

Committee Minutes

The City of Edinburgh Council

Year 2007/2008

Meeting 10 – Thursday 7 February 2008

Edinburgh, 7 February 2008 - At a meeting of The City of Edinburgh Council.

Present:-

LORD PROVOST

The Right Honourable George Grubb

COUNCILLORS

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

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

1 The Jack Anderson Award

The Children and Families Department had established an annual award in memory of 10 year old Jack Anderson, a pupil at Carrick Knowe Primary School, who died in a road accident in 2006.

In collaboration with Jack's parents, nominations were sought from primary schools for the 10 year old pupil who, in the view of their class teacher or classmates, had shown great determination, made the most of their talents and demonstrated optimism and positive thinking.

The Lord Provost presented highly commended awards to Connor Bathgate and Rikki Mason from Prestonfield Primary School and Ross Begbie from Kirkliston Primary School. The Lord Provost then presented the winner of the award, Charlie Saunders from Fox Covert Roman Catholic Primary School, with a shield, a certificate and a Harry Potter book signed by J K Rowling.

2 Questions

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

3 Minute

Decision

To approve the minute of the meeting of the Council of 20 December 2007, as submitted, as a correct record.

4 Appointments to Outside Bodies

Decision

- 1) To withdraw the item on the nomination to the Edinburgh International Jazz and Blues Festival.
- 2) To nominate Councillor Bridgman to the Board of Work Track Ltd.
- 3) To nominate Councillor Cairns to the Edinburgh International Science Festival in place of Councillor Cardownie.

(References – Act of Council No 3 of 24 May 2007; reports nos CEC/144/07-08/CS and CEC/145/07-08/CS by the Director of Corporate Services, submitted.)

Declaration of Interests

Councillors Ewan Aitken, Hawkins, Rust, Snowden and Wilson declared a non-financial interest in the above item as Board members of the Edinburgh International Science Festival.

5 Committee on Pupil and Student Support – Appointment of Religious Representative

Decision

To appoint Robert Gould as the religious representative on the Committee on Pupil and Student Support.

(Reference – report no CEC/153/07-08/CS by the Director of Corporate Services, submitted.)

6 Leader's Report

The Leader presented her report to the Council. The Leader also updated members on the following:

- the outcome of the online questionnaire on the 2008/09 budget
- progress on single outcome agreements
- appointment to Head of Service posts in the City Development Department
- appreciation of Jim Grieve and Ken Wardrop for their work as interim Heads of Service in City Development
- Caltongate development

The following issues were raised on the report:

Councillor Burns	-	Proposed Council Tax freeze
Councillor Rose	-	Neighbourhood Partnerships – decision making
Councillor Ewan Aitken	-	Consultation on 2008/09 budget
	-	Evening News “charm offensive”
Councillor Chapman	-	Forth Road Bridge replacement – inclusion of light rail scheme
Councillor Buchan	-	Reliability of No 38 and other cross-city bus services

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| Councillor Munro | - | Capital city funding – joint study by the Council and the Scottish Government – timetable for publication |
| Councillor Whyte | - | Capital city funding – inclusion of Police service |
| | - | Waste reduction – update on Council's publication strategy |
| Councillor Maginnis | - | Administration's plans for the city – measurement of success |
| Councillor Cardownie | - | Evening News article on Council's budget deliberations |

(Reference – report no CEC/142/07-08/L by the Leader, submitted.)

7 Department of City Development – Appointment to Heads of Service Posts

Decision

Subject to any necessary pre-employment checks, to appoint:

- 1) Greg Ward to the post of Head of Economic Development.
- 2) Marshall Poulton to the post of Head of Transport Services.

(References – Act of Council No 30 of 23 August 2007; report No CEC/154/07-08/RC by the Recruitment Committee, submitted.)

8 Best Value Audit – Improvement Plan Progress

Progress on the Council's Best Value Audit Improvement Plan was detailed.

Decision

- 1) To note the progress made in relation to the delivery of the Council's Best Value Audit Improvement Plan.
- 2) To note that a further progress update would be provided to the Council in June 2008.

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- 3) To note that the Chief Executive was due to report to the Education, Children and Families Committee in the near future on progress made in improving child protection work.
- 4) To instruct the Chief Executive to include in that report the reasons why Best Value Improvement Indicator 16 ("Reduce the time taken to see children with new supervision requirements") was currently within the category "check progress of improvement", in order that the Committee and the Council might gain a fuller appreciation of the issues involved and have the opportunity to request more action to make further improvements in the area of child protection.

(Reference – Act of Council No 16 of 28 June 2007; report no CEC/140/07-08/CE by the Chief Executive, submitted.)

9 Equal Pay Claims

Legal advice was provided on the position of male employees following the settlement of equal pay claims by female employees.

Decision

- 1) To note the advice of Senior Counsel.
- 2) To make no offers to male employees at this time but to recognise the arguments for paying staff the same irrespective of their gender and to formally record that the Council was committed to being an excellent employer where staff were treated fairly and equally.
- 3) To instruct the Director of Corporate Services to report further when the legal position was clarified and to provide additional information on the relevant legal implications and detail the actions taken in this matter by other UK local authorities.
- 4) To instruct the Director of Corporate Services to contact COSLA to establish what action was being taken at a national level to resolve this complex and evolving issue.

