

Voting

The voting was as follows:

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

Decision

To approve the motion by Councillor Buchanan.

(Reference – report no CEC/192/07-08/EDC by the Economic Development Committee, submitted.)

14 First Review of Scottish Parliamentary Constituencies

The Boundary Commission for Scotland's proposals for the First Periodical Review of Scottish Parliamentary Constituencies were detailed. The Council was invited to consider submitting representations to the Commission.

Motion

- 1) To submit amendments to the Boundary Commission proposals as set out in the report by the Chief Executive, with the exception of Amendment 11 (Map 11 – North Edinburgh and Leith Constituency).
- 2) To note that adhering to strict 'constituency electoral quotas' *could* lead to the sub-division of local communities and existing local government boundaries and to accept that individual political parties represented on the Council might still make such objection/s to the Boundary Commission for Scotland proposals.
- 3) To note further, with some concern, the very short time-scales that had been provided for initial feedback from all interested parties to the Boundary Commission for Scotland proposals.

- moved by Councillor Dundas, seconded by Councillor Munn.

Amendment 1

To reject the recommendations in the Chief Executive's report and to agree that the Council should not submit a corporate response to the Boundary Commission as this should be a matter for individual members, communities and political parties.

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

Amendment 2

To submit the suggested amendments set out in the report by the Chief Executive to the Boundary Commission.

- moved by Councillor Chapman, seconded by Councillor Burgess.

Voting

The voting was as follows:

For the motion	-	44 votes
For amendment 1	-	11 votes
For amendment 2	-	3 votes

Decision

To approve the motion by Councillor Dundas.

(Reference – report no CEC/183/07-08/CE by the Chief Executive, submitted.)

15 Revenue Budget 2008-2009: HRA/Non HRA – Increase in Charges

Decision

To approve the price increases to be applied to Housing Revenue Account charges from 1 April 2008 as detailed in Appendix 2 to this minute.

(References – Act of Council No 2 of 21 February 2008; report no CEC/174/07-08/F by the Director of Finance, submitted.)

16 Scottish Futures Trust Public Consultation – Response on Behalf of The City of Edinburgh Council

Approval was sought for the Council's response to the Scottish Government consultation on proposals for the introduction of the Scottish Futures Trust (SFT) as a preferred alternative to PPP/PFI.

Motion

- 1) To note the content of the proposed response as detailed in the appendix to the report by the Director of Finance, particularly with regard to the need for supplementary borrowing support.

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2) To submit the response to the Scottish Government.

- moved by Councillor Gordon Mackenzie, seconded by Councillor Elliott-Cannon.

Amendment

To approve the motion and:

3) To note in particular the response to Question No 3 in the Council's proposed submission which highlighted that "the capability of SFT to undertake the work required across Scotland is, by definition, as yet untested ... *and* ... with regard to overall affordability (*of SFT*) there is only likely to be modest benefit unless an element of support for additional borrowing is provided to local authorities".

4) To note further the SNP were (pre-May 2007):

- committed to the Scottish Futures Trust being progressed within the first 100 days of government (that period ended many months ago)
- committed to matching the scale of the previous school building programmes brick for brick and to offering an alternative funding mechanism through a Scottish Futures Trust.

5) To agree that both of these commitments had failed to be matched by reality and that:

- nearly one full year after the May 2007 election there was no early prospect of the Scottish Futures Trust being delivered
- for nearly one full year since May 2007 there had been no 'brick for brick' matching of previous school building programmes.

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

Voting

The voting was as follows:

For the motion	-	32 votes
For the amendment	-	26 votes

Decision

To approve the motion by Councillor Gordon Mackenzie.

(Reference – report no CEC/175/07-08/F by the Director of Finance, submitted.)

17 Schools PPP2: Contract Negotiations

The Council's current negotiations with Axiom on proposed changes to the PPP contract agreement aimed at reducing the financial impact associated with the handover of the Tynecastle and Craigroyston sites were detailed. An update on progress of the developments at these sites and a review of action taken by the Director of City Development to review the contractual risks for the project were also provided.

Decision

- 1) To note the joint partnership working that had been carried out by the Council, Axiom and their Design and Construction contractor, Lang O'Rourke, leading to an agreement in outline terms. The agreement had the potential to significantly reduce the Council's financial liability at Craigroyston and Tynecastle.
- 2) To delegate authority to the Director of City Development, in consultation with the Director of Children and Families, the Director of Finance and the Council Solicitor, to conclude negotiations on the basis of the proposal in section four of the report by the Director of City Development; the delegated authority to include authorising the Council Solicitor to sign all financing agreements, contractual documents and schedules on behalf of the Council.
- 3) To note that the Chief Executive would report to the Council on 1 May 2008 on the findings of the Chief Internal Auditor's report and the review of the PPP project undertaken by City Development.
- 4) To note the revised handover dates set out in paragraph 4.6 of the Director's report.

