

## Committee Minutes

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### The City of Edinburgh Council

Year 2005/2006

### Meeting 11 – Thursday, 26 January 2006

Edinburgh, 26 January 2006 - At a meeting of The City of Edinburgh Council.

#### Present:-

#### LORD PROVOST

The Right Honourable Lesley Hinds

#### COUNCILLORS

Elaine Aitken  
Rev Ewan Aitken  
Robert C Aldridge  
Donald Anderson  
Phil Attridge  
Jeremy R Balfour  
Ian J Berry  
Andrew Burns  
Robert Cairns  
Stephen Cardownie  
Maureen M Child  
Bill Cunningham  
Trevor Davies  
Jennifer A Dawe  
Michael P Dixon  
Paul G Edie  
Edward B Fallon  
William Fitzpatrick  
Sheila Gilmore  
The Hon David Guest  
Kenneth Harrold  
Ricky Henderson  
George A Hunter  
Allan G Jackson  
Shami Khan  
Douglas J Kerr  
Allan Laing  
John Longstaff

Jim Lowrie  
Gordon Mackenzie  
Kate MacKenzie  
Fred Mackintosh  
Marilyne A MacLaren  
Elizabeth Maginnis  
Lawrence Marshall  
Mark McInnes  
Eric Milligan  
Gordon J Munro  
Ian Murray  
Jack O'Donnell  
Liz O'Malley  
Alastair Paisley  
Ian Perry  
Thomas V Ponton  
Frank K Russell  
Jason G Rust  
Andrew A Scobbie  
Lorna Shiels  
Kingsley E F Thomas  
Marjorie Thomas  
Susan B Tritton  
David J Walker  
Phil Wheeler  
Iain Whyte  
Chris Wigglesworth  
Donald Wilson

## **1 Youngedinburgh – Youth Services Strategy**

The Council had made a 10-year commitment to the youth services strategy, Youngedinburgh. Youngedinburgh had been endorsed as central to the community planning process with young people and a number of actions had been agreed to develop further the strategic relationship between Youngedinburgh and the Edinburgh Partnership. The Youth Services Advisory Committee was responsible for implementing the Youngedinburgh Strategy for the improvement of youth services by the Council and its community planning partners.

### **(a) Presentation**

Councillor Rev Ewan Aitken, Convener of the Youth Services Advisory Committee, introduced the launch of the Youngedinburgh Strategy 2006-2010 which had emerged from an extensive period of consultation with young people and partner agencies. He then invited a group of young people to make a presentation to the Council.

The young people entered the Council Chamber in a procession carrying placards which illustrated the benefits of the strategy. During the procession the Council heard a mock radio commentary from "Youngedinburgh FM". In addition, a video report on progress with the Youngedinburgh 2005 Action Plan was shown.

Following a question and answer session with members, the Lord Provost thanked the young people for their presentation.

### **(b) Report by the Director of Children and Families**

Progress made by the Youth Services Advisory Committee in implementing the Youngedinburgh Strategy was detailed and the strategy document Youngedinburgh 2006-10: Action in Partnership was presented to the Council.

### **Decision**

- 1) To welcome and endorse the Youngedinburgh Strategy 2006-10 as central to Edinburgh's community planning process with and for young people.
- 2) To note the work being taken forward by the Youth Services Action Group in the following areas and that further reports would be submitted on these, as appropriate:
  - the involvement of young people from student councils in local community planning;

The City of Edinburgh Council  
26 January 2006

- the further development of the Council's consumer advocacy service for young people, Just Ask; and
  - the development of a Council employment strategy for young people.
- 3) To welcome the planned Council-wide audit of youth services and to ask the Director of Children and Families to report further as appropriate.

(References – Act of Council No 1 of 27 January 2005; report no CEC/176/05-06/C&F by the Director of Children and Families, submitted).

## 2 Deputations

The Council agreed to hear the following deputations:

**(a) James Gillespie's High School Board – Refurbishment of the School Estate**

Richard Dietrich, Chair of James Gillespie's High School Board, spoke on behalf of an alliance of south side central schools comprising Tollcross, Royal Mile, Sciennes, James Gillespie's and Preston Street Primary Schools and James Gillespie's High School. The deputation raised concerns about the physical condition of James Gillespie's High School. These included over capacity, damaged flooring, the condition of the toilets, poor heating and ventilation systems, poor quality furniture and the overall fabric of the building. A student member of the School Board explained the problems faced by students because the building was not watertight and the lack of wet weather facilities for them.

The deputation asked the Council:

- to undertake a full, professional, costed survey of James Gillespie's High School and to make this available to the Board
- to allocate sufficient funding in this year's Council budget to repair the heating and ventilation systems and the school toilets during the 2006 summer period

The City of Edinburgh Council  
26 January 2006

- to find resources from the 2007 budget to fund the remaining necessary refurbishment works in summer 2007.

Following questions from members, the Lord Provost thanked the deputation for its presentation.

The Leader of the Council undertook to meet with James Gillespie's High School Board, together with the Executive Member for Children and Families, with a view to the Director of Children and Families preparing a report on the matter for the Education Executive.

(Reference – e-mail from James Gillespie's High School Board 13 January 2006, submitted).

**(b) Edinburgh Youth Work Partnership (Voluntary Sector) – Youth Work Across the City**

Ian Boardman, Graham McCulloch and Sandra Martin acknowledged the Council's record in putting in place mechanisms to listen to the views of young people and acting upon them. They asked the Council to recognise also the work of many other community-based youth and children's services provided by the voluntary sector and supported by funding from the Council and the Scottish Executive.

In the context of the budget process, the deputation urged the Council:

- to acknowledge the valuable contribution made to frontline services by the voluntary sector, particularly for the most vulnerable
- to adopt a parity and transparency across the whole budget process and ensure that the voluntary sector did not take a disproportionate cut in budgets
- to consult and communicate with the voluntary sector to assist in planning how best reductions could be managed
- to afford the voluntary sector every opportunity to submit bids when the Scottish Executive released dedicated funding
- to seek the support of the voluntary sector to challenge jointly the Scottish Executive budget setting.

The City of Edinburgh Council  
26 January 2006

Following questions from members, the Lord Provost thanked the deputation for its presentation.

(Reference – letter from the Edinburgh Youth Work Partnership (Voluntary Sector) 12 January 2006, submitted).

### **3 Edinburgh Tram**

An update was provided on the progress of the Edinburgh Tram. Parliamentary Bills for Tram Lines 1 and 2 were in the final stages of consideration by the Scottish Parliament and Royal Assent was expected in the near future.

#### **(a) Deputations**

##### **(i) Friends of the Roseburn Urban Wildlife Corridor/Blackhall Community Association**

Tina Woolnough raised concerns about the affordability of the tram project, the source of the Council's £45m funding contribution, the lack of supporting documents for the proposals contained in the Director of City Development's report and the revised outline business case and information on Section 75 funding. She asked the Council:

- to move the Haymarket to Granton Square section of Phase 1 into Phase 2 of the project.
- to ensure that the Roseburn Corridor was not neglected.
- to revisit the tram priorities in terms of the new Local Transport Strategy.
- to delay consideration of the Director's report until fuller information was available.

Following questions from members, the Lord Provost thanked the deputation for its presentation and invited it to remain for the debate on the matter.

##### **(ii) NHS Lothian/Groathill Residents Association**

Dr Dermot Gorman (NHS Lothian) welcomed the Council's commitment to introducing trams in the city and in particular Tram Line 3 with its direct link to the new Royal Infirmary. However, he expressed disappointment that Tram Line 1 would not have a dedicated tram stop at the Western General Hospital. NHS Lothian wanted to see the Western General Hospital and the Royal Infirmary served by the best possible public transport links.

The City of Edinburgh Council  
26 January 2006

Alison Bourne (Groathill Residents Association) referred to **tie's** evidence to the Scottish Parliamentary Committee that there were several technically feasible routes which would provide a direct tram stop for the Western General Hospital but these had neither been assessed nor costed. She asked the Council to amend the Tram Line 1 Bill to provide an alternative alignment to serve the Western General Hospital and Telford College.

**(iii) Pilton Partnership and Drylaw Telford Community Council**

Dave Pickering and Betty McVay urged the Council to proceed with the Edinburgh Tram proposals as they offered a real choice in public transport for the city and would contribute to easing traffic congestion in the Ferry Road and Waterfront Development areas.

(References – e-mails from Friends of the Roseburn Urban Wildlife Corridor/Blackhall Community Association 18 January 2006; NHS Lothian/Groathill Residents Association 25 January 2006; and Pilton Partnership and Drylaw Telford Community Council 25 January 2006, submitted).

**(b) Report by the Director of City Development**

Recommendations were made for the funding and phasing of the Edinburgh Tram.