(References – Act of Council No 16 of 20 December 2007; report no CEC/147/07-08/CS by the Director of Corporate Services, submitted.)

10 **Sorting the Ballot: Improving the Elections to the Scottish Parliament – Scotland Office Consultation**

A response was proposed to the Scotland Office consultation which sought views on proposals and options for improving the experience for voters at future elections to the Scottish Parliament.

Decision

To approve the Council's response to the Scotland Office consultation, as detailed in the Appendix to the Returning Officer's report, on condition that the section relating to listing of parties and candidates on the regional and constituency ballot papers be amended in line with the following recommendations of the Gould report:

- 1) **Regional Ballot paper** – "It would be in the interest of voters that ... registered political names always be listed first".
- 2) **Constituency Ballot paper** – "The candidate's surname and given names would continue to be listed first".

(References – Act of Council No 13(a) of 20 December 2007; report no CEC/146/07-08/RO by the Returning Officer, submitted.)

11 **Improvements to Revenue Monitoring Process**

An ongoing programme to improve the effectiveness of the current revenue budget monitoring process in the light of the Children and Families revenue budget out-turn for 2006/07 was outlined. Further actions were proposed to improve the accuracy and completeness of the monitoring process and to ensure that it was as comprehensive as possible while also providing budget holders, senior managers and elected members with an earlier warning of problem areas within the revenue budget.

Decision

- 1) To note the contents of the report by the Director of Finance and to endorse the efforts being made to improve the effectiveness of the monitoring process.
- 2) To note that a robust budget monitoring process was essential to the effective operation and management of the Council.
- 3) To reaffirm the need to secure maximum value for taxpayers' money.

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- 4) To note specifically the personal accountability of officers for monitoring and controlling financial and other resources within their span of professional responsibility.
- 5) To instruct the Chief Executive and Director of Finance to consider what further measures could be taken to deliver the culture change needed to ensure that managers in all Council departments focused on the importance of budget management.
- 6) To refer the Director's report to the Audit Committee for further discussion.

(References – Act of Council No 7 of 22 November 2007; report no CEC/152/07-08 by the Director of Finance, submitted.)

12 Improving the Environmental Performance of the Festivals

Festivals Edinburgh was created in 2007 by the directors of Edinburgh's 12 major festivals to look at over-arching areas of mutual interest including engagement with the sustainability agenda and environmental policies and actions.

In response to a motion by Councillor Johnstone, a range of actions aimed at improving further the environmental performance of the festivals was detailed.

Decision

- 1) To note the report by the Director of Corporate Services.
- 2) To request that each festival, through Festivals Edinburgh, report back to the Council by December 2008, and on an annual basis thereafter, in order to demonstrate progress following the development of action plans in March 2008 and where assistance from the Sustainable Development Unit might be beneficial.

(References – Act of Council No 46 of 23 August 2007; report no CEC/148/07/08/CS by the Director of Corporate Services, submitted.)

Declaration of Interests

The following members declared a non-financial interest in the above item:

Councillor Dawe as a member of the Audience Business Trust.

Councillors Elaine Aitken, Chapman, Dawe and Thomas as Board Members of the Edinburgh International Festival Society.

Councillor Edie as a Board member of the Edinburgh International Film Festival.

13 Council Delegations to the COSLA Convention

A response was proposed to a consultation by the Convention of Scottish Local Authorities (COSLA) on the issue of proportionality of member Councils' delegations to its Convention.

Motion

To approve the Council's response to COSLA as detailed in Appendix 2 to the report by the Director of Corporate Services.

- moved by Councillor Dawe, seconded by Councillor Aldridge.

Amendment

To amend the response to question 2 of the consultation document to read:

"This Council believes that advice on proportionality should be provided by COSLA on this issue as guidance only."

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

Voting

The voting was as follows:-

For the motion	-	43 votes
For the amendment	-	15 votes

Decision

To approve the motion by Councillor Dawe.

(Reference – report no CEC/149/07-08/CS by the Director of Corporate Services, submitted.)

14 COSLA Annual Conference

Decision

To approve the attendance of the Council's six COSLA delegates or their substitutes at the COSLA Annual Conference.

(Reference – report no CEC/150/07-08/CS by the Director of Corporate Services, submitted.)

15 Lothian and Borders Community Justice Authority

The Management of Offenders etc (Scotland) Act 2005 had established eight Community Justice Authorities in Scotland to plan, co-ordinate and monitor the delivery of criminal justice services aimed at reducing re-offending. An update was provided on the operation of the Lothian and Borders Community Justice Authority and its area plan for 2008-2011 was presented.

Decision

- 1) To note the content of the report by the Chief Executive, including the Lothian and Borders Community Justice Authority Area Plan 2008-2011 as detailed in Appendix 1 to the report.
- 2) To note that a report would be submitted on an annual basis on the operation of the Lothian and Borders Community Justice Authority.

