development Committee outlining how the Council, along with the retailers and local community, can support the “Keep Stockbridge Local” campaign.”

The Lord Provost remitted the motion to the Economic Development Committee in terms of Standing Order 28(3), subject to competency.

### **Declaration of Interests**

Councillor Buchan declared a financial interest in the above item as an employee of a firm providing technical advice to a potential retailer in Stockbridge.

## **19 Forth Children’s Theatre 30<sup>th</sup> Anniversary – Motion by Councillor Hinds**

The following motion by Councillor Hinds was submitted in terms of Standing Order 28:

“This Council commends Forth Children’s Theatre (FCT) on their 30<sup>th</sup> anniversary. The Council congratulates the young people and individuals who have made this organisation so successful. FCT shows a positive image of young people and encourages them to become involved in the arts. The Council asks the Lord Provost and the Leader of the Council to facilitate an appropriate way of marking the 30 years’ work of FCT.”

The Lord Provost remitted the motion to the Culture and Leisure Committee in terms of Standing Order 28(3), subject to competency.

## 20 Apprenticeships – Motion by Councillor Hart

The following motion by Councillor Hart was submitted in terms of Standing Order 28:

“Council

- Notes that the current economic difficulties have affected the completion of apprenticeships, with Skills Development Scotland figures showing that nearly 900 apprentices have recently failed to complete their training.
- Recognises the great need for continued skills training to ensure that Edinburgh has a sufficient skills base to prepare for the post- recession period.
- Calls for a report looking at:
  - a) ways in which the Council can work with other public-sector organisations and private companies to maximise the number of apprenticeships offered in Edinburgh; and
  - b) how to further assist small and medium sized businesses take on apprentices as piloted by other local authorities in Scotland.”

### **Motion**

To approve the motion.

- moved by Councillor Hart, seconded by Councillor Perry (on behalf of the Labour Group).

### **Amendment**

- 1) As the request for a report on the issues identified was already being undertaken by this Council and had been the subject of a number of reports to the Economic Development Committee, to take no further action on the terms of the motion.
- 2) Further, to encourage members of Committees to use the Committee system in the first instance to influence and seek clarification on Council policy within a given remit.

- moved by Councillor Buchanan, seconded by Councillor McKay (on behalf of the Administration).

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### **Voting**

The voting was as follows:

For the motion	-	18 votes
For the amendment	-	40 votes

### **Decision**

To approve the amendment by Councillor Buchanan.

## **21 Out of School Care Provision – Motion by Councillor Henderson**

The following motion by Councillor Henderson was submitted in terms of Standing Order 28:

“Council notes that out of school care providers have been advised that cleaning costs for holiday provision are now to be borne by them.

Council agrees that a report be submitted to the Education, Children and Families Committee detailing the consultation process with providers prior to this policy being communicated and the potential impact for holiday provision as a consequence. The report is also to examine ways of providing cleaning to adequate standards without necessarily using Council/contract resources.”

The Lord Provost remitted the motion and the related deputation request from the Royal High Primary School and Liberton After School Clubs to the Education, Children and Families Committee in terms of Standing Order 28(3), subject to competency.

## **22 Planning System – Motion by Councillor Rose**

The following motion by Councillor Rose was submitted in terms of Standing Order 28:

“Council:

- 1) notes that the Development Management Sub-Committee approved application no 08/00197/LBC in respect of the Odeon premises in Clerk Street on 28 October 2008 and that over six months later the matter has still not been determined;

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- 2) notes that the Development Management Sub-Committee approved application no 07/03848/FUL in respect of the application for the Morrison Street Goods Yard development in Haymarket on 25 June 2008 and that the subsequent public local inquiry is not due to commence before 25 May 2009;
- 3) notes that the process for the establishment of the Edinburgh City Local Plan began in 2005 and that almost five years later the plan has still not been adopted;
- 4) resolves to write to the Scottish Government on behalf of the whole Council expressing concern at the delays inherent in the planning process and underlining the lost opportunities in terms of reputation, construction work, jobs and costs in a period when the Edinburgh economy needs investment and noting that such delays in the planning system act as a disincentive to much needed investors;
- 5) requests that the Scottish Government undertakes an urgent review of planning legislation and guidance with a view to:
  - a) bringing forward short term measures to address the systematic inefficiencies exemplified above;
  - b) bringing forward primary and secondary legislation with two guiding principles namely:
    - i) streamlining and shortening the planning process;
    - ii) simplifying and clarifying decision making responsibility and accountability.”