**Motion**

- 1) To express the Council's commitment to the development of Tram Lines 1 and 2, which were undoubtedly the key infrastructure projects for the centre of the Edinburgh city region. Core to the continued strength of the city region was the ability to move freely within the city itself and between key employment and development areas. The Edinburgh Tram could deliver the quality transport system which an expanding and prosperous Edinburgh needed. The key benefit of the current proposals was this positive link with the economy, and hence to employment, for the whole of the wider city region.
- 2) To approve the development of the Airport to Leith Waterfront sections of Lines 1 and 2 as the first phase of the Edinburgh Tram Network, noting that the extension of Tram Line 1 from Haymarket to Granton Square would be within the first phase of development, providing that funding and works costs permitted.

The City of Edinburgh Council  
26 January 2006

- 3) To note that further recommendations would be reported in late summer 2006 in respect of the Roseburn to Granton (if not included in phase 1), Granton to Leith and Ingliston to Newbridge sections; and
  - a) to note, in particular, the issues surrounding Tram Line 1 and express concern for the city region economy that some sections might possibly be delayed.
  - b) to continue to review the proposals and funding options to avoid any delay in the completion of the Haymarket to Granton Square section.
  - c) to request additional reports from the Director of City Development regarding the funding to completion of Tram Line 1 including:
    - expenditure control and savings options on other sections of the Tram within the concept of a complete route from Leith Waterfront to the Airport
    - further contributions from developers and business, including Waterfront Edinburgh, on this section of the route.
- 4) To note and confirm that the success of the Edinburgh Tram would require clear commercial focus and that this would be best achieved by all Edinburgh Tram parties and Lothian Buses plc working as a single economic entity as 'Transport Edinburgh Limited'.
- 5) To approve, in principle, a Council contribution of £45m, as detailed in the report by the Director of City Development and subject to a satisfactory final business case.
- 6) To note that the Scottish Executive had indicated its willingness to take account of construction price inflation by indexing its existing, in principle, commitment of £375m for the Edinburgh Tram Network.
- 7) To call for all political parties represented on the City of Edinburgh Council to continue to vigorously press the case for the full development of a modern, 21<sup>st</sup> century tram system for the Edinburgh city region.
- 8) To agree that the Edinburgh tram system must be affordable and cover its full operating costs.

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

The City of Edinburgh Council  
26 January 2006

### **Amendment**

To approve the recommendations by the Director of City Development as follows:

- 1) To approve the development of the Airport to Leith Waterfront sections of Lines 1 and 2 as the first phase of the Edinburgh Tram Network, with the optional extension of Line 1 from Haymarket to Granton Square, provided that funding and works costs permitted.
- 2) To note that further recommendations would be reported in late summer 2006 in respect of the:
  - Roseburn to Granton (if not included in phase 1);
  - Granton to Leith; and
  - Ingliston to Newbridge sections.
- 3) To note the benefits of the Edinburgh Tram and Lothian Buses plc working as a single economic entity under Transport Edinburgh Ltd.
- 4) To approve, in principle, a Council contribution of £45m, as detailed in the Director's report and subject to a satisfactory final business case.
- 5) To note that the Scottish Executive had indicated its willingness to take account of construction price inflation by indexing its existing, in principle, commitment of £375m for the Edinburgh Tram Network.

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

### **Voting**

The voting was as follows:

For the motion – 44 votes  
For the amendment – 13 votes

### **Decision**

To approve the motion by Councillor Burns.

(References – Act of Council No 7 of 2 June 2005; letter from the Principal and Chief Executive, Telford College 24 January 2006; report no CEC/179/05-06/CD by the Director of City Development, submitted).



The City of Edinburgh Council  
26 January 2006

### **Declaration of Interests**

Councillors Burns, Child and Wheeler declared a non-financial interest in the above item as non Executive Directors of **tie**.

Councillors Burns and Mackintosh declared a non-financial interest in the item as non-Executive Directors of Transport Edinburgh Ltd.

## **4 Questions**

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

## **5 Minutes**

### **Decision**

To approve the minutes of the Special and Ordinary meetings of the Council of 15 December 2005, as submitted, as a correct record.

## **6 Council Review 2007**

### **(a) Progress Report**

The latest progress on all aspects of the Council Review 2007 was outlined.

### **Decision**

- 1) To note the progress of the Council Review 2007 as detailed in the report by the Chief Executive.
- 2) To agree that the Chief Executive would report to the Council meeting on 23 February 2006 on the final shape of boundaries for local community planning, the report to include:
  - a) the number of local community planning areas to be established and their management arrangements;
  - b) the local community planning partnership arrangement for central Edinburgh and the North Edinburgh SIP;

The City of Edinburgh Council  
26 January 2006

- c) progress on the realignment of Community Council boundaries;  
and
  - d) the services to be devolved to local community planning areas  
in the first phase.
- 3) To agree that the Chief Executive would report to the Council meeting on 4 May 2006 on the final shape of the Council structure following the Review.

(References – Act of Council No 9(a) of 15 December 2005; report no CEC/168/05-06/CE by the Chief Executive, submitted).

**(b) Services for Communities – Progress Report and Management Arrangements**

Progress in establishing Services for Communities was detailed together with proposals for the outline shape of the new organisation, including senior management arrangements. The proposed structure included all housing functions following the result of the housing transfer ballot (see item 7 below). A summary of the outcome of consultation on the proposals was presented.

**Decision**

- 1) To note the report by the Director Designate, Services for Communities, including the consultation outcomes.
- 2) To endorse the early statements on ethos and culture, noting that these would be subject to further development.
- 3) To approve the senior management arrangements proposed in the Director's report and to authorise the Chief Executive to proceed with recruitment as detailed in the Director's report.
- 4) To note that further reports would be presented to the Council.

(References – Acts of Council Nos 2 and 9(b) of 15 December 2005; report no CEC/173/05-06/SFC by the Director Designate, Services for Communities, submitted).

## **7 Better Homes for Edinburgh – The Way Forward**

The outcome of the ballot on housing stock transfer was provided together with an outline of the next steps, both in terms of understanding and analysis of the result and the implications for moving forward with the Housing Strategy for the city.

### **Decision**

- 1) To note the report by the Director Designate, Services for Communities, including the outcome of the housing transfer ballot.
- 2) To acknowledge the steps being taken to clarify the funding options available to deliver the City Housing Strategy objectives and investment requirements for affordable housing quality and for additional supply.
- 3) To ask the Director Designate, Services for Communities to report to the Council:
  - a) on the lessons learned from the transfer process including results from the MORI survey;
  - b) on how to effect more tenant involvement in the scrutiny and governance of the Council's future housing strategy; and
  - c) following conclusion of negotiations with the Scottish Executive and Communities Scotland regarding the strategic options.

(References – Act of Council No 2 of 15 December 2005; report no CEC/174/05-06/FSC by the Director Designate, Services for Communities, submitted).

## **8 Governance Arrangements for Health and Social Care**

Arrangements for meetings of the Joint Board of Governance for the Department of Health and Social Care had been approved by the Council on an interim basis subject to clarification of a number of issues. Following the first meeting of the Joint Board arrangements for future meetings were recommended.

### **Motion**

- 1) To approve the detailed meeting arrangements for the Joint Board of Governance for the Department of Health and Social Care as set out in the Appendix to the report by the Joint Board of Governance.

The City of Edinburgh Council  
26 January 2006

- 2) To note that the Joint Board of Governance would receive a further report reviewing the arrangements at its March meeting and that this would include a review on the links with other departments and agencies.

- moved by Councillor Kingsley Thomas, seconded by Councillor Cunningham (on behalf of the Labour Group).

### **Amendment**

To approve the motion subject to the meetings of the Joint Board being held in public, with a mechanism for confidential matters being taken in private, and that the final report include mechanisms for how matters would be referred for scrutiny.

- moved by Councillor Ponton, seconded by Councillor Mrs MacLaren.

### **Voting**

The voting was as follows:

For the motion - 43 votes  
For the amendment - 14 votes

### **Decision**

To approve the motion by Councillor Kingsley Thomas.

(References – Act of Council No 12 of 13 October 2005; report no CEC/167/05-06/JBG by the Joint Board of Governance, submitted).

### **Declaration of Interest**

Councillor Whyte declared a financial interest in the above item as a member of the Board of NHS Lothian.

## **9 Corporate Asset Management Plan**

The Council was asked to adopt the Corporate Asset Management Plan for 2006/09. The plan covered all property, which was used for operational purposes, except Council houses.

### **Decision**

- 1) To note:
- a) The unprecedented level of investment in new buildings made to date.