(References – Executive of the Council 9 January 2007 (item 4); report no CEC/141/07-08/CE by the Chief Executive, submitted.)

16 Healthy Working Lives Award Scheme

In response to a motion by Councillor Hinds, the position of Council departments and the Council as a whole on their current and future involvement with the Healthy Working Lives award scheme was detailed.

Decision

- 1) To note the content of the report by the Chief Executive.
- 2) To note that a further report would be submitted detailing the financial implications of progressing through the scheme.

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- 3) To instruct that annual update reports on the scheme be submitted to the Council.
- 4) To discharge the motion by Councillor Hinds.

(References – Act of Council No 30 of 20 December 2007; report no CEC/151/07-08/CE by the Chief Executive, submitted.)

17 European Car Free Sunday – Motion by Councillor Blacklock

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

“Whilst it is recognised the decision to remove parking fees over Christmas and New Year was taken in festive spirit, Council recognises that it has been met with mixed reactions from the residents of Edinburgh and therefore makes a firm commitment to participate fully in European Car Free Sunday on the date set in September 2008.”

Decision

- 1) To approve the motion by Councillor Blacklock subject to receiving a report on the potential costs, benefits and practicalities of participating in European Car Free Sunday before making any commitment to take part in the event in September 2008.
- 2) To liaise with partner organisations to develop an appropriate European Mobility Week programme for this year, bearing in mind the likely disruption caused by roadworks in the city.

18 sportscotland – Motion by Councillor Godzik

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

“That this Council

- 1) welcomes the Scottish Government’s decision to retain **sportscotland**;
- 2) notes that the **sportscotland** HQ will move to Glasgow, but that a 'hub' of the agency will remain in Edinburgh and also notes that several sports national governing bodies are based in the current **sportscotland** HQ at the Gyle; and

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- 3) believes that an approach should be made to **sportscotland**, the Scottish Government and sports' governing bodies to investigate if funding could be released from the sale of the current **sportscotland** HQ, and that the Edinburgh **sportscotland** 'hub' and the sports national governing bodies could be re-housed as we seek to develop and improve our major sports facilities in Edinburgh."

Decision

- 1) To approve the motion by Councillor Godzik.
- 2) To welcome the Scottish Government's decision to retain the **sportscotland** name for its streamlined national sports organisation and that the previous Scottish Executive's decision to move **sportscotland** in its entirety to Glasgow had been reversed.
- 3) To recognise that discussion had taken place previously between Council officials and representatives from some of the sports national governing bodies regarding the relocation of their head offices and that such discussions could be expected to resume once final arrangements for both **sportscotland** and Edinburgh's national and regional sports facilities were confirmed.
- 4) To request that some appraisal of the options regarding the rehousing of these sporting bodies and the proposed **sportscotland** regional hub be incorporated into the National and Regional Sports Facilities report to full Council on 13 March 2008.
- 5) To call on the Administration to continue its constructive dialogue with the Scottish Government on this and all other matters relating to the best interests of the people of Edinburgh.

19 Liberton Primary School – Playground Surface – Motion by Councillor Murray

Decision

At his request, the Council agreed to the withdrawal of a motion by Councillor Murray submitted in terms of Standing Order 28.

20 John Loughton – Motion by Councillor Munro

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

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"That this Council congratulates John Loughton, a former winner of the Young Edinburgh award, on his success on Big Brother – celebrity hijack.

A former pupil of Craigroyston Community High School, John credits his interest in politics to his involvement in the North Edinburgh Young People's Forum. Currently chair of the Scottish Youth Parliament, John is a credit to his family and the community of North Edinburgh. Council requests that the Lord Provost invite John and his family to the City Chambers to convey the Council's congratulations."

Decision

To approve the motion by Councillor Munro.

21 Braid Hills Railings – Motion by Councillor Murray

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

"To request a report by the Director of City Development into how the Council can repair and replace the railings along the Braid Hills that have become dangerous to users of the Hills. The report should include who is responsible for the various sections of fence, the ownership of sections of the fence, the potential mechanisms for delivering new fencing (including statutory notice provision if necessary) and the total costings."

Decision

To approve the motion by Councillor Murray.

22 Lothian Bus Service 23 – Accessibility – Motion by Councillor Blacklock

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

"Council notes with concern that Lothian Buses are unable to provide fully accessible low floor buses on the number 23 service. This is due to the camber of the road at the junction of Craighouse Gardens and Craighouse Road in Morningside. Council calls for urgent resolution of this Council responsibility thus enabling Lothian Buses to provide a fully accessible service."

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Decision

- 1) To note with concern that Lothian Buses were unable to provide fully accessible low floor buses on the number 23 service. This was due to the camber of the road at the junction of Craighouse Gardens and Craighouse Road in Morningside.
- 2) To note that remedial work was already in hand and due to be completed by the end of the current financial year.

Declaration of Interests

Councillors Keir and McIvor declared a financial interest in the above item as employees of Lothian Buses and took no part in the consideration of the matter.

