

**Committee Minutes**

**The City of Edinburgh Council**

**Year 2003/2004**

**Meeting 3 - Thursday 26 June 2003**

Edinburgh, 26 June 2003 - At a meeting of The City of Edinburgh Council.

**Present:-**

**LORD PROVOST**

**The Right Honourable Eric Milligan**

**COUNCILLORS**

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

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

## **1 Queen's Birthday Honours List**

The Lord Provost and members of the Council congratulated former Councillor Mrs Daphne Sleight on being awarded the OBE in the Queen's Birthday Honours List.

## **2 Deputations – Containerisation of Refuse**

The Council agreed to hear deputations on behalf of Marchmont, Trinity and Dean residents and Stockbridge Community Council on the implementation of the Council's containerisation programme.

Kate McNairney, Cathy McDonald, Rona Doig and Sharon Duncan spoke generally on behalf of the residents, Community Councils and amenity groups opposed to the introduction of containerisation and specifically on the Marchmont area. The deputation was disappointed with the Council's intention to continue the containerisation programme regardless of the residents' concerns expressed at the Executive on 17 June 2003. They urged the Council to listen objectively to their presentation and postpone implementation of the programme until further consultation had been carried out and certain issues resolved.

The deputation highlighted their key concerns. The initial consultation process prior to 1997 had been inadequate and siting proposals for the bins were unclear and inconsistent. They were out of keeping with the areas' character and, because of the containers' design, the elderly or infirm would find them awkward to use. The loss of parking spaces would exacerbate existing problems. Health and safety issues, such as fly-tipping or fire raising, should also be considered along with the possibility that containerisation would compromise the Council's recycling targets by encouraging disposal of waste at source. The placing of containers close to homes could be seen as an infringement of a homeowner's right to peaceful enjoyment of property. It would also be useful to await the outcome of ongoing consultation on revised planning guidelines for siting containers.

The deputation urged the Council to work in partnership with communities to identify other options through further effective consultation.

Linda Lamb and Pauline Allan spoke on behalf of Trinity residents and the local Community Council.

Kate Adams and Sheila Kelly spoke on behalf of Dean residents.

Nicolas Sanders, Chair of Stockbridge Community Council also supported the comments of the previous speakers.

Following questions from members, the Lord Provost thanked the deputations for their presentations and invited them to remain for the debate on the matter (see item 3 below).

(References – e-mail from Marchmont residents dated 17 June 2003; letter from Trinity residents (undated); e-mail from Dean residents dated 24 June 2003, submitted).

### **3 Containerisation Programme - Marchmont**

The Executive had referred to the Council consideration of a request from a deputation on behalf of Marchmont residents to delay the implementation of containerisation in the area.

#### **Motion**

- 1) To affirm the previously agreed Council policy on containerisation and to proceed with the agreed programme in Marchmont, Dean and Trinity.
- 2) To instruct the Director of Environmental and Consumer Services to respond to any comments on location or other aspects of the detailed working of the scheme which were received before or after installation.
- 3) To commission an independent monitoring of the operation of the scheme after one year.

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

#### **Amendment**

Following the strong representations from local residents that the current roll-out of the containerisation programme be suspended in the wards of Marchmont, Trinity, Dean and Stockbridge to learn any lessons from the expected report on the trials dealing with refuse in the World Heritage Site; to include in the report any practical alternative methods of refuse collection which were more appropriate for densely populated tenement areas and ensure full integration of recycling of refuse collection. Following this process that a full and meaningful consultation take place in the affected wards on the best way forward.

- moved by Councillor Mrs MacLaren, seconded (on behalf of the Conservative Group) by Councillor Dixon.

#### **Voting**

The voting was as follows:-

For the motion	-	29 votes
For the amendment	-	27 votes

## **Decision**

To approve the motion by Councillor Cairns.