The City of Edinburgh Council  
26 January 2006

- b) That over £410m in capital receipts from the disposal of surplus property had contributed to the provision of the new buildings.
  - c) That the identification of further disposal opportunities was reliant on the provision of a dedicated resource within the Corporate Property Team in City Development and the support of elected members and the Council Management Team.
  - d) The requirement to place greater emphasis in future years on improvements to the existing estate.
  - e) The requirement to undertake surveys of Council buildings to collate data for the new statutory performance indicators and Corporate Asset Management Plan.
  - f) The intention to report in April on revised organisational arrangements for the management and development of property.
  - g) The intention to review the distribution of resources allocated to property within the Capital Investment Programme and the Revenue Budget to align expenditure with the Corporate Asset Management Plan.
- 2) To adopt the Corporate Asset Management Plan and to approve the recommendations contained within it.

(References – Act of Council No 9 of 20 February 2003; report no CEC/170/05-06/CE by the Chief Executive, submitted).

## **10 Transport Edinburgh Limited (TEL)**

An update was provided on the membership of the Transport Edinburgh Limited (TEL) Board. The appointment of a private sector non-Executive Director as its Chair was proposed.

### **Decision**

- 1) To note that the Executive Member for Transport and Public Realm would resign as Chair of the TEL Board.
- 2) To approve the appointment of David Mackay, with immediate effect, as Chair of the TEL Board on the terms detailed in the report by the Chief Executive.

The City of Edinburgh Council  
26 January 2006

- 3) To note the appointment of the Head of Financial Services, Department of Finance to the TEL Board.

(References – Act of Council No 12 of 17 November 2005; report no CEC/172/05-06/CE by the Chief Executive, submitted).

### **Declaration of Interests**

Councillors Burns and Mackintosh declared a non-financial in the above item as non-Executive Directors of Transport Edinburgh Limited.

## **11 Schools PPP2 Project**

Progress was detailed on the schools PPP2 Project since the withdrawal of the Transform Consortium and the Council's decision to continue negotiations with the remaining tenderer, Axiom Education. The Scottish Executive had confirmed its support for this approach.

The Council's Significant Trading Organisations (STOs) had submitted a tender for the catering, cleaning and waste management associated with the project but following assessment it was recommended that the contract be awarded to Axiom.

### **Motion**

- 1) To note the progress made with Axiom Education during the period of exclusivity.
- 2) To delegate authority to the Director of Children and Families, in consultation with the Director of Finance and the Council Solicitor, to appoint Axiom Education as Preferred Tenderer for the PPP2 project; the appointment to be subject to the Director's satisfaction on outstanding issues, including a satisfactory outcome from the Scottish Executive's key stage review process.
- 3) To approve the PPP2 Project Board's recommendation that Axiom be awarded the contract for catering, cleaning and waste management, assuming that the consortium was awarded the overall PPP2 Project.
- 4) To approve the immediate commencement of Compulsory Purchase Order procedures over Forrester Rugby Football Club's interest in their current Clubhouse.
- 5) To note that the Director of Children and Families would report to the Council at the earliest opportunity on further progress with the project.

- moved by Councillor Rev Ewan Aitken, seconded by Councillor Cunningham (on behalf of the Labour Group).

The City of Edinburgh Council  
26 January 2006

### Amendment

- 1) To accept paragraphs 1), 2) and 5) of the motion.
- 2) To add to paragraph 3) of the motion:
 

“ ... and to ask the Director of Corporate Services to report on the future viability of the Council’s Significant Trading Operations following their failure to secure the contract for soft facilities.”
- 3) To delay any Compulsory Purchase Order procedures while discussions with Forrester Rugby Football Club were still ongoing and to invite representatives of the Club to the Children and Young People Scrutiny Panel for a detailed examination of possible locations for the Club and the proposed terms of its future lease.

- moved by Councillor Dawe, seconded by Councillor Lowrie.

Councillor Rev Ewan Aitken, with the consent of his seconder and the mover and seconder of the amendment, accepted paragraph 2) of the amendment as an addendum to his motion.

### Voting

The voting was as follows:

For the motion (as adjusted)	-	43 votes
For the amendment	-	14 votes

### Decision

To approve the motion (as adjusted) by Councillor Rev Ewan Aitken.

(References – Act of Council No 12 of 15 September 2005; report no CEC/177/05-06/C&F by the Director of Children and Families, submitted).

## 12 McLeod Street Roads Depot Relocation

Within the business case for the School PPP2 Project, a new Tynecastle High School would be constructed on the site of the McLeod Street Roads Depot, necessitating its relocation (see item 11 above). The relocation costs represented the site costs of the new school.

Progress was reported on the proposal to construct the depot on the Ethicon site at Sighthill, the strategy for progressing its design and construction and possible uses for the remainder of the site. Approval was sought to appoint a contractor for the demolition of the Ethicon buildings and the associated site treatment.

The City of Edinburgh Council  
26 January 2006

**Motion**

- 1) To note:
  - a) The progress made in the purchase of the Ethicon site.
  - b) The current status of the planning application.
  - c) The proposed strategy for progressing the roads depot and the importance of maintaining the current programme to ensure the McLeod Street site was available for the new Tynecastle High School.
  - d) The proposals for establishing other environmental services facilities on the remainder of the site.
  - e) The significant capital implications of the project that might require a decision to fund £2.4m of capital expenditure within the Capital Investment Programme 2008/09.
  - f) The revenue implications of the project totalling £3.73m over five years would require to be addressed as part of the revenue budget process 2006-2009.
  - g) The intention to take forward planning and marketing of vacated land at St Augustine's and Forrester High School sites.
- 2) To accept the tender from Central Demolitions Ltd in the amount of £245,150 and to approve the total allocation of £320,150 in respect of demolition works.
- 3) To accept the Design and Build contractor's design development and pre-site start costs for the roads depot in the amount of £300,000.
- 4) To dispose of the surplus land at St Augustine's and Forrester High School sites and to use consequent receipts, together with the receipts from rationalisation of depots and the Tynecastle School site, to offset the borrowing required to fund the expenditure outlined in paragraph 4.1 of the joint report by the Directors of Children and Families, City Development and Finance.

- moved by Councillor Rev Ewan Aitken, seconded by Councillor Fallon (on behalf of the Labour Group).



The City of Edinburgh Council  
26 January 2006

### Amendment

- 1) To accept paragraphs 1), 2) and 3) of the motion.
- 2) To use receipts from rationalisation of depots and the Tynecastle School site to offset the borrowing required to fund the expenditure outlined in paragraph 4.1 of the joint report by the Directors of Children and Families, City Development and Finance.
- 3) To note the absence of the promised report, agreed at the full Council meeting on 7 April 2005, on the feasibility of establishing a centre of excellence sports facility on the land no longer required for the roads depot.
- 4) To reject the proposal to sell the land at the St Augustine's and Forrester High School sites, previously earmarked for the roads depot, for residential development in order to:
  - a) avoid the loss of excellent well-drained pitches and open space at the Forrester/St Augustine's site; and
  - b) honour the commitments made at public meetings in February 2004 that no housing was planned for the site under the PPP proposals.

- moved by Councillor Dawe, seconded by Councillor Wheeler.

### Voting

The voting was as follows:

For the motion - 43 votes  
For the amendment - 14 votes

### Decision

To approve the motion by Councillor Rev Ewan Aitken.

(References – Act of Council No 17 of 7 April 2005; Executive of the Council 9 August 2005 (item 4); joint report no CEC/181/05-06/CD/C&F/F by the Directors of Children and Families, City Development and Finance, submitted).

## 13 Amendments to Standing Orders/Support for the Lord Provost

The outcome of discussions at the Cross Party Working Group on matters remitted to it by the Council was reported and the Council's instructions sought on:

- the number of members serving on Scrutiny Panels

The City of Edinburgh Council  
26 January 2006

- the number of Bailies, their party political balance and their relationship with the office of Depute Convener
- the motion by Councillor Anderson on amendments to Standing Orders (considered at the Council meeting on 15 December 2005).

## Motion

### 1) Membership of Scrutiny Panels

- To agree that Scrutiny Panel membership should remain at nine members.
- To agree that the SNP group were entitled to one place on one Scrutiny Panel. In order to accommodate this change, to reduce the Conservative Group's representation on that Scrutiny Panel to one. Membership of that panel would then comprise:

5 Labour 2 Scottish Liberal Democrat 1 Conservative 1 SNP

The membership of the other 6 Scrutiny Panels would remain as:

5 Labour 2 Scottish Liberal Democrat 2 Conservative

- To implement the above changes at the next annual Council meeting in May 2006.

### 2) Appointment of Bailies

- To appoint four Bailies at the next annual Council meeting. One of the Bailies shall be known as the senior Bailie. The political balance shall be 2 Labour, 1 SLD, 1 Conservative. The senior Bailie shall be nominated by the largest political group.
- To instruct the Chief Executive to report to the annual Council meeting on the role and responsibilities of the Bailies and the duties of the senior Bailie and to consider what responsibility allowances would be appropriate.