23 Lothian and Borders Fire and Rescue Service – Motion by Councillors Bridgman and Rust

The following motion by Councillors Bridgman and Rust was submitted in terms of Standing Order 28:

“Council acknowledges the excellent work carried out by the Lothian & Borders Fire & Rescue Service as shown by the recent performance statistics and awards gained, and

- 1) notes that response times have improved, noting that 65 calls were received for high risk calls and there was an appliance in attendance within 5 minutes of the call being received at every one of these calls;
- 2) congratulates and thanks the employees of Lothian & Borders Fire & Rescue Service for their professionalism and dedication to duty, with particular emphasis on their recent record of responding to incidents;
- 3) congratulates the service on the achievement of winning two awards from the “Healthy Working Lives”, the only group to do so this year, (The Gold Award and a Mental Health and Well-being Commendation); and
- 4) also acknowledges the contribution of the Fire Brigades Union and other stakeholders on their continued help to improve the Lothian & Borders Fire & Rescue Service.”

Decision

To approve the motion by Councillors Bridgman and Rust.

24 Local Generation of Power (Decentralised Energy) – Motion by Councillor Whyte

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

“Council:

- 1) notes that the study entitled *Powering Edinburgh Into the 21st Century (November 2006)* concluded that only decentralised energy solutions would be capable of putting Edinburgh on track to meet the Government’s target of a 60% cut in CO₂ emissions by 2050;
- 2) notes that one of the Conservative pledges for the Council election in May 2007 was to alter local plans so that new housing developments incorporate facilities for decentralised energy such as community-based generation of combined heat and power;
- 3) calls for a report on how decentralised energy could be included in major development briefs such as Leith Docks and Waterfront Edinburgh – if necessary, by altering existing plans to include this concept.”

Decision

- 1) To approve paragraphs 1 and 3 of the motion.
- 2) To request that the report include a review of progress made to date on this matter.

25 125th Anniversary of the Foundation of the Boys Brigade – Motion by Councillor Whyte”

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

“Council:

- 1) notes that the Boy’s Brigade will celebrate its 125th anniversary on 4 October 2008 and was the first uniformed voluntary organisation for young people;
- 2) notes that the Edinburgh, Leith & District Battalion has made a significant positive contribution to the lives of many young people and the wider community over the years;

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- 3) calls on the Lord Provost, an Honorary President of the Battalion, to consider how best the Council could help the Edinburgh, Leith & District Battalion celebrate this anniversary, including hosting a civic reception for the Battalion.”

Decision

To approve the motion by Councillor Whyte.

26 Free Electricity Meters – Motion by Councillor Chapman

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

“This Council:

Notes that, from May this year, electricity companies should be distributing free clip-on electricity meters that enable people to monitor the cost of their energy use to customers that request such a monitor;

Believes that this is a useful stop gap for people interested in reducing their utility bills and emissions before 'smart meters' are introduced as standard over the next few years;

Resolves to work with Scottish Power and other major electricity suppliers to provide these clip-on monitors to all metered domestic households in the City and promote this scheme through all Council communications.”

Decision

- 1) To approve paragraphs 1 and 2 of the motion.
- 2) To work with Scottish Power and other major electricity suppliers to provide these clip-on monitors to domestic households in the city and promote this scheme through all relevant Council communications.

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Appendix

(As referred to in Act of Council No 2 of 7 February 2008)

QUESTION NO 1

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

- | | |
|-----------------|---|
| Question | (1) Please can you advise when the report on Remploy, called for at the Council meeting in September, will be going to Committee? |
| Answer | (1) It is the intention of the Director of Finance to report to the next meeting of the Finance and Resources Committee on 22 April 2008. |
| Question | (2) Will the report include reference to the solution to Remploy's national problem that the Secretary of State for Work and Pensions has agreed, which will mean pressure on the public sector to maximise their procurement from supported factories via Section 19? |
| Answer | (2) Yes. The Director of Finance will incorporate these factors into his report and will describe fully the implications for procurement in Edinburgh in attempting to achieve the relevant objective set out by the Minister for Work and Pensions in his press release of 29 November 2007. |

QUESTION NO 2

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

Question

What action is being taken to improve street lighting at Polwarth Terrace and Napier Road?

Answer

The street lighting programme is prioritised by addressing poor condition columns first. A footway reconstruction project in 2006/07 included the replacement of a number of poor condition columns in Napier Road and the remaining columns will be upgraded before the end of March 2008. There are no current plans to replace the street lighting in Polwarth Terrace.

**Supplementary
Question**

Is the Convener aware of the Lothian and Borders Police report which states that both these streets are rated as moderate to high crime areas and it goes on to state that increased lighting in these locations would greatly reduce or could have the potential to reduce crime? Would the Convener like to comment on that?

**Supplementary
Answer by
Councillor
Aldridge**

As you know there has been a neglect of the infrastructure over the last two decades including this matter which we need to deal with. There are a number of streets which would benefit from improved street lighting. There is a list in order of priority, doing the worst first. Unfortunately, the one street that you mentioned which is not being done is further down the list as there are others which are in even more need of urgent repair.

QUESTION NO 3

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

Question

What progress has been made in reopening the South Suburban line for passenger use?

