

The City of Edinburgh Council
13 March 2008

- 3) If no response is received to this letter, Finance staff will attempt to contact the owner to negotiate settlement or enter into an instalment arrangement.
- 4) Depending on the value of the debt, the Council Solicitor will be instructed to commence legal proceedings in the Sheriff Court.

The Director of Finance takes every possible step to recover monies due. In exceptional cases where the owner refuses to pay and the Council has been successful in the Court process, the owner can be legally inhibited from disposing of the property. Alternatively a charge can be recorded on the title deeds. In both situations any additional legal expenses incurred are also recoverable as well as interest accruing until eventual settlement.

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QUESTION NO 3

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

At the Council of 22 November 2007 I moved a motion requesting that representations be made to the Scottish Government requesting that tolls on the Forth Bridge should not be abolished until congestion mitigation measures are developed, in line with the report produced by the Parliament's all party Transport, Infrastructure and Climate Change Committee.

The Administration's amendment, which was carried by 29 votes to 28 moved "no action" on the basis that written representations had already been made to the Minister by the Convener on this matter.

Question For the benefit and interest of all members of Council and the wider Edinburgh public, please can these written representations be published?

Answer I am happy to publish the two letters I have sent to the Minister on this matter, and attach copies to this answer (see appendices).

Supplementary Question I am grateful for the answer and in particular the letter dated 21 December which is information I have been seeking for 3½ months now.

My supplementary question is that the Convener and Councillor Buchanan moved no action on 22 November on this matter on the basis that written representations had already been made. We now know that in fact was not the case. Why did the Convener mislead the Council on this matter?

Supplementary Answer I was not aware that I had misled the Council in the fact that I had written the earlier letter to the Minister but if I am viewed as having misled the Council, I do apologise.

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Appendix 1

Stewart Stevenson MSP Minister for Transport & Climate Change The Scottish Government Victoria Quay EDINBURGH EH6 6QQ	Date	21 December 2007
	Our Ref	PW/Tpt/FRB.07
	Your Ref	

Dear

Forth Replacement Crossing

You will recall that I wrote to you on 13 November on behalf of the Council's Transport, Infrastructure and Environment Committee with a request that Transport Scotland should carry out rigorous traffic modelling on the south side of the Firth on the possible impact of the proposed replacement crossing.

Now that the Government has decided to proceed with a cable-stayed bridge, I would like to repeat the previous invitation to Transport Scotland to give the Committee a presentation on the proposed scheme. I hope this can be arranged before too long.

Whilst writing, I would like to reiterate a few concerns about the present and future Forth crossings, as follows:

- How does the Government propose to ensure that road traffic over the two crossings does not exceed 2006 levels, and to decrease CO2 emissions after the removal of tolls?
- Will the Government provide adequate funding for all additional traffic measures that may be considered necessary as a direct result of the removal of tolls?
- Will the Government provide necessary funding for appropriate bus priority measures on both sides of the Firth, to support continued modal shift to public transport?
- What support will the Government give to the further development of sustainable transport initiatives around the Forth Road Bridge, in terms of bus, rail and cycle use?

I look forward to hearing from you on these points.

Yours sincerely

Councillor Phil Wheeler
Convener, Transport, Infrastructure and Environment Committee

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Appendix 2

Stewart Stevenson MSP
Minister of Transport and Climate
Change
Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Date 13 November 2007
Our Ref PW/Tpt/TIE.07
Your Ref

Dear

New Forth Crossing Options

The Council's Transport, Infrastructure and Environment Committee recently considered its response to Transport Scotland as part of the consultation on a possible new crossing.

The Committee instructed me to write to you to request that Transport Scotland should carry out rigorous traffic modelling on the south side of the Firth on the possible impact of a second Forth crossing. I shall be glad to have your assurances that this will happen.

In addition, the Committee would like to invite Transport Scotland to give a presentation to us on the proposed scheme once a decision has been reached about it.

Yours sincerely

Councillor Phil Wheeler
Convener, Transport, Infrastructure and Environment Committee

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QUESTION NO 4

**By Councillor Munro
answered by the Convener of
the Planning Committee**

Question (1) What are the total education contributions gained through Planning relating to Western Harbour from 2000 to date?

Answer (1) £473,258 has been received to date.

Question (2) Can you provide a list with details of each application approved and amounts agreed for each to date?

Answer (2) 99/02642/FUL (Land at Newhaven Place) – 556 residential units @ £821 per unit = £456,476.

03/01130/REM (Western Harbour) – 277 units @£821 per unit = £227,417.

04/01022/REM (Plot 2B Western Harbour) – 275 units @£821 per unit = £225,775.