(References – Executive of the Council 17 June 2003 (item 17.1); report no CEC/26/03-04/EXEC by the Executive and petition from Marchmont Residents, submitted.)

## **4 Questions**

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

## **5 Minute**

### **Decision**

- 1) To approve the minutes of the meetings of the Council of 10 April and 8 May 2003, as submitted, as correct records.
- 2) To approve the minute of the meeting of the Council of 22 May 2003, as submitted, as a correct record subject to amendments to:
  - i) Item 3 (Appendix 5 – Membership of the Special Sub-Committee on Educational Standards) - to replace Councillor Lowrie on the Edinburgh East and North and Leith Sub-Group with Councillor Marjorie Thomas and on the Edinburgh Central and Edinburgh South Sub-Group with Councillor Walker.
  - ii) Item 5 (Appendix 6 – Appointments to Outside Bodies) - to replace Councillor Kingsley Thomas on the Waverley Railway Joint Committee with Councillor Burns.

## **6 Appointments to Outside Bodies**

### **(a) The Pool Charitable Trust**

Councillor Perry had resigned from the Board of Trustees of the Pool Charitable Trust.

**Decision**

To nominate the Director of City Development (or nominee) to the Board of the Pool Charitable Trust.

(References – Act of Council No 5 of 22 May 2003; report no CEC/29/03-04/CS by the Director of Corporate Services, submitted.)

**(b) EDI Board**

The Council was invited to nominate a member to the Board of EDI in place of Councillor Marshall who had declined the nomination.

**Decision**

To nominate Councillor Cairns to the Board of EDI.

(References – Act of Council No 5 of 22 May 2003; report no CEC/30/03-04/CS by the Director of Corporate Services, submitted.)

**Declaration of Interests**

Councillors Gilchrist, Mackintosh, Perry, Scobbie and Wilson declared a non-financial interest in the above item as they were Directors of EDI.

**(c) Scottish Enterprise Edinburgh and Lothian**

The Council had been invited to submit three or more nominations from which an appointment would be made to the Board of Scottish Enterprise Edinburgh and Lothian.

**Decision**

To nominate Councillors Perry, Grubb and Whyte to the Board of Scottish Enterprise Edinburgh and Lothian.

(Reference – report no CEC/19/03-04/CS by the Director of Corporate Services, submitted.)

**7 Ex-Officio Justices of the Peace**

The Council had been invited to nominate up to one quarter of its members (14) to serve as ex-officio Justices of the Peace for the Edinburgh area.

### **Decision**

To nominate members to serve as ex-officio Justices of the Peace as follows:-

Councillor Child	Councillor Kerr
Councillor Cunningham	Councillor Longstaff
Councillor Dawe	Councillor Mrs MacLaren
Councillor Fitzpatrick	Councillor Murray
Councillor Gilmore	Councillor Scobbie
Councillor The Hon D Guest	Councillor Kingsley Thomas
Councillor Jackson	Councillor Whyte

(References – Act of Council No 8 of 27 May 1999; report no CEC/11/03-04/CS by the Director of Corporate Services, submitted.)

## **8 Edinburgh Prison Visiting Committee – Appointment of Members for 2003/07**

### **Decision**

- 1) To appoint Miss A M Grant, Mr J P Rowan and Mr J Wallace as members of the Edinburgh Prison Visiting Committee and hold Miss V J Lobban and Mrs G Gray as first and second reserves respectively.
- 2) To confirm the appointment of the Scottish Borders Council nominees, Mr A Hewat and Mr C Renton, as members of the Visiting Committee.

(References – Act of Council No 6 of 22 May 2003; report no CEC/38/03-04/CS by the Director of Corporate Services, submitted.)

## **9 Equality and Diversity Service Review**

The Executive had agreed to review the Council's Equality Service and recommended the appointment of an Advisory Committee of 5 members for this purpose.