Answer

The Council, in conjunction with Transport Scotland and SEStran, commissioned an independent study last July into the feasibility and associated business case of reopening the Edinburgh South Suburban Railway (ESSR). A pre-appraisal STAG (Scottish Transport Appraisal Guidance) assessment is being undertaken as Stage 1 of the study. During this stage, various interested parties have been consulted, including First Scotrail, Network Rail, Lothian Buses and E-Rail.

The consultants have completed the transport modelling and are now finalising the Stage 1 Feasibility Report. This will be reported to Members at the first available opportunity.

**Supplementary
Question**

Is the Convener aware of an all-party parliamentary group which is looking to travel to Germany to look at the possibility of the introduction of tram trains? In regard to the South Suburban, does the Convener believe that tram trains would be a potential way of progressing that scheme taking on board the capacity problems at Waverley Station?

**Supplementary
Answer**

Yes, and I am surprised that, judging by recent press comment, Councillor Godzik is actually interested in trains. I understood he used another form of transport.

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QUESTION NO 4

**By Councillor Child answered
by the Convener of the
Culture and Leisure
Committee**

Question

What work is being done to reduce the carbon footprint of the various Festivals in Edinburgh and to engage visitors, venues and businesses with climate change, carbon reduction and other sustainability issues?

Answer

Work has already commenced on greening the Edinburgh Festivals and ultimately reducing their carbon footprint. This builds on environmental work already undertaken by the Festivals and will provide them with a strategic sustainability framework. This is the subject of a separate report to Council today (see minute item 12 above) in response to a previous motion by Councillor Johnstone. Work will be developed further over the coming months. It will be important to ensure that any other related activities are co-ordinated within the new Festivals sustainability framework.

**Supplementary
Question**

I was not going to ask a supplementary but, given the large number of interests confessed in the item on the environmental performance of the Festivals, would the Convener not agree with me that there is a great deal of political influence potentially on the Festivals in keeping them up to speed with their environmental performance and ensuring that they deliver the kind of changes that we wish to see and reducing the carbon footprint of Edinburgh?

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**Supplementary
Answer by
Councillor
Cardownie,
Festivals and
Events
Champion**

Councillor Child is absolutely right. We are one of the main funders of all the Festivals so we are in a position to have a great deal of influence. I hope that when the report comes up on the carbon footprint regarding the Festivals, the paper and the amendment which has been proposed by the Greens will satisfy in the interim period and we can look at this again after we have seen this year's festival programme and after the summer programme is finished.

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QUESTION NO 5

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

Following the concordat signed between utility companies and the Council by the previous Administration, can the Convener tell me -

Question (1) What monitoring of road works caused by utilities has been done following the concordat to see if it is having any effect?

Answer (1) Monthly joint audits with the partners monitor road works sites and address shortcomings. Specific inspections by the Council are undertaken and over 1600 will be completed this financial year. During the same period at another 1000 locations cores are being extracted to measure the depth of materials to ensure compliance with the standards. Regular meetings are held with utilities as a group and with individual utilities to discuss co-ordination and compliance with the Agreement. Over 400 site meetings and 200 office meetings take place in a year to discuss and agree arrangements for individual sites.

Question (2) If there is monitoring, what signs, if any, are there of improvements in the signage, traffic management, time taken for works and the quality of re-instatement of roads and footways by utilities?

Answer (2) The pass rate for inspections has improved from 92% last year to 95% this year. The corresponding values for coring 58% pass last year and 83% this year. Audits and inspections are recorded and evaluated to determine the compliance of utilities to legislation and the Agreement. These results are discussed at the Agreement Steering Group meetings and remedial action determined. The partners respond very positively to concerns about signage, traffic management, time taken and the quality of works. Their reaction is translating into

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improvements on individual schemes which in turn influences other works sites.

Question (3) What other work has been put in place to ensure the concordat is effective?

Answer (3) Data from the audits, inspections and Agreement meetings is being collated and monitored and corrective action taken when conditions of the Agreement are not complied with. As an example a recent audit of site information signs showed that 23% of Scottish Water's road works sites did not have signs and Scottish Gas Networks had a 61% compliance rate. In each case their management undertook to correct these and ensure sites were properly signed. Ongoing audits will measure the trends.

Supplementary Question Does the Convener intend to bring regular reports on monitoring progress on the concordat and monitoring utilities to the Transport, Infrastructure and Environment Committee?

Supplementary Answer The answer is yes.

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QUESTION NO 6

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

Question (1) What warning, if any, did the Council and its partners have of the announcement by the Scottish Government to scrap the Lothian Waste Plan?

Answer (1) The Lothian Waste Management Project has not been scrapped by the Scottish Government; the issue surrounds the Outline Business Case's reference model. The Government has rejected the current model which will require a reworking of the reference case. No warning was provided.

The Council and its four partners that make up the Lothian and Borders Waste Management Project submitted the Outline Business Case in September 2007. This OBC fulfilled all criteria stipulated by the Scottish Government at the time of submission. Since September the core project team (led by Midlothian Council) have attempted to gather information regarding the position of the Scottish Government towards the OBC. The core project team are seeking clarification on a number of points and a meeting with the Cabinet Secretary has been requested.