05/03668/REM (Plot Q Western Harbour) – 105 units @£821 per unit = £86,205.

06/05247/REM (Land off Newhaven Place) – 102 units @£821 per unit = £83,742.

07/02645/REM (Plot A1 Western Harbour) -122 units @£821 per unit = £100,162.

07/00007/REM (Plots A2 B1 and B2 Western Harbour) – 258 units @£821 per unit = £211,818.

Total contributions: £1,391,595.

The amount per unit is subject to indexation and any payment is subject to the development proceeding.

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**Supplementary
Question**

When I spoke to the Convener earlier I said I had a supplementary on this to find out why nearly £1m has not been collected with regard to the planning consents for Western Harbour and he said that he would undertake to have a report given to Council in this particular instance. It is not unlinked to the earlier Question No 1. So, is he still willing to publicly give that commitment for a further report on this issue to find out why and when we will collect the outstanding amounts due?

**Supplementary
Answer**

Yes. I will ask the Head of Planning to bring a report forward to the April meeting of the Planning Committee on this matter.

QUESTION NO 5

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

- Question** (1) In the last 12 months, how many abandoned cars have been reported to the Council? (Please **exclude** burnt out cars and cars abandoned on private land from your answer.)
- Answer** (1) 549.
- Question** (2) In the last 12 months, what was the average length of time taken to remove such a car once it had been reported to the Council?
- Answer** (2) 28 were required to be removed by the Council's contractor. The average time taken to remove the cars from the date reported to the Council is 23 days.
- Question** (3) In the same time period, what was the longest time taken to remove a car from a public highway?
- Answer** (3) The longest time taken was 41 days. This includes the need to check the DVLA database, to which the Council has direct access, checks with the Police to ensure that the vehicle is not stolen or has been used for criminal purposes. It also includes a statutory requirement to attach notice to the vehicle giving the owner at least seven days to come forward and remove it.
- Supplementary Question** Does the Convener agree that the average time of 23 days to collect an abandoned vehicle is acceptable and is there anything that the Administration is planning to do to perhaps speed that up?

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**Supplementary
Answer by
Councillor
Aldridge**

It is very difficult because certain checks have to be made to ensure that a vehicle is abandoned. I know that there was a particular case in your own ward where there was a car which was registered in Ireland and it took additional time to establish whether it was abandoned. So it is difficult to get much quicker but, yes, we are always looking for means of trying to speed this up.

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QUESTION NO 6

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

The developers of the Meggetland site promised to provide a staggered pelican crossing on Colinton Road (condition 14 of planning permission 95/02329/FUL) but this has not yet happened.

In August 2007, Cllr Wheeler indicated in Council and in comments to the media that enforcement action would be taken in this case.

Question

Why has it taken nearly six months for a report to be presented to the Development Management Sub-Committee recommending enforcement action? (Item 23 on Development Management Sub-Committee agenda for 27 February 2008.)

Answer

After planning approval was granted for this crossing in September 2007, there was a period of discussion between the developer and transport and property officials to finalise the details.

It is normal practice in enforcement proceedings to try to resolve matters by negotiation without recourse to statutory action.

However, in this case, agreement could not be reached. Planning therefore prepared the report to which reference has been made. This was considered by the Development Management Sub-Committee at its meeting on 27 February 2008, when authority to commence formal enforcement action was given.

Allowing for the negotiations, and taking the festive holiday period into account, it is not considered that the period from the granting of consent to the report to Committee was excessive.

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**Supplementary
Question**

The response is not actually altogether clear because in August 2007 Councillor Wheeler said in the Council that enforcement action was being taken yet according to his reply there was no planning approval. So I am not quite sure if perhaps there is a mistake in the reply but I would be quite grateful if the Convener could indicate if this is a failure of Transport or Planning that it has taken so long.

**Supplementary
Answer**

I will check the dates issue that Councillor Buchan has raised. In my opinion this seems to lie basically with Planning and I wrote yesterday to the Head of Planning to ask for a further explanation of why this matter took so long to get to this stage. I agree it is unacceptable that getting a Section 75 payment should need to go to enforcement.

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QUESTION NO 7

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

Question

Can you please provide an update on the current status of two 'improvement actions' from the "Best Value Audit – Improvement Plan":

- BVIP 15ii – develop softer targets for measuring achievement
- BVIP 15iv – agree and submit second phase school targets

Please detail exactly when, and how, these actions will be achieved?

Answer

In June 2006, attainment targets, including second phase Best Value Improvement Actions, were set with schools.

For June 2009, Learning and Teaching Scotland are working with Strathclyde University to identify achievement targets for possible use in all authorities. This work could form the basis of specific achievement targets for Schools in this Authority.