### 3) Amendments to Standing Orders

- To approve the following changes to Standing Orders:

#### Ordinary Meetings

SO 5 (3) Reword:

"In a non-election year the Council, at its first ordinary meeting in May, or at any adjournment of it, will:

The City of Edinburgh Council  
26 January 2006

- appoint the members of the Executive, the Scrutiny Panels and other Committees of the Council, in terms of Standing Order 37, and the Conveners of the Scrutiny Panels, to hold office for the ensuing year;
- appoint the members of Joint Committees and Joint Boards that the Council should appoint.

The Council will decide the political balance on Committees and Boards before appointing the individual members.”

### **Functions Reserved to the Council**

SO 35     Reword the third bullet point:

“appointment of members to serve on Committees and the Conveners of Scrutiny Panels.”

Delete from fourth bullet point all words after “Joint Boards”.

### **Committees**

SO 37 (1) Add:

“The Conveners of Scrutiny Panels will be appointed by the Council. Otherwise, each Committee will appoint its Convener and may appoint a Vice-Convener.”

### **Duration of Appointments**

SO 36 (1)     Substitute: “and the Conveners of Scrutiny Panels” for “and their Conveners and Vice Conveners.”

SO 36 (2)     Reword:

“Appointments to outside bodies shall be for the life of the Council unless the person appointed resigns from the appointment or there is otherwise a decision to change the appointment.”

### **The Executive**

SO 38 (4) Reword:

“The Executive will appoint a Convener and Vice Convener who will be known as the Leader and Deputy Leader of the Council. The Executive may also allocate a special responsibility to individual members of the Executive.”

The City of Edinburgh Council  
26 January 2006

**The Call-in Process**

SO 58 Add new sub paragraph (10)

(10) This Standing Order does not apply to decisions to appoint or nominate a member of the Council to an outside body or other office.

- b) To instruct the Council Secretary to report to the Council meeting on 23 February 2006 on further changes to Standing Orders necessary to secure consistency with the changes in a) above.

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

**Amendment**

- 1) To agree that Scrutiny Panels each have 8 members (4 Labour, 2 Scottish Liberal Democrat and 2 Conservative, except that one Panel to have 1 Conservative and 1 SNP member).
- 2) To appoint 4 Bailies, to include the Depute Convener, one from each political party.
- 3) Not to adopt the amendments to Standing Orders which were proposed by Councillor Anderson at the Council meeting of 15 December 2005.

- moved by Councillor Dawe and seconded (on behalf of the Conservative Group) by Councillor Whyte.

**Voting**

The voting was as follows:

For the motion - 29 votes  
For the amendment - 26 votes

**Decision**

To approve the motion by Councillor Perry.

(References – Acts of Council Nos 12 and 25 of 15 December 2005; report no CEC/180/05-06/CS by the Director of Corporate Services, submitted).

## 14 Regulatory Committee – Operation

Amendments to the Scheme of Delegation to Officers were recommended resulting from a review of the Regulatory Committee's Building Control/Repairs function.

### Decision

- 1) To delegate to the Director of City Development authority to carry out works specified in a Statutory Notice served under Section 87 of the Civic Government (Scotland) Act 1982 and the City of Edinburgh District Council Order Confirmation Act 1991 where the owners had failed to execute these works provided that any owner aggrieved by the Director's decision shall have the right to be heard by the Regulatory Committee if he or she so requests.
- 2) To delegate authority to the Director of City Development to consider objections received and decide applications for roads construction consent under Section 21 of the Roads (Scotland) Act 1984 provided that any representations received from the applicant in regard to refusal of consent or conditions to be attached to the grant of a consent shall be considered by the Regulatory Committee.
- 3) To note that the Director of City Development would advise members of the timescale and procedures for implementation of the new arrangements.

(References – Act of Council No 17 of 9 December 2004; report no CEC/171/05-06/CS by the Director of Corporate Services, submitted).

## 15 World Cross Country Championships 2008

Approval was sought to submit a bid, in conjunction with Scottish Athletics, to host the International Amateur Athletics Federation (IAAF) 2008 World Cross Country Championships in Edinburgh.

### Decision

To submit a bid, in conjunction with Scottish Athletics, to secure the 2008 World Cross Country Championships for Edinburgh.

(Reference – report no CEC/165/05-06/C&L by the Director of Culture and Leisure, submitted).

## **16 Lower Strand CPO on Behalf of Waterfront Edinburgh Limited**

### **Decision**

To make the revised Edinburgh Waterfront Lower Strand Compulsory Purchase Order 2006 as shown on the plan and schedule attached to the joint report by the Directors of Corporate Services and City Development.

(References – Act of Council No 17 of 14 October 2004; report no CEC/175/05-06/CS&CD by the Directors of Corporate Services and City Development, submitted).

### **Declaration of Interests**

Councillors Fitzpatrick, Maginnis and Perry declared a non-financial interest in the above item as Directors of Edinburgh Waterfront Limited.

## **17 Central Local Development Committee Annual Report 2004/05 and Work Plan 2006/07**

### **Decision**

- 1) To note the Central Local Development Committee's Annual Report for 2004/05 and Work Plan for 2006/07.
- 2) To agree that during the first six months of operation of the new Local Community Planning Partnerships, the Local Development Committees should continue to meet to ensure a smooth transition to the new local community planning arrangements.

(Reference – report no CEC/166/05-06/CLDC by the Central Local Development Committee, submitted).

## **18 Leader's Report**

The Leader presented his report to the Council. The following issues were raised in questions on the report:

- |                           |   |   |
|---------------------------|---|---|
| Councillor Tritton        | - | Council question in August 2005 on Council Tax – further information promised |
| Councillor Paisley        | - | Community newspapers changes  |
| Councillor Kate MacKenzie | - | City Chambers security – door at 16 Cockburn Street                           |

The City of Edinburgh Council  
26 January 2006

- |                        |  |
|------------------------|--|
| Councillor Cardownie   | - The late Rachel Squire, MP<br>- Youth issues – facilities in Leith to address problem of disaffected youth   |
| Councillor Russell     | - New Year Honours – award of MBE to Betty Watson and PC Neil Doig   |
| Councillor Dixon       | - Christmas sparkle at the West End – costs  |
| Councillor Jackson     | - Road and pavement improvements<br>- Level of expenditure<br>- South Bridge and Southside – quality standards |
| Councillor Laing       | - Road and pavement improvements – definition of needy area  |
| Councillor Whyte       | - Leader’s report – electronic distribution  |
| Councillor Dawe        | - Leader’s report – position on Council agenda   |
| Councillor Fitzpatrick | - Condolences and support received following family bereavement  |
| Councillor Wheeler     | - PC Neil Doig – award of MBE  |

## **19 Speed Reduction Measures – Duddingston Road – Motion by Councillor Berry**

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

“The Council notes that, following representations by Councillor Berry and a site visit by officials, the Director of City Development has agreed that the traffic cushions on Duddingston Road have not been installed to an acceptable standard and therefore will be replaced as a matter of urgency. Given the clear public safety issues, the Council welcomes the decision by the Director of City Development.

The Council notes that similar speed reducing measures have been installed at other locations in the city and instructs the Director of City Development, as a matter of urgency, to investigate whether they have been installed to an acceptable standard and report his findings to the Executive Committee at an early date.”

The City of Edinburgh Council  
26 January 2006

**Decision**

- 1) To agree that speed-reducing measures made a positive contribution to road and pedestrian safety and further 20mph Zones should be implemented.
- 2) To note that such measures on Duddingston Road, from Willowbrae Road to Mountcastle Drive, were recently reviewed in regard to both dimensions and quality. The speed cushions were found to be the correct height but not to an acceptable quality. The 'side' gradients and finished surface were not acceptable and these aspects were being redone at no cost to the Council.
- 3) To note that the finished quality of speed-reducing measures was examined after construction and that when failures were identified the contractor was instructed to carry out remedial work, at no additional cost to the Council. Following the construction of any road feature, including speed reducing measures, there was a "maintenance" period, typically 12 months, during which any defects identified must be rectified by the contractor, again at no additional cost to the Council.
- 4) To welcome that in the last three years 38 residential 20mph Zones had been installed; 108 out of 149 schools now had full-time or part-time 20mph Zones (72 of which included traffic calming across the whole catchment area); and numerous traffic calming schemes had also been installed by Developers throughout the city.
- 5) To further welcome the part these measures had played in:
  - a) 2005 being the third year running when there had not been one single child pedestrian fatality within the City of Edinburgh Council area;
  - b) reducing serious injuries by over 60% in the last 10 years;
  - c) the City of Edinburgh Council thus already having met its 2010 target of a 40% reduction in adult killed or seriously injured casualties; and
  - d) the City of Edinburgh Council thus already having met its 2010 target of a 50% reduction in child killed or seriously injured casualties
- 6) To note finally that a further report would be made to the Council Executive on the efficacy of all types of 20mph Zones in the city, with respect to achieved accident and speed reductions.