The Lord Provost remitted the motion to the Planning Committee in terms of Standing Order 28(3), subject to competency.

**Declaration of Interests**

Councillor Buchan declared a financial interest in the above item as an employee of a firm providing technical advice to developers in Haymarket.



## **23 Temporary Greening of Sites for Development – Motion by Councillor Burgess**

The following motion by Councillor Burgess was submitted in terms of Standing Order 28:

“That the Council:

Recognises that under current economic conditions, sites for development, such as Caltongate, may now be left undeveloped for some considerable time.

Recognises that whilst efforts should be made to get appropriate development off the ground, that these sites left undeveloped are not contributing to the city and often detract from the city’s appearance and feel especially for visitors.

Believes that some developers may welcome an opportunity to open up development sites particularly to benefit community relations and reduce security costs and therefore the cost to the Council could be minimal.

Notes a proposal to approach developers regarding temporarily greening development sites was recently agreed by City of Glasgow Council.

Therefore, believes the idea of temporarily greening development sites is an idea worth investigating and calls for a report on how this could be taken forward.”

### **Decision**

- 1) To recognise the difficulties that potential development sites faced given the current state of the UK economy.
- 2) To acknowledge the problems individual developers might have in securing finance during this recession and to ask officers to report back within two cycles on the ways Council could support developers to maintain sites in as safe and attractive condition as possible until market conditions improved, including the possibility of landscaping these sites.
- 3) To ask that the report also identify any impediments which might restrict the Council with this objective.

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**Appendix**  
**(As referred to in Act of Council No 5 of 30 April 2009)**

**QUESTION NO 1**

**By Councillor Rust answered by the  
Convener of the Education,  
Children and Families Committee**

**Question**

What steps is the Convener of Children and Families taking to ensure that officials within the City Development Department are advised with immediate effect of Children and Families' Neighbourhood Managers, their respective catchments and contact details to prevent any repeat of the recent complete breakdown in communication in relation to the Braidburn Flood Prevention works at St Mark's RC Primary School, Firrhill?

**Answer**

City Development officials are aware of neighbourhood management arrangements and have regular contact with Neighbourhood Managers in relation to various property matters.

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**Supplementary  
Question**

Given the blasé answer, I have this terrible image of the Convener as an ostrich with her head in the sand. We are not looking for an apology, we are not looking for some sort of witch hunt, it is not a political issue and if we weren't in an Administration-free ward, I am sure one of your colleagues would be asking exactly the same question. We really need recognition that a serious problem arose here. There was no consultation with any of the staff at the school. There was a meeting with City Development officials clearly blaming Children and Families officials who did not even turn up to the meeting, some of them apparently did not even know about it. We have seen streams of e-mails between officials in the two departments mainly in the vein of "I did not know, I did not notice, I was not sure, not certain who is responsible, is St Mark's a Primary School?" And we had Children and Families issuing school lets for playing fields at the same time as City Development instructed contractors to erect barriers around the playing fields, barriers which were in fact erected when the children were playing during play time. All we are looking for is a reassurance that this will be looked at and that you can come back to the school community and reassure them that it won't happen again.

**Supplementary  
Answer**

You certainly have my reassurance that we will look into it. I do not want to involve myself at this stage and I am sure you don't want this to turn into some kind of turf war between City Development and Children and Families. However, for the good of the community and the school it does need looking into and I will then get back to you to tell you the progress we have made.

**QUESTION NO 2**

**By Councillor Rose answered by  
the Convener of the Finance and  
Resources Committee**

**Question**

For each member of staff who earned over £100,000 per annum in the years 2006/7 and 2007/8, please supply their name, post and total individual remuneration including base salary, any bonus, benefits in kind, car allowances, expenses, payments for returning officer duties and redundancy payments.

**Answer**

The details of those staff who earned over £100,000 per annum in 2006/07 and 2007/08 are set out in the attached appendix.

**Supplementary  
Question**

The information was the subject of a Taxpayers' Alliance Freedom of Information request which was put to the Council at the end of last year and then again earlier this year and was refused. I thank the Convener that the information has now been given to me and could he Convener please restate his commitment to openness in terms of Council information?