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QUESTION NO 8

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

Question

Can you please provide full details of the total financial sums spent on schools' repairs and maintenance for the eight fiscal years from 1999/2000 through to 2006/2007?

Answer

Expenditure on the repair and maintenance of school buildings for the eight financial years between 1999/2000 and 2006/07 is described below. The devolved budget is expended by individual Head Teachers, and the Landlord budget is now expended by City Development and was previously the responsibility of the former Education Department then Children and Families.

<u>Landlord R & M budget</u>	£
1999/2000	2,885,494
2000/2001	2,248,177
2001/2002	2,526,631
2002/2003	2,362,478
2003/2004	2,267,726
2004/2005	2,188,499
2005/2006	2,548,167
2006/2007	2,960,769
	19,987,941
<u>Devolved R & M Budget</u>	£
1999/2000	1,049,633
2000/2001	1,048,957
2001/2002	1,387,488
2002/2003	1,025,388
2003/2004	1,024,309
2004/2005	1,104,069
2005/2006	1,126,077
2006/2007	1,091,112
	8,857,033
Total for the 8 year period	28,844,974

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- Supplementary Question** (1) Given this formal response, will the Convener now withdraw the entirely false assertion that for many years there has been no budget for such matters which she wrote in black and white to the Head Teacher of Liberton Primary School on 4 February 2008? Can I ask her now to withdraw that false assertion?
- Supplementary Answer** (1) As Councillor Burns knows, we have deteriorating school buildings and one of the reasons why we have deteriorating school buildings is that his Administration did not invest in any significant way in these buildings.
- Supplementary Question** (2) Can I assume that was a no? The Convener is not willing to retract a lie that she wrote to the Head Teacher.
- Supplementary Answer** (2) I have given an explanation of my comment.

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QUESTION NO 9

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

Question

Can you please provide an update on the current timetable (and provide a full project programme) for the completion of the new Integrated Children's Centre, to replace the existing Tynecastle Nursery School, and indicate a full timeline of completion dates for all the buildings concerned in this large-scale redevelopment of the Tynecastle area?

Answer

A report is to be submitted to the Education, Children and Families Committee on 15 April 2008 and to the Finance and Resources Committee on 22 April 2008. This will set out the revised timescales for the relocation of Tynecastle Nursery School and the construction of the Integrated Children's Centre which is the permanent replacement.

Supplementary Question

(1) Given that this report is not now finally coming back to the Council until April 2008, can I just double check with the Convener that I am safe in making the bold assumption that Tynecastle Nursery School is not going to be asked to move in August 2008 and would she be able to at least now give me an indication of what the earliest possibility is of a potential move for Tynecastle Nursery School?

Supplementary Answer

(1) No, I cannot give you an indication. You will have to wait for the report like everybody else which will come to the Education, Children and Families Committee in the next month.

Supplementary Question

(2) So is it still possible it could move in August 2008?

Supplementary Answer

(2) No, the nursery will not move in August 2008 but I am not willing to go any further than that because negotiations are still ongoing.

QUESTION NO 10

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

Question

Can you please provide:

- an update on current occupancy, and capacity, levels at Hillwood Primary School?
- an update on current occupancy, and capacity, levels at Craigmount High School?
- an update on any potential developments in the Hillwood Primary School catchment area and the impact these could subsequently have on both occupancy and capacity levels at Hillwood and Craigmount?

Answer

Hillwood has a 2007 roll of 67, compared to a capacity of 125 places, resulting in an occupancy level of 54%.

Craigmount has a 2007 roll of 1364, compared to a capacity of 1400 places, resulting in an occupancy level of 97%.

The roll at Hillwood is forecast to increase slightly, taking account of 29 dwellings in the catchment area with planning approval.

The roll at Craigmount is forecast to rise to capacity in forthcoming years.

A further development in the Hillwood catchment of 490 dwellings at the Continental Tyre Factory is currently being considered.

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QUESTION NO 11

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

Question

Can you please make clear what the exact timetable now is, including an update on the feasibility studies that were supposed to be reported to Council by January 2008, for delivery of new/refurbished buildings at the schools below:

Current School Site

1. Portobello High School
2. St. John's Primary School
3. Boroughmuir High School
4. James Gillespie's High School
5. St. Crispin's Special School

Answer

The feasibility studies will be completed by the end of March 2008 – the extended timescales have been agreed with stakeholders to ensure a detailed evaluation of the options is undertaken and that full consultation with the school communities takes place.

Once the finalised feasibility studies are available, it is intended to submit them to the Scottish Government. A Business Case will be presented to the Scottish Government in June 2008. A report to the Council on the content of the Business Case will come forward in due course.