## **20 Pavement Danger – Motion by Councillor Tritton**

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

“Council recognises that cycling on pavements and parking of vehicles on pavements can cause problems for pedestrians. Council calls for the Director of City Development to report on:

- 1) Legal measures which are available for the Police or wardens to fine offenders.
- 2) What measures could be introduced to discourage these practices.”

### **Decision**

To approve the motion by Councillor Tritton.

## **21 Building Warrants – Motion by Councillor Tritton**

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

“Council notes that applications for works requiring building warrants are not notified to neighbours.

Council further notes that such work may involve common areas and/or may affect other property especially in tenements and divided villas.

Council therefore calls for a report on the introduction of a neighbour notification scheme for building warrants as happens for HMO notifications and Planning Applications.”

### **Decision**

To approve the motion by Councillor Tritton.

## **22 Planning Conditions – Motion by Councillor Paisley for Remit to the Planning Committee**

The following motion by Councillor Paisley was submitted in terms of Standing Order 29:

“To call for a report on the possibility of applying a planning condition to all new developments in the city that the energy needs are met by ground source heat pumps, turbines and solar panels to minimise the damage to the environment.”

The City of Edinburgh Council  
26 January 2006

**Decision**

To note that Councillor Paisley had withdrawn the motion.

The City of Edinburgh Council  
26 January 2006

**Appendix**  
(As referred to in Act of Council No 4 of 26 January 2006)

**QUESTION NO 1**

**By Councillor Paisley  
answered by the Executive  
Member for Community  
Safety and Housing**

- |  |  |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
|--|--|--|----------|----------------------------------|----------|----------------|----------|-----------------|---------|----------------------|----------|-------------------|----------|------------------------------|---------|-----------------------|---------|--------------------------|---------|--------------------------------|------------|
| <b>Question</b>                              | (1) What was the total cost to this Council in the Stock Transfer Ballot?  |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| <b>Answer</b>                                | (1) There are no costs to the Council. The expenditure incurred was as listed in the answer to question (2) below.   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| <b>Question</b>                              | (2) Please list the costs of each item, e.g. staff costs, mailshots etc.   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| <b>Answer</b>                                | <table border="0"> <tr> <td>(2) a) Communications/information to tenants</td> <td style="text-align: right;">£671,842</td> </tr> <tr> <td>b) Independent Advice to tenants</td> <td style="text-align: right;">£104,252</td> </tr> <tr> <td>c) Consultants</td> <td style="text-align: right;">£886,658</td> </tr> <tr> <td>d) Ballot costs</td> <td style="text-align: right;">£40,174</td> </tr> <tr> <td>e) Survey of tenants</td> <td style="text-align: right;">£144,783</td> </tr> <tr> <td>f) Staffing costs</td> <td style="text-align: right;">£610,284</td> </tr> <tr> <td>g) Staff training and advice</td> <td style="text-align: right;">£38,085</td> </tr> <tr> <td>h) Shadow Board costs</td> <td style="text-align: right;">£73,812</td> </tr> <tr> <td>i) General project costs</td> <td style="text-align: right;">£78,602</td> </tr> <tr> <td>Total identified costs to date</td> <td style="text-align: right;">£2,648,492</td> </tr> </table> | (2) a) Communications/information to tenants | £671,842 | b) Independent Advice to tenants | £104,252 | c) Consultants | £886,658 | d) Ballot costs | £40,174 | e) Survey of tenants | £144,783 | f) Staffing costs | £610,284 | g) Staff training and advice | £38,085 | h) Shadow Board costs | £73,812 | i) General project costs | £78,602 | Total identified costs to date | £2,648,492 |
| (2) a) Communications/information to tenants | £671,842   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| b) Independent Advice to tenants             | £104,252   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| c) Consultants                               | £886,658   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| d) Ballot costs                              | £40,174  |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| e) Survey of tenants                         | £144,783   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| f) Staffing costs                            | £610,284   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| g) Staff training and advice                 | £38,085  |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| h) Shadow Board costs                        | £73,812  |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| i) General project costs                     | £78,602  |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| Total identified costs to date               | £2,648,492   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| <b>Question</b>                              | (3) Is any or all of this recoverable from the Scottish Executive?   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |
| <b>Answer</b>                                | (3) All costs are covered by the Community Ownership Programme Support Fund grant from Communities Scotland/Scottish Executive. In joining the Community Ownership Programme the Council also secured an additional grant from the Scottish Executive of £30 million to fund new supply of affordable housing in the City.   |  |          |                                  |          |                |          |                 |         |                      |          |                   |          |                              |         |                       |         |                          |         |                                |            |

The City of Edinburgh Council  
26 January 2006

**Question** (4) What will be the impact on the 2006/2007 Council Tax?

**Answer** (4) Nil.

The City of Edinburgh Council  
26 January 2006

**QUESTION NO 2**

**By Councillor Paisley  
answered by the Executive  
Member for Sustainability and  
Finance**

- Question** (1) Have all the Council's costs in connection with the G8 summit been refunded in full?
- Answer** (1) Council submitted a claim which included all additional costs relating to the G8 with the exception of £10,500 for increased Public Liability Insurance, which was deemed ineligible by the Scottish Executive and £125,000 for G8 related special events which were funded from the Cities Growth Fund. Normal staff time was excluded from the claim. For the CETM contract suspension costs an estimate of £405K was included in the cost claim, however, the contractor has recently submitted a claim for £441K. This contract claim is potentially £38K higher than the original estimate but is subject to negotiation.
- Question** (2) List any items outstanding.
- Answer** (2) The Scottish Executive have confirmed that full settlement of the claim for £3.059m will be included in the revenue support grant payment in the second half of March 2006, subject to parliamentary approval on Wednesday 8 February 2006.
- Question** (3) Has Lothian and Borders Police been paid in full for any costs incurred by policing the G8 summit?
- Answer** (3) Lothian & Borders Police incurred costs of £4.914m of which £4.864 have been recovered.
- Question** (4) List any outstanding items.
- Answer** (4) Lothian & Borders Police are in discussion with the Scottish Executive regarding the outstanding £50k costs.

The City of Edinburgh Council  
26 January 2006

**Supplementary  
Question**

I have some concerns about the arithmetic of the Finance Department on this one when you see their inability to subtract 405 from 441. I was wondering, had Councillor Child worked out this figure or had she got the information from Councillor Burns in Transportation or had she checked it out finally with Councillor Rev Ewan Aitken in the Children and Families Department? Who came up with the figures? Who got it wrong?

**Supplementary  
Answer**

Your arithmetic is a great deal better than mine Councillor Paisley. I had not noticed that.

The City of Edinburgh Council  
26 January 2006

**QUESTION NO 3**

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

Could the Leader provide the following detailed information following the Scottish Ministers' decision on the Morrison Street Public Inquiry:

- Question** (1) The proposed decision by Scottish Ministers following their consideration of the evidence submitted at the Public Inquiry.
- Answer** (1) The Scottish Ministers' decision was to approve the proposed scheme unaltered with some adjustments to planning conditions in respect of local impact.
- Question** (2) The approximate cost of the Public Inquiry to the Council.
- Answer** (2) The approximate legal and professional costs of the Inquiry to the Council at a restricted charging rate for professional planning staff in comparison with private consultants, was £51,600.
- Question** (3) The approximate cost of the Public Inquiry to EDI.
- Answer** (3) The cost of the inquiry to EDI was £150,000 in fees, payable to the advocate and the professional team acting as expert witnesses. In addition, EDI's own staff time, if charged out, is estimated at, at least, £25,000.
- Question** (4) The length of time that it took for the Scottish Ministers to bring the Public Inquiry to a conclusion, beginning with the date that the Development Quality Sub-Committee resolved to approve the proposals, to the date that the Ministers published their decision on the Public Inquiry.
- Answer** (4) The Development Quality Sub-Committee resolved to approve the proposals at its meeting of 29 July 2004. The decision of the Scottish Ministers was issued in late December 2005.

The City of Edinburgh Council  
26 January 2006

- Question** (5) The implications of this delay on the economy of Edinburgh.
- Answer** (5) There has been almost 1½ years delay in achieving this contribution to the urban regeneration of the Haymarket area with resulting knock-on effects on the city centre as a whole. Haymarket is fast increasing in importance as a transport interchange and important gateway to central Edinburgh and delay in bringing this project on has been unfortunate. The effects may be further exacerbated by the project not being able to take early advantage of revival in the commercial office market.

It is difficult to be specific of how this delay would affect the economy of Edinburgh. The agents, Jones Lang La Salle, report that there is only 1 City Centre office development to complete during 2006. This is the lowest annual supply of new accommodation they have recorded since they started keeping records in 1994. During 2007 there is still limited new supply predicted, currently only 2 schemes committed, again an historically low figure. If as expected demand starts to increase during 2006, Edinburgh will face a shortage of good quality office accommodation compared to other UK centres. This could result in Edinburgh being unable to compete against other cities for major footloose enquiries. It could also lead to indigenous companies being unable to expand if the economy improves, potentially resulting in them being forced to expand in other centres. When EDI first applied for planning it was anticipated that the scheme could be delivered in 2007 and such a large scheme may have relieved the expected shortage in the market.