(Reference – Act of Council 21 of 20 December 2007; report no CEC/178/07-08/CD by the Director of City Development 6 March 2008, submitted.)

18 Edinburgh International Conference Centre Limited (EICC) – Requirement for Additional Function Space (AFS)

Approval was sought for the main terms of a funding package for the provision of additional function space at the EICC, provisionally agreed with Scottish Enterprise Edinburgh & Lothian (SEE&L), and for the cost of essential service diversion works to be met from the Lothian Road Income Trust.

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Decision

- 1) To note:
 - (a) The progress made with the selection process for the appointment of the professional team.
 - (b) The completion of the initial investigative works prior to the commencement of the diversion of utility services.
 - (c) That SEE&L would meet the cost of the investigative works amounting to approximately £25,000.
 - (d) The cost risks in the project and that further reports at key stages would be brought to the Council to update on progress, confirm the financial position and to seek approval to proceed to the next stage.
- 2) To approve a funding package with SEE&L comprising the sale of Conference House, capital contribution and amendments to the Enhancement Agreement on the terms set out in paragraph 2.5 of the joint report by the Directors of City Development and Finance and on the other terms to be agreed by the Directors of City Development and Finance and the Council Solicitor.
- 3) To meet expenditure on project team professional fees and service diversion works of £6.5 million for the period to January 2010 from the Lothian Road Income Trust.

(Reference – Act of Council No 14 of 25 October 2007; joint report no CEC/179/07-08/CD+F by the Directors of City Development and Finance, submitted.)

Declaration of Interests

Councillor Aldridge as Chair of EICC and Councillors Buchanan, Dawe, Wheeler and Whyte as Directors of EICC declared a non-financial interest in the above item.

Councillor Wheeler declared a non-financial interest in the item as a non-Executive Director of **tie**.

19 Affordable Home Ownership Trust

The background to Affordable Home Ownership Trusts, which supported potential home owners, and the potential for establishing such a trust in the city was set out. Information on other initiatives to support home buyers by the UK and Scottish Governments and the Council was also provided.

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Decision

- 1) To welcome the report by the Director of Services for Communities and to express appreciation to Council officials for the quick response to the Council's request in December 2007 for a report on the city's most pressing issue.
- 2) To note the difficulties people faced buying a home in the city.
- 3) To note the range of current initiatives supporting home buyers.
- 4) To commission a feasibility study on the viability of an Affordable Home Ownership Trust for the city which included:
 - (a) an exploration of the Community Land Trust model applicability for Edinburgh; and
 - (b) a review and recommendations on the potential of the CDS (Co-operative Development Society) Co-operatives/Greater London Authority Mutual Home Ownership model in London for Edinburgh.

(Reference – Act of Council No 35 of 20 December 2007; report no CEC/176/07-08/SFC by the Director of Services for Communities, submitted.)

20 Controlled Parking Zones – Proposed Timescales/Priorities for Future Possible Extensions

A review of the Controlled Parking Zone extensions after 12 months of operation had identified further parking pressures in additional areas around the periphery of nine of the new zones. Preparatory works which would culminate in public consultation in the areas adjacent to the nine zones was now proposed.

The Council had heard a deputation on this issue from the Craighleith Road Parking Action Group (see item 2(e) above).

Decision

- 1) To note the content of the report by the Director of City Development.
- 2) To note the revised timescales for bringing forward and consulting on the introduction of parking controls to the nine areas detailed in Appendix 1 to the Director's report.

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- 3) To approve the commencement of the investigative and consultative phase of works required to bring forward proposals for these nine areas
- 4) To instruct the Director of City Development to ensure that the consultation included areas immediately outwith the proposed extensions.
- 5) To note that further reports on the results of the consultation stages of each of the nine areas would be submitted to future meetings of the Transport, Infrastructure and Environment Committee.
- 6) To instruct the Director of City Development to present to the Transport, Infrastructure and Environment Committee a report detailing a timetable for conducting an initial consultation in the four areas which were listed as “to be monitored” in Appendix 1 to his report.
- 7) To approve the reduction of the hourly rate for parking in the existing pay and display parking places on the north side of Craighleith Road to 30p per hour.

(References – Act of Council No 4 of 22 November 2007; report no CEC/180/07-08/CD by the Director of City Development, submitted.)