Question (2) What have been the costs of developing the plan to date?

Answer (2) From 2005 to the current date, CEC's direct share of the central project team's costs amounts to approximately £280,000. In addition, CEC has also incurred substantial costs over the period of the project associated with officer time and these precise costs require to be quantified.

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- Question** (3) Is it your intention to press the Scottish Government for payment of these costs?
- Answer** (3) We are investigating whether there is a case for recompense for the five partner Councils involved in the Lothian and Borders project in response to the rejection of the OBC.
- Question** (4) What assurance, if any, has been given by the Scottish Government that they will pay any fines the Council will incur if we fail to meet the target date of 2013 for the European directive on reducing the amount of biodegradable municipal waste that is sent to landfill?
- Answer** (4) There has been no assurance that the Scottish Government will pay any fines that the Council will incur if we fail to meet EU landfill diversion targets. The Scottish Government has set ambitious goals for recycling and CEC is currently striving to develop strategies to attain these recycling targets. The Cabinet Secretary mentioned in his announcement that a review of the Landfill Allowance Scheme (LAS penalties) will commence shortly and the implications of this review are currently unknown.
- Question** (5) When will a report on this matter be submitted to the Transport, Infrastructure and Environment Committee?
- Answer** (5) A report will be made to Transport, Infrastructure and Environment Committee at the earliest opportunity, once the implications and details of the announcement have been clarified.

QUESTION NO 7

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

Question

What, if any, plans are being made to commemorate 100 years since the Scottish National Exhibition of 1908 held in Saughton Park? This important event was of national significance and should be used to highlight the ongoing success of one of Edinburgh's most popular parks.

Answer

We are actively working with the Neighbourhood Partnerships to identify and assess ideas for celebrating this centenary event. We would be happy to consider any suggestions Councillor Wilson may have

**Supplementary
Question**

First of all, I thank the Convener for his reply albeit that it was somewhat short and in the vein of batting the ball back at the person who asked the question and asking me if I had any ideas. I certainly do, not least of which, given the motions that we have later on the agenda, would be the placement of a water wheel on Saughton Weir which I think would be in the great vein of the exhibits which were in the exhibition of 1908 in the first place. However, I would also ask if I could be included in the loop of the discussions that have taken place with the Neighbourhood Partnerships as, being the Chair of the South West Neighbourhood Partnership, I am not aware of any discussions although I do agree that would be an excellent idea because it would give people ownership of whatever was brought in.

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**Supplementary
Answer by
Councillor
Aldridge**

I can give an assurance that you will be included in the loop of those discussions. We were aware of some of the exhibitions that took place in 1908, one of which was an exhibition of babies in incubators which we would not seek to replicate on this occasion but I am sure there will be many more constructive suggestions coming from yourself and the Neighbourhood Partnership.

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QUESTION NO 8

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

- Question** (1) What was the percentage increase in spending on schools from 1999-2007 in revenue and capital?
- Answer** (1) The revenue expenditure on schools in 1999/2000 was £136.8million. In 2006/07, revenue expenditure on schools was £182.5million. This represents an increase of 33%. During the same period, the retail price index increased by 25%.
- The approved budget for capital expenditure on schools was £13million in 1999/00. In 2007/08, the approved capital budget for expenditure on schools was £16.8million. This represents a 28% increase in capital resources allocated for school projects as part of the Council's Capital Investment Programme. The increase in capital resources will meet, among other things, increases in construction industry inflation during the period.
- Question** (2) How many new build schools were delivered in Edinburgh between 1999-2007?
- Answer** (2) 16
- Question** (3) How many schools were fully or partly refurbished and/or extended between 1999-2007?
- Answer** (3) The school estate comprises 149 secondary, primary, nursery and special school buildings. Between 1999 and 2007, approximately £64.17million capital projects ranging from minor works to larger improvement contracts have been carried out. Of these, 14 projects entailed significant refurbishment of the buildings.

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- Question** (4) How many learning assistants are now employed by the Authority?
- Answer** (4) There are 861 permanent and 480 temporary learning assistants. The FTE (full time equivalent) is 463.75 permanent and 262.94 temporary.
- Question** (5) What is the total percentage in 2006/7 of all areas considered by the HMle for primary schools and for secondary found to be good, very good, or excellent?
- Answer** (5) Primary Schools - 79%
Secondary Schools - 87%
- Question** (6) Is this an increase from session 2005/6 and if so what is that increase?
- Answer** (6) Primary Schools – No, this represents a decrease of 4%
Secondary Schools - Increase of 32%

QUESTION NO 9

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

Question

In her answer to my question on 20 September 2007, the Convener assured me that the 38 Key Performance Indicators (KPIs) within the Sustainability Management Plan for the new schools contract would "have to be delivered" and she further assured Council that "all 38 KPIs will be covered". Can she assure me now that the Energy KPIs will indeed be delivered and, if not, what further action she proposes to take?