**Supplementary  
Answer**

I am happy to give the commitment that Councillor Rose has asked for. I am somewhat disappointed to find out that the information had been previously given to another organisation or similar information had been given to another organisation. So there is something that we need to look into but I'm happy to make that commitment.

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**Appendix**

**2006/07**

<b>Name</b>	<b>Post</b>	<b>Remuneration</b>
Tom Aitchison	Chief Executive	£147,231
Roy Jobson	Director of Children and Families	£121,223 (plus other payments of £9,092*)
Andrew Holmes	Director of City Development	£111,906
Jim Inch	Director of Corporate Services	£111,906
Donald McGougan	Director of Finance	£111,906
Mark Turley	Director of Services for Communities	£111,906
Peter Gabbitas	Director of Health and Social Care	£104,552**

**2007/08**

<b>Name</b>	<b>Post</b>	<b>Remuneration</b>
Tom Aitchison	Chief Executive	£150,912
Gillian Tee	Director of Children and Families	£130,629
Andrew Holmes	Director of City Development	£114,705
Jim Inch	Director of Corporate Services	£114,705
Donald McGougan	Director of Finance	£114,705
Mark Turley	Director of Services for Communities	£114,705
Peter Gabbitas	Director of Health and Social Care	£109,781**

\* payments to cover additional responsibility during transition to Departments of Health & Social Care and Children & Families

\*\* the Director of Health and Social Care post is part-funded by the Council but paid through NHS payroll. The post is also subject to an additional management allowance in the region of £4,000 – 5,000 per annum, paid by the NHS

There were no bonuses (other than that relating to the Health and Social Care Director), benefits in kind, car allowances or redundancy payments paid to these individuals in 2006/07 and 2007/08. Other personal payments, such as reimbursement of expenses, do not constitute a component of remuneration. Additionally, payments made for returning officer duties are set and paid by the Scottish Government and are not considered to be part of Council remuneration.

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**QUESTION NO 3**

**By Councillor Rust answered by the  
Leader of the Council**

**Question** (1) Please provide a detailed breakdown of the £191,125 administrative and management charges/costs incurred by the Council in year 2008/2009 in distributing the Fairer Scotland Fund.

**Answer** (1) The Council claimed an administrative fee of £173,000 for discharging its Fairer Scotland Fund responsibilities in 2008/09. This is broken down as follows:-

<b>Item</b>	<b>Fairer Scotland Fund Administrative fee 2008/09</b>
SfC Local Community Planning	£55,723
SfC Neighbourhood Staff	£37,917
Finance	£66,231
Corporate Services	£13,129
<b>Total</b>	<b>2.26% of Overall FSF Grant Allocation</b>

**Question** (2) Are any economies of scale or other approaches being sought to reduce the amount being spent on administering the distribution of the fund to ensure maximum support for voluntary/charitable bodies?

**Answer** (2) Administrative costs account for 2.26% of the Fund allocation. This is less than the 2.5% the Scottish Government's Offer of Grant letter dated 5 March 2008 allows Local Authorities to claim. We do, of course, take every opportunity to deliver the most cost-effective and efficient services.

**QUESTION NO 4**

**By Councillor Blacklock answered  
by the Convener of the Finance and  
Resources Committee**

**Question**

What plans are in place for the launch of the Edinburgh Equalities Network and can a timescale be given to those forums who are awaiting a meeting?

**Answer**

Arrangements are being made for the first meeting of Edinburgh Equalities Network (EEN), which is likely to take place in June. Rather than a launch event, the first meeting will give members an opportunity to discuss how the EEN will operate and how equalities communities can get involved. Details of this meeting will be posted to Network members at the beginning of May.

**Supplementary  
Question**

Could I ask what the reason for the delay is and also how the Convener has been consulting with the Equality Groups in the meantime. Does he share my concern that even this meeting, which is not until June, involves no consultation with any of these groups?

**Supplementary  
Answer**

I will get back to Councillor Blacklock in writing.

**QUESTION NO 5**

**By Councillor Day answered by the  
Convener of the Transport,  
Infrastructure and Environment  
Committee**

**Question**

Forth Ward repeatedly fails the acceptable standards for street cleanliness. What steps are being taken to address this and redirect resources to maintain, at the very least, an 'acceptable standard' in Forth Ward and allow constituents a clean green and safe environment?