It should perhaps be noted that although currently there is a fairly healthy supply of available grade A offices, the market views a large proportion of that supply as compromised in it's design, for example the accommodation within the former GPO building has a great deal of the accommodation below ground level.



The City of Edinburgh Council  
26 January 2006

**QUESTION NO 4**

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

You were either unable or unwilling to answer my questions about the production and distribution of the Leader's Report at the Council Meeting on 15 December.

- Question** (1) Who authorised the circulation of the Leader's Report to people other than those who receive papers for Council meetings and when did this first take place?
- Answer** (1) The widening of the circulation of the Leader's Report followed advice obtained from the Council Solicitor. The content of the Leader's Report is cleared each month with the Chief Executive's office and, to date, there has been no occasion where they have advised that the nature of any suggested content should be altered. Wider distribution of the Leader's Report has been built up over a period of time.
- Question** (2) How many paper copies of the Leader's Report of 15 December 2005 were distributed other than in the papers for the Council Meeting and what was the total cost of that distribution, including staff time?
- Answer** (2) No paper copies of the Leader's Report of 15 December 2005 were distributed other than in the papers for the Council Meeting and no costs were therefore accrued in this connection.
- Question** (3) How many e-mails were sent to e-mail addresses (a) within the domains edinburgh.gov.uk or edin.sch.uk and (b) to other e-mail addresses informing recipients that they could download the Leader's Report for December 2005?
- Answer** (3) One e-mail issued to staff with the edinburgh.gov.uk domain and separately to Children and Families staff based in Council Headquarters informing them that they could download the Leader's Report for December 2005. Four separate e-mails to other e-

The City of Edinburgh Council  
26 January 2006

mail addresses similarly advised that the Leader's Report could be downloaded.

- Question** (4) Who authorised the distribution of the e-mails referred to in question (3)?
- Answer** (4) The Chief Executive authorised the distribution.
- Question** (5) How many recipients outwith the Council are people who had given specific consent to receiving e-mails about the Leader's Report and what form did that consent take?
- Answer** (5) The Council Solicitor advised that, in broadening the circulation of the Leader's Report to external recipients, provision for recipients to unsubscribe from its receipt should exist and be robustly operated. Distribution arrangements for the Leader's Report adhere to that advice to ensure compliance with statutory requirements. The precise information sought is not maintained.
- Question** (6) What is the contractual relationship between the Council and White Light Media and who authorised this contract?
- Answer** (6) No binding contract with White Light Media exists. White Light Media were engaged by Economic Development to produce *Capital Review* following a competitive tendering process. As part of the on-going development of *Capital Review*, White Light Media were asked to produce an e-bulletin towards the end of 2005. The design was finalised, and the first e-bulletin issued, in December 2005. In developing the *Capital Review* e-bulletin, Economic Development identified the opportunity to produce a 'fit for purpose' electronic version of the Leader's Report. Accordingly, White Light Media were asked by Economic Development to produce a revised format for the Leader's Report. Economic Development then presented to the Leader's office a worked up prototype. Taking this forward on the back of existing work enabled significantly reduced costs, provided greater consistency for Council publications and facilitated cross-promotion. The initial design and artwork was paid for by Economic

The City of Edinburgh Council  
26 January 2006

Development and the possibility is being explored of carrying out the work in-house. The Chief Executive authorised the new electronic format for the Leader's Report.

- Question** (7) What is the actual or anticipated cost of all services provided by White Light Media related to the production, design and distribution of the Leader's Report in financial years (a) 2003/4, (b) 2004/5, (c) 2005/6?
- Answer** (7) No services were provided by White Light Media in relation to the Leader's Report in years 2003/4 and 2004/5 and no costs were therefore incurred. Costs to the Leader's office for services provided by White Light Media in relation to the Leader's Report are unlikely to exceed £1,000 for 2005/6. As indicated, the possibility is being explored of carrying out the work in-house.
- Question** (8) How many individual members of staff submitted stories for inclusion within the Leader's Report and how many members of staff were involved in producing the December 2005 Leader's Report?
- Answer** (8) Fourteen members of staff provided suggested contributions to the Leader's office for inclusion in December's Leader's Report. One member of staff produced the Report and cleared it with the Chief Executive's office.
- Question** (9) What advice has the Leader sought or received from Council Officers in regard to whether the production of his Leader's Reports is compatible with the Councillors Code of Conduct, Section 2 of the Local Government Act 1986 or the Code of Recommended Practice on Local Authority Publicity (Scottish Development Department Circular 16/88) and will he circulate that advice to all Councillors?
- Answer** (9) Guidance on the Leader's Report was sought from the Council Solicitor. Her recommendations to satisfy statutory requirements, the Code of Recommended Practice on Local Authority Publicity and the Councillor's Code of Conduct are being adhered to. This Guidance was also copied to the

The City of Edinburgh Council  
26 January 2006

Director of Corporate Services and the Council Secretary. I should be happy to make this available to any Councillor.

Colleagues may also wish to be aware that political leadership will form part of the Council's forthcoming Best Value Audit. The work of the Leader's office and the role of the Leader's Report will be considered by the Audit as it would be helpful to receive independent comment on the Report and the way it is valued.

**Supplementary  
Question**

I would like to ask the Leader if he is aware or, indeed, whether the whole Council is aware, that the Code of Conduct on local authority publicity says that slogans alone will not be an adequate means of justifying the authority's views on their policies, that Council statements should aim to set out the reasons for the policy and should not be prejudiced, unreasoning or a political attack on the policies or proposals in question or those putting them forward. In this context, just to pick one random example of his various excitable remarks, in his written report over the past years on the subject of Councillor Ponton and Councillor MacLaren and wheelie bins, does he think he needs to change his tone?

**Supplementary  
Answer**

I think actually it is a fair comment. I wouldn't necessarily disagree with what Councillor Mackintosh is saying and, as we have changed the Leader's report from being simply a document that is circulated to Council members to one that is distributed more widely, I have reflected on the information that is in it. We have discussed these issues and I would hope you would accept that there has been a difference in the way that the information is presented and that it is consistent with the document you have just read.

The City of Edinburgh Council  
26 January 2006

**QUESTION NO 5**

**By Councillor Dawe answered  
by the Executive Member for  
Human and Corporate  
Resources**

**Question**

- (1) How many accidents at work, involving City of Edinburgh Council employees or contractors, in Council premises or at other workplaces, detailed by department, were reported for each of the last five full years for which records are available?

**Answer**

- (1) In response to this question, information has been gathered from departments and is presented in the attached appendix.

Each department currently maintains accident records and there is a statutory duty to maintain such records for a minimum period of 3 years from the date of the accident.

There is a statutory duty to report certain categories of employee accidents at work to the Health and Safety Executive as follows:

- the accident has resulted in the employee being unable to undertake their normal duties for more than 3 days as a result of injury;
- the person suffered a specified major injury; or
- there is a fatality.

**(Note:** there were no employee fatalities during the period in question).

There is currently no common recording system, which makes it difficult to analyse accident records on a corporate basis. A proposal for a new e-HR system includes a H&S module with the aim of moving to one common system.

Accident information for the Significant Trading Organisations is not included in table 1. The complete data was not available within the given time-scale for responding, therefore, this additional information will follow.

The City of Edinburgh Council  
26 January 2006

It should be noted that the reporting cycle has been aligned to the financial/performance reporting year (from 2004/05), in preparation for annual health and safety reporting on Council performance.

**Question** (2) How many accidents at work have been investigated by Departmental Health & Safety Officers and how many by the Health & Safety Executive during that period?

**Answer** (2) Generally, departmental procedures require all accidents to be initially investigated by the immediate line manager and these are scrutinised by Health and Safety Advisers.

Detailed information on the number of investigations undertaken by Health and Safety Advisers or the Health and Safety Executive is limited, primarily as a consequence of the limitations of the recording systems. Such investigations will tend to be the more serious accidents.

From the information available at this time, over the five year period a total of 422 investigations have been undertaken by Health and Safety Advisers and 5 by the Health and Safety Executive.

**Supplementary  
Question**

I am grateful for the information that has been given and I look forward to the further statistics that weren't prepared in time. I note that it appears from the answer that there is to be an annual health and safety reporting mechanism in future. Given what appears to be a rising trend in most departments, I would ask whether targets for reduction will be set and what action is planned to try to reduce accidents and to raise the profile of workplace health and safety?

The City of Edinburgh Council  
26 January 2006

**Supplementary  
Answer**

Can I reassure Councillor Dawe we are not complacent about these figures. If she thinks back to the report that went through the Council Executive last week on sickness absence management, that report actually focuses on the causes of injury as well as illness and I think if we can get behind the raw figures, identify the causes of these injuries then we can start to tackle the injuries themselves. We are working very hard on that; we are not complacent and I am pretty confident we can tackle these big figures in the future.