Answer

The Council agreed to the deletion of Biomass boilers at this stage. In their place, high efficiency, low NOx modular condensing boilers will be provided. At present the full impact of the redesign and change to a number of aspects of the contract is being assessed. At the conclusion of this process a report will go to the Education, Children and Families Committee.

**Supplementary
Question**

When will that report be ready?

**Supplementary
Answer**

As yet, I do not know to be quite honest but I am more than happy to keep you in the loop and as soon as I know give you advance warning.

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QUESTION NO 10

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

- Question**
- (1)** Please provide details of the Council's current contract(s) for sheriff officer services with Scott & Co and any other relevant companies, including:
- (a) start and finish date(s) of the contract(s);
 - (b) estimated total value of the contract(s); and
 - (c) the method which the Council used to procure sheriff officer services from Scott & Co and any other sheriff officer companies.

- Answer**
- (1)** (a) Start and finish date(s) of the contract(s):
- There are no formalised contractual arrangements in place with Scott and Company, or any other firm of sheriffs' officers. Each transaction therefore represents an individual contract between the relevant parties and normally a fee is only paid when the Sheriff Officer collects payment of a debt.
- (b) Estimated total value of the contract(s):
- The information below relates to the Revenues and Benefits Division of the Department of Finance, which is responsible for all but a small part of the Council's total annual expenditure in this area.
- This expenditure does not purely relate to Scott and Company but to all debt recovery agents that do work on behalf of Revenues and Benefits.

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Expenditure incurred on Sheriff Officer services
by Revenues and Benefits for the financial year
2006/07

Non-domestic rates	£168,480
Council tax/community charge	£1,892,167
Sundry debt	£255,902

This expenditure resulted in approximately £24m in Council Tax and £1.5m in Non-domestic rates being collected in 2006/7.

- (c) the method which the Council used to procure sheriff officer services from Scott and Co and any other sheriff officer companies:

The Council's approach has always been priority-based, with a clear focus on improving collection levels.

This 'proprietary' strategic sourcing approach represented a sensible operational arrangement, which maximised Council income at a time of considerable change and challenge for the Revenues and Benefits service.

These arrangements have been the subject of various benchmarking activities, including an exercise with other peer City Councils, some of whom have recently tendered the service. This demonstrated that Edinburgh's costs are broadly in line with those of other councils.

To ensure that this activity continues to offer value for money a timetable for market testing the service has now been identified.

Question (2) What tendering process will be followed to procure sheriff officer services in future?

Answer (2) The intention to competitively tender for Sheriff Officer Services was reported to the Council Executive in February 2007. It is expected that the tendering exercise will be undertaken over the next 6- 8 months.

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The tendering process is necessarily long because the Council is governed by EU procurement legislation. This lays down minimum time periods for advertising contracts, seeking expressions of interest etc. In addition, the scoping work with departments, the tender evaluation process and the reporting requirements mean that 6-8 months is the minimum period of time this exercise will take.

Corporate Procurement will be meeting the Head of Revenues and Benefits and relevant officials from the other departments as a matter of priority, in order to move this process forward.

- | | | |
|-----------------|------------|--|
| Question | (3) | Does the Council pay Scott & Co (and any other sheriff officer companies who provide such services to the Council) different percentage recovery fees depending on the work undertaken? |
| Answer | (3) | Yes. |
| Question | (4) | <p>If the answer to question (3) is yes, please provide for financial year 2006/07 and for the current financial year:</p> <ul style="list-style-type: none"> (a) a breakdown of the percentage recovery fees paid for each type of work; (b) the total number of cases in each of the above categories of work; (c) the total amount of fees paid for each category of work; (d) a breakdown of the fees paid by Council departments. |
| Answer | (4) | Given that we are in the early stages of a tendering exercise it is not appropriate to place these figures in the public domain at this time. I have asked the Director of Finance to provide Councillor Whyte with the relevant information on a confidential basis. |

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**Supplementary
Question**

First of all I would like to start by making the Convener aware that the report which he refers to in answer (2) only has one paragraph in regard to this matter and it reads: "A major review of sheriff officer operations has also been commenced to ensure that the Council maximises its returns in this area as regards both collection of local taxes and customer service. Following the review, it is likely that these services will be subject to a tender exercise during 2007/08". There is no recommendation in that report with regard to tendering of sheriff officer services.

Given that, can the Convener assure me that the timescale of six to eight months, which was the timescale which should have been initiated back then, will now be stuck to and can he assure me that, given that aside from the amounts listed in this report from finance services there are other parts of the Council which use sheriff officer services, he will ensure that in future the Council complies with all necessary EU regulations with regard to tendering of this type of service?

**Supplementary
Answer**

I thank Councillor Whyte for drawing the matter to the attention of the Council. I can certainly give him an assurance that there will be a tendering process commissioned. I understand some work has already been done on it. The timetable indicated in the answer is the timetable I will give for the process to be completed. In regard to the question about the other areas which use sheriff officer services, I will come back to him on that but I certainly would expect them to be included in any tendering process, if not in this one then in the others as may be appropriate.