**Answer**

Keep Scotland Beautiful recommends a CIMS (Cleanliness Index Monitoring Survey) score of 67 as the "acceptable standard". In March 2009 the Forth Ward achieved a CIMS score of 70 and therefore significantly exceeded the standard.

The improvement within Forth Ward was achieved as a result of realigning resources within Services for Communities, in response to the level of performance in the North Neighbourhood area. Additional staff have been allocated. The impact and effectiveness of the additional staffing will be closely monitored and reassessed as necessary to maintain the improvement in CIMS score in the Forth Ward.

**Supplementary  
Question**

I am pleased after two years of repeated failings the CIMS score has now increased to an acceptable level. Can the Convener confirm that the realignment of services in the Forth Ward will be a permanent one and not just a quick fix?

**Supplementary  
Answer by  
Councillor  
Aldridge**

I can confirm that the realignment of services was intended to be a long term realignment. I am delighted that Councillor Day has congratulated the hard work of the staff in achieving an acceptable level of street cleanliness after many years and I'm sure he'll be delighted to know it is intended to maintain that level of cleanliness.



**QUESTION NO 6****By Councillor Ewan Aitken  
answered by the Convener of the  
Transport, Infrastructure and  
Environment Committee**

**Question** (1) Now that the Seafield roundabout project is nearing completion more than seven months late, can you confirm the additional cost to the Council of the delay?

**Question** (2) Can you confirm when you were first given estimates of the additional cost?

**Question** (3) Can you confirm which projects will be delayed or not started as a consequence of the overspend on this project?

**Answer** This project has been completed and the new junction became fully operational on 17 April. Discussions are currently taking place between the Contractor and the City of Edinburgh Council to agree a final settlement. The additional cost has not yet been agreed and cannot therefore be confirmed at this point in time. Progress on other projects has not been affected.

**Supplementary Question** Given that the Convener hasn't answered question 2, but when he was given estimates of the potential cost, I am surmising from that that he was never given estimates. Can the Convener tell me, therefore, if he and his Group believe that it is good financial practice to agree project work when the final cost is not known?

**Supplementary Answer** I think that there are precedents in previous regimes also for things being embarked on without final cost. I mention the subject of the Usher Hall for one thing. Anyway, when the contract was entered into obviously there were costs agreed at that stage but because of complications and problems, there is still work to be done to establish the final cost.

**QUESTION NO 7**

**By Councillor Ewan Aitken  
answered by the Leader of the  
Council**

**Question**

On two occasions I have asked when the outcomes for the Fairer Scotland Fund (FSF) would be published and you intimated that they were already decided. In February of this year, the Craighentiny/Duddingston Neighbourhood Partnership funding panel received copies of outcomes for the fund. On questioning the officers, the panel was told that these outcomes had been agreed at a meeting of an officer group on 10 February 2009. Can you explain who agreed these outcomes and why you told the Council that they were already agreed some months previously?

**Answer**

Outcomes for the FSF were developed through the Edinburgh Partnership, submitted to the Scottish Government on 30 June 2008 and subsequently approved by them. In line with Scottish Government advice, these outcomes were drawn from the Single Outcome Agreement and applied to the three priorities approved by the Edinburgh Partnership.

These outcomes have not changed since June 2008. But you are perhaps confusing the outcomes with guidance that has been developed subsequently. The FSF Implementation Group (representing all stakeholders on the Edinburgh Partnership) developed guidance to help neighbourhoods consider how best to align existing projects to the new priorities. This guidance has been refined over time, for example as the Strategic Partnerships refined their preferred activities, and was concluded at the meeting on 10 February 2009 to which you refer. This guidance was subsequently approved by the FSF Implementation Group on 12 February 2009.

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**Supplementary  
Question**

Given that all the decisions that we have had to take about Fairer Scotland Funding in Neighbourhood Partnerships required us to meet the guidelines as well as the high level outcomes, is it not the case that what you gave us in June and later when I asked the questions in September, was the job really only half done?

**Supplementary  
Answer**

No not at all. The questions that I answered at the time, and bear in mind that this has been to at least three or four Council meetings, were absolutely accurate. There has been a rigorous process of consultation. We obviously had to adhere to guidelines but the outcomes that were decided were done in a consultative way and I answered quite correctly. The implication in your question that in fact I had misled you in my answers is entirely wrong.