The City of Edinburgh Council  
26 January 2006

## Appendix

**Employee and Contractor Accidents for the period 1 January 2001 to 31 March 2005**

**Accident information detailed by department in response to question 1**

Department	2001*		2002*		2003*		January– March 04**		April 04 / March 05	
	Employee (Accidents reported to HSE in brackets)	Contractor	Employee (Accidents reported to HSE in brackets)	Contractor	Employee (Accidents reported to HSE in brackets)	Contractor	Employee (Accidents reported to HSE in brackets)	Contractor	Employee (Accidents reported to HSE in brackets)	Contractor
City Development	42 (18)	0	46 (17)	0	43 (17)	0	19 (3)	0	66 (13)	0
Corporate Services	4 (1)	0	1	0	6 (1)	0	3 (1)	0	3 (0)	0
Culture & Leisure	41 (5)		35 (6)	0	14 (2)	0	11 (1)	0	38 (3)	0
Children & Families	358	5	523 (21)	16	572 (11)	19	160 (6)	0	842 (16)	15
Environmental & Consumer Services	217 (44)	0	209 (49)	0	205 (41)	0	72 (12)	0	221 (15)	1
Finance	N/A		1	0	2	0	0	0	0	0



The City of Edinburgh Council  
26 January 2006

Department	2001*		2002*		2003*		January– March 04**		April 04 / March 05	
	Employee (Accidents reported to HSE in brackets)	Contractor	Employee (Accidents reported to HSE in brackets)	Contractor	Employee (Accidents reported to HSE in brackets)	Contractor	Employee (Accidents reported to HSE in brackets)	Contractor	Employee (Accidents reported to HSE in brackets)	Contractor
Housing	97	1	75	0	43	0	31 (1)	0	40 (5)	0
Health & Social Care	758 (79)	3	914	5	1072 (46)	0	252 (18)	0	944 (55)	0
<b>Total</b>	1517 (147)	9	1804 (93)	21	1974 (124)	19	548 (42)	0	2226 (113)	<b>16</b>

\*Calendar year

\*\* Commenced the process of changing the reporting cycle to the financial / performance reporting year.

The City of Edinburgh Council  
26 January 2006

**QUESTION NO 6**

**By Councillor Dawe answered  
by the Executive Member for  
Children and Families**

- Question** (1) In view of their importance in areas such as health promotion and child protection, how many school nurses are working within primary and secondary schools in Edinburgh?
- Question** (2) How many pupils on average do school nurses care for?
- Question** (3) Are there any unfilled posts at present?
- Question** (4) Please give figures on each of the above for the last three years.
- Answer** I am not in a position to provide an answer, as School Nurses are employed by Community Child Health, not the City of Edinburgh Council. It is to that body which Councillor Dawe must address her questions.
- Supplementary Question** I was extremely disappointed with the answer given the Council's new close working with health officials and acknowledgement of the importance of partnership working in areas such as Child Protection. The fact that parents and School Boards have raised the issue with me and don't differentiate about who actually employs the school nurses, I am really quite astonished that no-one in the Council was able to produce the figures I asked for. I would like to ask the Executive Member for Children and Families if he thinks it is satisfactory that the Director of Children and Families and his staff apparently don't have enough interest in the health and welfare of children in schools to address my question.

The City of Edinburgh Council  
26 January 2006

**Supplementary  
Answer**

I would reject absolutely the idea that they don't have an interest in the health of children. The Strategy launched in this academic year shows the level of interest we have. However what your question exposes is perhaps a lack of understanding on your part about where people are employed and how those partnerships work and who can hold information about individuals at a given time. I have done some digging, however, to find out some further information and I will be able to provide you with some details in due course but you have to understand that it is not our responsibility to hold figures for people's employment circumstances. That would be inappropriate even in a close working partnership.

The City of Edinburgh Council  
26 January 2006

**QUESTION NO 7**

**By Councillor Tritton  
answered by the Executive  
Member for Transport and  
Public Realm**

**Question** (1) Who made the decision not to exempt the substitute public holidays at Christmas and New Year from parking restrictions?

**Answer** (1) This is set out in the current Order as amended in 1998. The Council took this decision after following the normal statutory consultation procedure that applies to all Traffic Regulation Orders. A special sub-committee meeting of the Transportation Committee was held on 6 January 1998 when those who had submitted comments during the objection period were given the opportunity to speak their objections before any decision was made. Following that meeting the Transportation Committee approved the change to four public holidays. This position is re-affirmed in the covering Executive report supporting the current parking strategy consultation. This report was also approved by the cross-party member/officer group on Transport on 25 October 2005.

**Question** (2) What was the rationale for that decision?

**Answer** (2) The traffic volumes in the city centre on public holidays are often as high as volumes during a normal weekday. Many companies do not observe the traditional Edinburgh public holidays, either choosing other days when similar companies in other parts of this country or overseas are closed or through flexible working giving staff alternative holidays. It was thus recommended that 4 public holidays should remain. These are: Christmas Day, Boxing Day, New Year's Day and Easter Monday. It should be noted that the days stated will be public holidays on these dates only and therefore when Christmas Day, Boxing Day and New Year's Day fall on a Saturday and/or Sunday the following Monday and/or Tuesday will be considered as a day when payment is required for parking.

The City of Edinburgh Council  
26 January 2006

- Question** (3) How was the information provided to the public that the substitute public holidays would not be exempt from parking restrictions?
- Answer** (3) The actual dates when normal parking restrictions do not apply are indicated on the front panel of every on-street ticket machine within the city. This information is entirely specific and a motorist should not infer from this that these dates automatically move forward should the holiday fall on a weekend. The same information is displayed on the Council's website. In addition, the Council issued a press release in which the public were informed that normal restrictions applied on 27 December and 2 and 3 January. The press release was carried on local newspapers and radio stations.
- Question** (4) How many parking tickets were issued on each day in the weeks commencing 26 December 2005 and 2 January 2006 and on the equivalent days in 2004/05?
- Answer** (4) See attached table.
- Supplementary Question** The figures given clearly indicate that there was widespread ignorance that the substitute public holidays in 2005 and 2006 were not parking holidays. Many tickets were issued in residential streets which do not have controls at weekends and Christmas and New Year holidays are national holidays; they are not traditional Edinburgh holidays when there is confusion about holidays. In view of this and in order to convince the public that parking wardens are not just revenue raising machines, would the Executive Member agree to reconsider the decision not to transfer the exemption from parking restrictions to the substitute public holidays at Christmas and New Year?

The City of Edinburgh Council  
26 January 2006

**Supplementary  
Answer**

Firstly I would refute Councillor Tritton's assertion that the figures proved that there was widespread ignorance. If you look at the figures provided in the answer they show there was a slight rise this year over last year in week 1 but they also show that there was a slight fall in tickets issued this year over last year in week 2. So, I would refute the assertion that somehow from these figures you can ascertain that there was widespread ignorance. There clearly wasn't as the number of tickets issued this year in week 2 was less than last year. However, I am happy to consider Councillor Tritton's request. I am sure that that will come back before the full Council in due course as part of the wider Parking Strategy Review.

The City of Edinburgh Council  
26 January 2006

## Table

## VALID PCN COUNTS :

		2004-2005	2005-2006
<b>WEEK 1</b> <b>(after christmas)</b>	Monday	0	0
	Tuesday	1375	1297
	Wednesday	958	809
	Thursday	907	842
	Friday	770	908
	Saturday	0	436
	Sunday	41	0
	<b>TOTALS</b>	<b>4051</b>	<b>4292</b>
<b>WEEK 2</b> <b>(after new year)</b>	Monday	1591	1768
	Tuesday	856	804
	Wednesday	672	668
	Thursday	727	648
	Friday	742	739
	Saturday	541	420
	Sunday	109	79
	<b>TOTALS</b>	<b>5238</b>	<b>5126</b>

The City of Edinburgh Council  
26 January 2006

**QUESTION NO 8**

**By Councillor Longstaff  
answered by the Executive  
Member for Sustainability and  
Finance**

**Question**

Please list the contractors involved in awards of 4-year home to school transport contracts reported to the Executive on 25 October 2005, completing the following matrix:

Contractor	Contracts accepted				Contracts declined	
	At initial offer stage		At subsequent stage(s) because original contract offer declined by chosen tenderer			
	No.	Tender Value	No.	Tender Value	No.	Tender Value

**Answer**

See attached Appendix.

**Supplementary Question**

When the Executive awarded home to school contracts last year great play was made on the fact that the number of contractors involved was reduced to merely 44 and that administrative efficiencies thereby would be achieved. This answer however shows that, on the contrary, 58 contractors were involved in home to school transport at the beginning of the school year. How confident are you that the rest of the information in the report to the Executive on this matter is completely accurate?