Supplementary Question (1)

Can I just press the Convener on the very last sentence in the response which says the Business Case will come forward in due course? Can the Convener confirm or deny that the feasibility studies are going to come to the Council in some form or another for approval and when? Can she also confirm or deny if the Business Case will be approved by this full Council or a body of this Council before it is submitted to the Scottish Government?

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- Supplementary Answer** (1) The feasibility studies, as you are aware, are at the moment being discussed with the schools and I think that that process is just being completed. They will then go to the Scottish Government. Following that, we have given an assurance to schools that the detailed Business Case will be ready by June and I would be quite relaxed if the Committee felt they wanted to have a look at those Business Cases before they went to the Scottish Government.
- Supplementary Question** (2) I very much welcome both the feasibility studies and the Business Case coming to the Education, Children and Families Committee. For entirely constructive reasons I think it would be helpful if the Committee could have a look at them before they go to the Scottish Government so I welcome that response.
- Supplementary Answer** (2) Perhaps, for the sake of clarity, I should explain. I am not saying that the feasibility studies will go to Committee. I mean you can certainly have a look at them. They are being passed around as we speak but the schools themselves are very, very keen that they go in quickly and I do not want to delay their presentation to the Scottish Government. That is the feasibility study not the Business Case. I am quite happy to factor in the Business Case going to Committee, provided we meet all the deadlines.

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QUESTION NO 12

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

Question

The Administration's budget narrative for 2008/09 stated that the following sum was being allocated for expenditure; "£5.8million per year for vulnerable children including those in foster and residential care."

Can you please:

- indicate how this total figure has been arrived at?
- highlight any numerical differences with any of the opposition budgets in allocation of expenditure in the areas you've just identified?

Answer

The additional £5.8 million annual investment for vulnerable children is allocated as follows:-

- Fostering – £2.436 million;
- Out of Authority School Placements for Children with special education needs – £2.394 million;
- Children with special education needs home to school transport – £0.470 million; and
- Children's (Scotland) Act 1996 – section payments £0.514 million

The Administration Group proposal included a savings target of 2% to front-line services and 5% to non-front-line services. The services subject to additional budget provision specified in response to the first question would be subject to the 2% reduction.

The Labour Group budget motion proposed a saving of 5% to all services, excluding schools. This savings target would be reduced by £1 million for further services excluded from the savings target, which remained unspecified.

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The Conservative Group budget motion proposed a saving of 5% to all services, excluding schools. The services subject to additional budget provision specified in response to the first question would be subject to the 5% reduction.

The Greens budget motion proposed a saving of 5% to all services, excluding schools. The services subject to additional budget provision specified in response to the first question would be subject to the 5% reduction.

- Supplementary Question** (1) Can the Convener confirm my understanding of the response she has given that all the Opposition Groups on this Council did have exactly the same top line budget figures of £5.8m allocated for services for vulnerable children?
- Supplementary Answer** (1) Councillor Burns, you seem to be a little confused about this because what you are forgetting conveniently is that you also made a 5% cut across all services, which also included services for vulnerable children. In fact this Administration put the most money into services for vulnerable children, fostering, out of authority placements, adoptions etc. You did not.
- Supplementary Question** (2) Can I press the Convener on that answer? Clearly, as she can see in the last paragraph on the first page of the answer, there was £1m reduced from that Labour Group motion. Can I ask again if the Convener agrees the top line budget figure allocated by all the Opposition Groups was £5.8m for services for vulnerable children?
- Supplementary Answer** (2) Councillor Burns, you cannot give with the one hand and take away with the other. This £1m that you talk about, which I believe was given as a sum which could reduce saving, was not actually put to any heading whatsoever. But even if you say "right this goes to vulnerable children" in your budget, that still means you took a cut of approximately £4m from vulnerable children and we took £2m. Still the Administration has got a far better record than you have.

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QUESTION NO 13

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

Question

Now the Administration's 2008/2011 Capital Budget is formally agreed, can you please provide a detailed timeline:

for the following four milestones:

- design stage
- build stage
- construction stage
- completion date

for all of the following (new or refurbishment) projects:

- Glenogle Baths
- Kings Theatre
- Tattoo Stands
- National Photographic Centre
- Royal Commonwealth Pool
- Meadowbank Stadium
- Drumbrae Library
- Granton Waterfront Nursery
- Royal Mile Primary School
- Portobello High School
- St. John's Primary School
- Boroughmuir High School
- James Gillespie's High School
- St. Crispin's Special School

Answer

The 2008/11 Capital Budget was approved on 21 February 2008. City Development is in discussion with the Service Departments and where appropriate external bodies to establish critical milestones for all projects. I shall share the information once this work has concluded.