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QUESTION NO 11

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

- Question** (1) In your answer to the question at Full Council of December 20th about projects with contracts coming to an end, no mention was made of Surestart funded projects on one year Service Level Agreements (SLAs). Can you tell the Council why they were omitted?
- Answer** (1) Sure Start Funding Service Level Agreements had not at that time been signed off by the department. All funding has, however, been provided to projects until March 2008, apart from those projects who had identified an under spend.
- Question** (2) These projects were given SLAs to recognise their ongoing contribution to the core functions of the Children and Families Department and to integrate them into the review structure. Is it no longer your intention to pursue that process of recognition and integration?
- Answer** (2) We intend to recognise the ongoing contribution of Sure Start organisations through Service Level Agreements.
- Question** (3) If it is not your intention, how do you intend to either support them or deliver the services they deliver at present?
- Answer** (3) See above.

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**Supplementary
Question**

First of all, can I just clarify that what the Convener is saying is that one year agreements between April and March were not signed off until December. I understand from answer (1) that is what the Convener is saying and did she know why that was the case? Secondly, in answer (2) it says the Convener intends to recognise the ongoing contribution of Surestart organisations through Service Level Agreements. With whom have these discussions taken place as the organisations which have been in touch with me, and who have that one year agreement signed in December, have no knowledge of these discussions?

**Supplementary
Answer**

My understanding is that they were signed off in December but I am happy to get further information and confirmation of that to be absolutely sure. Obviously, unless you actually tell me which organisations there is a problem with, I cannot give an answer but if you let me know after the meeting those organisations where you think there is an issue, then I am happy to follow that up for you.

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QUESTION NO 12

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

- Question** (1) On what date will the 2008/09 budget for the Community Learning and Development section of Children and Families (CLD section) be agreed by Council?
- Answer** (1) 21 February 2008.
- Question** (2) Will this 2008/09 budget for CLD section be agreed by Council to accordingly fund any new CLD structure?
- Answer** (2) Yes.
- Question** (3) On what date will any new structure for the CLD section be agreed by Council?
- Answer** (3) 21 February 2008.
- Question** (4) On what date will the 2008/09 budget for the overall Children and Families Department be agreed by Council?
- Answer** (4) 21 February 2008.
- Question** (5) Will this 2008/09 budget for the overall Children and Families Department be agreed by Council to accordingly fund any new, overall Departmental structure?
- Answer** (5) Yes.

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- Question** (6) On what date will any new structure for the overall Children and Families Department be agreed by Council?
- Answer** (6) At a special meeting of the Education, Children and Families Committee on 15 April 2008.

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QUESTION NO 13

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

Question (1) Who owns the piece of hard-surfaced land to the east of the Council play park on West Bryson Road?

Answer (1) This piece of land is owned by the City of Edinburgh Council as part of East Harrison Park.

Question (2) Why is this piece of land gated, padlocked and never utilised in any way?

Answer (2) The hard-surfaced land is part of the old play area. Subject to available resources, it is intended that the area be redeveloped as part of East Harrison Park as grass or landscaping (a redevelopment supported by the local Friends group).

Question (3) Can negotiations be opened with North Merchiston Club (a voluntary youth organisation) on Watson Crescent, which is immediately adjacent to the piece of land on West Bryson Road, to enable them to access this unused piece of hard-surfaced land for event-parking purposes only?

Answer (3) North Merchiston Club previously had access to this hard-surfaced land for event-parking purposes before the introduction of the controlled parking zone in 2007 in the area. Access was revoked once the metered parking zone was introduced to avoid conflict with local residents and others paying for parking in the area. There are no plans at the present time to reintroduce access for event parking.

Parking access is still allowed for delivery and maintenance issues as required.

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**Supplementary
Question**

Given the response to question (3) which says there are no plans at present to reintroduce access for event parking, could I request that if I get in touch after this meeting, Councillor Aldridge will instruct officers to re-assess current plans for the use of that area?

**Supplementary
Answer by
Councillor
Aldridge**

I am more than happy to give that assurance and for discussions to continue.

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QUESTION NO 14

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

Question

To ask the Convener what progress has been made regarding research into the use of biomass boilers in PPP2 schools?

Answer

The Scottish Government has commissioned research into the emission of particulates from biomass boilers. This research is not expected to be concluded until later this year. The decision by Scottish Government to undertake this research was prompted by recent studies in London relating to the impact of biomass on particulate levels. This situation is more acute in Scotland as the threshold level for particulates is set at less than half that of the rest of the UK. To date very little research on particulate emissions from biomass appliances has been carried out and we have been advised that DEFRA are looking at possible further research in this area.

**Supplementary
Question**

Given that all PPP2 schools are to reach the Building Research Establishments Environmental Assessment Method of excellence requiring the achievement of five kilos of carbon per metre squared per annum, has the Convener instructed research into meeting these targets in these schools using any alternative heating method?

**Supplementary
Answer**

I have not. This is a highly technical issue and I think if you have got these highly technical questions from your own advisers in your party, then I think the best place to direct these questions is to the officials and I really would advise you to do that. You would probably get a more coherent answer than I am able to give you this morning.