**Supplementary Answer**

One can never be 100% confident that anything one is told in a report is 100% accurate. I must commend Councillor Longstaff for his performance at scrutiny on this particular issue because he has raised a concern that does need to be answered. The answer to his question will take several months to get to him but nevertheless the Finance Department does need to look at the figures and closely scrutinise them and reconcile them with a ledger and I give the commitment the work will be done.



The City of Edinburgh Council  
26 January 2006

In commending Councillor Longstaff for his terrier like qualities on the Scrutiny Panel, I have to say that I and Councillor Rev Aitken share a concern that some of the issues he has raised point out particular issues that need to be addressed in the partnership working between Corporate Transport Unit, the Central Purchasing Unit and Children and Families in order to ensure that best value, and I stress value as well as cost, on this contract is sustained and that in three years time the mistakes that perhaps were made this time are not repeated.

The City of Edinburgh Council  
26 January 2006

## Appendix

**Home-to-school transport****Analysis of routes awarded and relevant tenderers awarded those routes**

No	Company Name	Contracts Accepted at Initial Offer		Contracts Accepted at Subsequent Stages		Recorded Contracts Declined	
		Number	Value	Number	Value	Number	Value
1	A & A TRAVEL LIMITED			1	£51.40	1	£47.50
2	A.G.S. MINIBUS HIRER			1	£47.00		
3	AAA COACHES			1	£50.30	2	£73.20
4	AC TAXIS & MINI BUSES	7	£209.00			19	£553.00
5	AERIAL ABW CABS			1	£30.00		
6	AIRLINK CARS	3	£62.50			2	£46.50
7	ALBA COACHES	1	£33.50	1	£104.50	2	£70.00
8	B S K CARS			2	£101.00	2	£117.00
9	CALL US CABS	7	£161.00			7	£176.00
10	CAROLINE WALLACE	1	£37.90			1	£39.40
11	CARR PRIVATE HIRE	6	£285.00	4	£181.40	2	£80.00
12	CHAUFFEUR DRIVE	16	£533.00			8	£253.00
13	CITY CABS (EDIN) LTD	11	£169.00			4	£86.00
14	COMPUTER CABS (EDIN) LTD	11	£255.63			4	£74.74
15	COULMAN COACHES	18	£788.00			7	£207.00
16	CROWN CHAUFFEUR DRIVE			1	£40.00	2	£88.00
17	D & J CARS	5	£122.00			5	£112.00
18	D BOYLE TAXI'S	1	£26.00			1	£41.00
19	D G TRANSPORT	1	£33.75			1	£33.75
20	DAVID BINGHAM (D.B. TAXI HIRE)	2	£42.00			2	£42.00
21	DAY & NITE (QUALITY CARE)	2	£46.00			2	£53.00
22	DILLONS TAXI SERVICES	2	£101.00			1	£31.00
23	DOUGLAS TOON			1	£39.50	1	£35.50
24	E & M HORSBURGH	3	£203.00				
25	EDINBURGH COACH LINES LTD					1	£50.00
26	EDINBURGH TAXIS LTD					2	£65.40
27	ELLIOT PRIVATE HIRE			1	£42.00		
28	FIRM OF H & M FERGUSON	3	£200.00				
29	FRANK WHITE	1	£32.00	1	£46.00		
30	G & C TRANSPORT	6	£201.00	4	£146.00	4	£145.00
31	G & R TAXIS	17	£495.50			7	£214.50
32	G.B.A. (QUALITY CARE)	2	£52.00			1	£28.00
33	GEORGE MILLAR	2	£14.50				
34	HANNINGS LTD	15	£657.00	21	£892.00	5	£201.00
35	IAN MYCKO	7	£194.92			5	£122.28
36	J & K PRIVATE HIRE	1	£31.50			1	£29.50
37	J & K TRANSPORT	6	£178.00			1	£38.50
38	J.L. PRIVATE HIRE	1	£32.50	1	£30.50		

The City of Edinburgh Council  
26 January 2006

No	Company Name	Contracts Accepted at Initial Offer		Contracts Accepted at Subsequent Stages		Recorded Contracts Declined	
		Number	Value	Number	Value	Number	Value
39	JACK SIMPSON MINICOACH HIRER	2	£125.00	2	£127.00	1	£59.00
40	JAMES COLVIN CAR HIRE	1	£25.50			1	£23.00
41	JOHN W JACK	21	£599.50			10	£289.00
42	L.A.TRAVEL	3	£136.66			5	£229.80
43	LOGAN'S RUN	1	£28.00			2	£56.00
44	M & D PRIVATE HIRE	2	£60.50			2	£58.00
45	MCKENDRYS COACHES	2	£42.00			3	£42.00
46	MEWS COACHES			2	£82.00	2	£87.00
47	MORGANS PRIVATE HIRE	1	£30.30			1	£30.30
48	MRS NANCY MCELHONE	1	£40.00	1	£40.00		
49	P & S TRANSPORT	2	£47.50			5	£105.00
50	PERSERVERE PRIVATE HIRE			3	£75.00	1	£30.00
51	R. D. LOW CHAUFFEUR DRIVE	6	£195.00			5	£164.50
52	RADIO CABS (QUEENSFERRY)	9	£278.00	1	£35.00	1	£22.50
53	RATHO COACHES			3	£201.50		
54	RAYMOND J. DAVIDSON	1	£22.00				
55	ROSS MINIBUS HIRE					1	£35.50
56	SANDRA MAIN	3	£99.00			3	£99.00
57	SHANDON TRAVEL	6	£404.00			6	£200.00
58	STARLINE TRAVEL			5	£226.50	2	£98.00
59	STEVEN PICKERING			2	£83.60	2	£75.50
60	SUNSET TRANSPORT			1	£39.00	1	£39.00
61	TEN-TEN TAXIS	3	£107.00	3	£99.00	1	£38.00
		222	£7,437.16	64	£2,810.20	158	£4,934.87
Please note: The database is dynamic and current contracts may have changed since initial award.							

The City of Edinburgh Council  
26 January 2006

**QUESTION NO 9**

**By Councillor Longstaff  
answered by the Executive  
Member for Children and  
Families**

**Question**

Please list the cost of home to school transport for the last 4 financial years (including the current one to date) and the projected cost for the approaching financial year.

**Answer**

The attached Appendix is an analysis showing the actual spend on Home to School Transport for 2002/03 to 2004/05, the spend to end of December for 2005/06 and the projected cost for 2006/07.

**Supplementary  
Question**

Last year the Executive awarded contracts to cover high school transport for four years. Some of these contracts amounted to £7.6m. This answer indicates that the projected spend for next year alone is over £4.5m. Clearly there is a significant gap and discrepancy in projections and contracts awarded. Could you explain this?

**Supplementary  
Answer**

I am in an odd situation as actually in technical terms this does not fall within my remit but the impact of it has a huge effect on my remit and so I am happy to be asked the question. In a sense it is a parable for the difficulty we have in the way figures are communicated between the Central Purchasing Unit who are able to deliver reductions in costs as they improve their processes but also the way the decisions are made in Children and Families which of course must be about young people. I am really concerned that we still haven't built those communication systems properly. I think you have identified something that is quite significant. The Director of Finance has committed to having a long hard look at this

The City of Edinburgh Council  
26 January 2006

There have been a number of additions to the budget to deal with the overspends in the past and more money has been allocated in recent years as well as another £300,000 in 2004/05 and another £0.8m in 2005/06 but clearly further answers are needed so that we can bottom out the disparity or the apparent disparity between the figures at the moment. That will take some time but I will come back to you with a more detailed response and improved process.

The City of Edinburgh Council  
26 January 2006

**Appendix**

**Home To School Transport**

	<b><u>2002-03</u></b> <b><u>Actual</u></b>	<b><u>2003-04</u></b> <b><u>Actual</u></b>	<b><u>2004-05</u></b> <b><u>Actual</u></b>	<b><u>2005-06</u></b> <b><u>Actual as</u></b> <b><u>at Dec 05</u></b> <b><u>£000's</u></b>	<b><u>2006-07</u></b> <b><u>Projected</u></b> <b><u>Spend</u></b> <b><u>£000's</u></b>
<b><u>Analysis Home To School Transport</u></b>	<b><u>£000's</u></b>	<b><u>£000's</u></b>	<b><u>£000's</u></b>	<b><u>£000's</u></b>	<b><u>£000's</u></b>
Home To School Transport - Contract Hire	2,954	3,097	3,471	1,833	4,146
Home To School Transport - Bus Passes	230	255	304	232	304
<b>Total Home To School Transport</b>	<b><u>3,184</u></b>	<b><u>3,352</u></b>	<b><u>3,775</u></b>	<b><u>2,065</u></b>	<b><u>4,450</u></b>

**Notes :**

The 2005-06 projected cost is based on the projected out-turn for 2005-06.