21 Road Safety, Bus and Pedestrian Priority Scheme, Seafield Roundabout

Decision

To accept the tender of £1,734,752.00 submitted by Barr Ltd for the Bus Priority Scheme works at Seafield Roundabout.

(References – Executive of the Council 25 October 2005 (item 19); report no CEC/181/07-08/CD by the Director of City Development, submitted.)

22 Annual Treasury Strategy 2008-2009

The Treasury Management Strategy for 2008/09 was presented. It included estimates of funding requirements, sources of funds, economic forecast, borrowing and investment strategies, debt rescheduling and other Treasury issues.

Decision

- 1) To approve the Treasury Management Strategy for 2008/09.

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- 2) To refer the report by the Director of Finance to the Finance and Resources Committee for its interest.

(References – Act of Council No 5 of 20 September 2007; report no CEC/177/07-08/F by the Director of Finance, submitted.)

23 Archery World Cup Final 2010/2011

The Council had been invited to bid to host the Archery World Cup Final in 2010 or 2011. Approval was sought for the bidding process to proceed.

Decision

- 1) To note the responsibilities associated with hosting the Archery World Cup Final.
- 2) To submit a bid to host the event in 2010 or 2011, subject to receipt of formal support from EventScotland, UK Sport and the National Governing Body.

(Reference – report no CEC/187/07-08/CS by the Director of Corporate Services, submitted.)

24 Improving the Cleanliness of the City

The Leith Neighbourhood Partnership had referred to the Council recommendations on improving cleanliness in the city.

Decision

- 1) To note and share the concerns expressed by the Leith Neighbourhood Partnership in relation to the low street cleanliness scores for Leith and Leith Walk, as detailed in the most recent Cleanliness Index Monitoring System (CIMS) report, covering the 3 month period to December 2007.
- 2) To note that the December scores for these two wards showed a significant improvement on the figures for the previous quarter.
- 3) To note the additional £240,000 approved in the Administration's budget on 21 February 2008 for street cleansing in the city.

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- 4) To instruct the Director of Services for Communities to address the concerns raised by the Leith Neighbourhood Partnership in a report to the next meeting of the Transport, Infrastructure and Environment Committee.

(References – Act of Council No 2 of 21 February 2008; report no CEC/189/07-08/LNP by the Leith Neighbourhood Partnership, submitted.)

25 Portobello Community Centre and Library – Motion by Councillor Child

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

“Council calls for a report, within one cycle, from the Chief Executive on the feasibility - in principle - of re-provisioning Portobello Community Centre and Portobello Library together on their current sites, in conjunction with affordable rented housing for elderly people, as suggested to Council officers by the management committee of Portobello Community Centre and its agents.”

Decision

To approve the motion by Councillor Child, subject to a full and comprehensive report being submitted within 3 cycles and consultation on the report with the three ward members.

26 2008 Edinburgh World Justice Festival – Motion by Councillor Chapman

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

“This Council:

- 1) Notes that the 2008 Edinburgh World Justice Festival (EWJF) is the third annual festival that aims to raise awareness amongst Edinburgh citizens of the global problems associated with poverty, disease and war;
- 2) Notes that EWJF seeks to continue the legacy of the Make Poverty History campaign, supported by all parties on the Council, by exploring potential solutions to these problems in which individuals and communities can be involved, and bringing together groups and individuals to promote joint working on these issues;

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- 3) Notes that participants in the EWJF are required to meet criteria set by EWJF, and that no events in the festival can promote specific religious or political ideologies or advocate the use of violence;
- 4) Agrees that the two week programme organised by EWJF contributes to the life of the city, and facilitates positive education and debate about global justice issues;
- 5) Supports the aims and objectives of the EWJF;
- 6) Agrees to work with EWJF where possible, and instructs the Director of Corporate Services to prepare a report, within two cycles, providing information on how best to support it, including consideration of employing a similar model to the Fair Trade City model.”

Decision

- 1) To approve paragraphs 1-4 of the motion.
- 2) To instruct the Director of Corporate Services to prepare a report, within two cycles or less, for the appropriate Committee, providing information about the EWJF and describing how the Council could work with and support the festival and its aims and objectives, including consideration of employing a similar model to the Fair Trade City model.

27 Social Justice Conservative Policies Including Pioneer and Specialism Schools – Motion by Councillor Balfour

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

“Council:

- 1) notes the excellent work undertaken by the Rt Hon Iain Duncan Smith MP and the Centre for Social Justice in their Breakthrough Britain (July 2007) and Breakthrough Glasgow (February 2008) reports;
- 2) notes that these reports describe remedial actions which have proved useful elsewhere in tackling deprivation, crime, drug abuse, poor attainment levels in schools and social breakdown and further notes that some of these actions might help to address similar issues in Edinburgh;
- 3) in particular, notes the proposal for pioneer schools, which is described in Breakthrough Britain as follows:

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“Pioneer schools.. would be established by groups of parents and alternative providers within the state system and have charitable status allowing them to attract donations from individuals and companies with a commitment to tackling educational disadvantage. Pioneer Schools would offer free education on a non-selective basis within the state system but would not be subject to local authority sanction or control.” (p329);

- 4) notes that while pioneer schools would be set up in areas of particular disadvantage, specialism schools could also be set up to focus on particular academic subjects or on vocational training;
- 5) calls on the Director of the Children and Families Department to report to the Council meeting of 21 August on the possibility of using third party funding from individuals or companies to set up pioneer and specialism schools. The report to cover:
 - a) the statutory background;
 - b) the logistics which would be involved in encouraging third parties to set up such schools;
 - c) the overall feasibility and possible timing of such a scheme in Edinburgh.
- 6) further, calls upon the Chief Executive to review both of the Breakthrough documents and report to Council on whether any other remedial measures described in these might be relevant to Edinburgh and if so, to outline a process to implement them to the benefit of residents.”

Motion

To approve the motion by Councillor Balfour.

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

Amendment

To take no action on the matter.

- moved by Councillor MacLaren, seconded by Councillor Beckett.

Voting

The voting was as follows:

For the motion	-	11 votes
For the amendment	-	47 votes

Decision

To approve the amendment by Councillor MacLaren.

28 Review of Community and Specialist Transport Schemes – Motion by Councillor Whyte

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

“Council:

- 1) notes that some Edinburgh residents in social need live in areas which are not currently covered by public transport, and which cannot efficiently be covered by supported bus services currently or in the future;
- 2) instructs the Chief Executive to undertake a review of all of the Council-run and Council-subsidised community and specialist transport schemes, to ensure that any duplication is removed, best value is achieved and the criteria are revised to provide transport to those in social need without current access to public transport, as described above;
- 3) asks the Chief Executive to report on his review to the Transport, Infrastructure and Environment Committee (as the lead Committee) and the Health, Social Care and Housing Committee.”

Decision

To remit the motion to the Transport, Infrastructure and Environment Committee.

29 Review of Council Budget Process – Motions by Councillor Johnstone and Godzik

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

“That this Council:

Agrees to review the City of Edinburgh Council’s budget process and calls upon the Chief Executive to bring forward a consultation with all political parties, leading to a report, in order to ensure that the process optimises the potential for political and community participation and is efficient in terms of Council resources, taking into account practice from other local authorities.”

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

“That this Council believes that the budget process should be modernised to increase openness and transparency, provide better scrutiny of the budget by all Councillors, and promote wider community input into the decision making process. Requests that the Chief Executive, in consultation with Group Leaders, prepare a report on this matter.”

Decision

- 1) To note that, following the comments of members at the budget meeting on 21 February 2008, the Director of Finance had begun a review of the budget process.
- 2) To agree that the Director’s review should take into account the motions by Councillors Johnstone and Godzik and should report to the Finance and Resources Committee for scrutiny.
- 3) To agree that, following scrutiny, a finalised report and recommendations be brought to Council for consideration in June 2008.

30 Subsidised Bus Routes – Motion by Councillor Hinds

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

“Now the budget has been agreed for 2008/9, this Council asks for a report on the effect on the subsidised bus routes which received funding in the 2007/8 budget. This report should consider options to ensure these services are retained. This would include the number 13 route.”

Decision

To remit the motion to the Transport, Infrastructure and Environment Committee.

31 Bus Service to Granton Waterfront – Motion by Councillor Hinds

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

“Due to the increasing employment at the Granton Waterfront and the desire to enable employees to regularly use public transport, the Committee asks for a report on the feasibility of providing a bus service from the Park and Ride at Ingliston directly to and from the Waterfront area.”

Decision

To remit the motion to the Transport, Infrastructure and Environment Committee.

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Appendix 1
(As referred to in Act of Council No 6 of 13 March 2008)

QUESTION NO 1

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

Question Please complete the following table:

	Number of Section 75 agreements	Number of agreements where the consent has been activated and payment is now due	Number of outstanding developer contributions	Total value outstanding	No of agreements where works have been completed	Number of agreements where works are outstanding but contributions have been paid
Agreed in 1996/97						
Agreed in 1997/98						
Agreed in 1998/99						
Agreed in 1999/00						
Agreed in 2000/01						
Agreed in 2001/02						
Agreed in 2002/03						
Agreed in 2003/04						
Agreed in 2004/05						

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	Number of Section 75 agreements	Number of agreements where the consent has been activated and payment is now due	Number of outstanding developer contributions	Total value outstanding	No of agreements where works have been completed	Number of agreements where works are outstanding but contributions have been paid
Agreed in 2005/06						
Agreed in 2006/07						
Totals						

Answer

It has not been possible to complete the table attached to the above question as the information is not centrally available in this format. While this arrangement is unsatisfactory, it is important to note that a new team was established in October 2007 to co-ordinate the Council's overall management of developer contributions. As a result compliance with agreements concluded since the establishment of the team is now being comprehensively monitored. It should, however, be noted that developments do not always proceed and therefore S75 agreements are not invoked.

Information in response to the question can be provided as follows. I will however endeavour to provide Councillor Whyte with a more detailed answer to the specific issues in his question as soon as possible.

TRAM

Contributions towards the tram have been monitored since the introduction of the policy.

Phase 1a

Number of concluded agreements	53
Number of agreements where consent has been activated and payment is now due	0
Number of outstanding developer contributions	29

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Total value outstanding	£3,174,000
Total value collected	£2,391,000
Number of agreements where works have been completed	0
Number of agreements where works are outstanding but contributions have been paid	24

Phase 1b

Number of concluded agreements	5
Number of agreements where consent has been activated and payment is now due	0
Number of outstanding developer contributions	5
Total value outstanding	£3,000
Total value collected	£0
Number of agreements where works have been completed	0
Number of agreements where works are outstanding but contributions have been paid	0

Note: The works will remain as outstanding until the completion of the tram system.

AGREEMENTS BEING MONITORED (since Oct 2007)

This covers the legal agreements concluded since October 2007.

Number of concluded agreements	21
Number of agreements where consent has been activated and payment is now due	1 (payment has been requested)
Number of outstanding developer contributions	9
Total value outstanding	£793,205
Total value collected	£492,700

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Number of agreements where works have been completed	0 (recent payments)
Number of agreements where works are outstanding but contributions have been paid	12 (recent payments)

Supplementary Question

I thank the Convener for the response although, as he rightly points out, it is a rather unsatisfactory response given that I did submit this question some six weeks ago in order to give officers time to draw something together and I am very disappointed that I have been given indications of Section 75 agreements in relation to Tram when what I was looking for was historical information regarding Section 75 agreements.

This came about because I found out there was an agreement in my ward where the money had never been collected by the Council and I think it remains a matter of considerable concern that we do not know how much money is outstanding. I wonder if the Convener could tell us precisely what action he now intends to take to deal with this historic issue and whether he can elicit any better answer than I have so far as to what monies are outstanding.

Supplementary Answer

I have spoken to Councillor Whyte already about this answer. I am very disappointed with it and I can only apologise. I was not able to catch it before it went to print. I will go back to the Department to get a full answer to the question. As Councillor Whyte has pointed out and we all know, there was clearly a problem with a contribution that was not taken in and we need to have evidence that contributions have been properly attended to going back a number of years now.

I know that part of the answer says that a new team was set up to do this from October 2007 and no, I'm not going to have a go at the Labour Group. It is really important that we find out what has happened and it is not good enough in my opinion to say that just because we do not have the information centrally we cannot get that information together when this kind of request is made. So, as I have said, I have already started the process of finding

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that information and I will keep Councillor Whyte updated because it might be that I cannot get certain information but I will come back to him in the course of the next few weeks and report back to full Council in writing.

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QUESTION NO 2

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

Question (1) Please provide information on statutory repair payments in table form.

Answer (1)

Financial Year commencing with the year of the oldest outstanding bill	Total no of statutory notice bills issued	Total number of bills outstanding	Total value outstanding £
2001/02	15,082	19	29,565
2002/03	17,490	65	101,589
2003/04	20,145	149	231,839
2004/05	15,137	174	218,277
2005/06	15,024	398	553,763
2006/07	13,069	733	1,052,041
2007/08	24,143	9,235	6,137,517

Question (2) What action is the Council taking to recover any outstanding statutory repair payments?

Answer (2) In the event an owner fails to pay for relevant statutory repairs then:

- 1) A Final Notice to pay is issued 28 days after the issue of the invoice.
- 2) If the invoice is still unpaid after a further period of 14 days a communication is issued under the signature of the Council Solicitor advising legal proceedings may be taken to recover any sums due.