### **Decision**

- 1) To appoint an Advisory Committee under Standing Order 37(3) to review the Council's Equality Service and report back with detailed conclusions and recommendations.
- 2) To appoint Councillors Kerr, Shami Khan, Maginnis, Marjorie Thomas and The Hon D Guest to the Advisory Committee.

(Reference - report no CEC/27/03-04/EXEC by the Executive, submitted.)

## 10 Appointments etc

The Lord Provost ruled that this item, notice of which had been given at the start of the meeting, be considered as a matter of urgency in order that it be dealt with timeously.

Councillors Harrold and Longstaff had resigned from the Licensing Board and Councillor Fallon had resigned from the Board of EICC following advice on the provisions of The Licensing (Scotland) Act 1976.

### Decision

- 1) To appoint Councillors Shami Khan and Gordon Mackenzie to the Licensing Board in place of Councillors Harrold and Longstaff.
- 2) To nominate Councillor Shiels to the Board of EICC in place of Councillor Fallon.

References – Acts of Council No 8 of 8 May 2003 and No 5 of 22 May 2003; report no CEC/42/03-04/CS by the Director of Corporate Services, submitted.

## 11 Leader's Report

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

- |                           |   |
|---------------------------|---|
| Councillor Paisley        | - Currie shopping centre – need for upgrade                               |
| Councillor Whyte          | - Scottish Executive legislative proposals on anti-social behaviour       |
| Councillor Laing          | - Stone falls – advice for proprietors                                    |
| Councillor Kate MacKenzie | - Anti-social behaviour – effect of “Operation Capital” on Police service |
| Councillor Longstaff      | - Events at Ingliston   |
| Councillor Jackson        | - Stone falls – assurance on building safety                              |
| Councillor McInnes        | - Edinburgh's place in league table of European cities                    |

(References – report no CEC/28/03-04/L and CEC/40/03-04/L and supplementary reports (2) by the Leader, submitted.)

## **12 The Edinburgh City Vision – Submission to the Scottish Executive**

The Executive had referred for approval the finalised Edinburgh City Vision, together with the proposed City Growth Fund bids, for submission to the Scottish Executive.

### **Decision**

- 1) To support the first Edinburgh City Vision including the projects proposed for support through the City Growth Fund.
- 2) To note the intention to present a reasoned “case for Edinburgh” to the Executive within two cycles of meetings
- 3) To note that, although the Council’s submission included £950,000 for city region branding and promotion, it had not been possible to include provision for the Eventful Edinburgh campaign and there was currently no budget provision in the current financial year for this very successful initiative.
- 4) To ask the Chief Executive to report to the next meeting of the Council on the identification of Council funding of £77,000 for this financial year to take forward Eventful Edinburgh, in the absence of the publication of the Area Tourist Board Review (and associated funding arrangements).

(References – Executive of the Council 17 June 2003 (item 2); report no CEC/22/03-04/EXEC by the Executive, submitted.)

### **Declaration of Interests**

Councillor Wilson declared a non-financial interest in the above item as he was Chair of Edinburgh Tourist Board.

## **13 ICT Partnership**

### **(a) Overview**

The Executive had referred to the Council an overview of progress towards improving the overall management of the Council’s strategic partnership with BT plc.

Attention was also drawn to the parallel issues of the partnership’s performance, revised governance arrangements and the operational impact of the Housing and Revenues and Benefits Migration projects.



**Decision**

- 1) To note the substantial progress made in improving the overall management of the ICT Partnership.
- 2) To consider in detail the parallel reports concerning governance, performance over the last six months and the Housing/Revenues and Benefits Migration projects.

**(b) Performance**

The Executive had referred to the Council an update on the performance of the ICT Partnership for the period October 2002 to March 2003.

**Decision**

To note the progress of the ICT Partnership performance as detailed in the report by the Director of Corporate Services.

**(c) Governance Arrangements**

The Executive had referred to the Council consideration of proposals to strengthen the governance arrangements for the ICT Partnership between BT plc and the Council.

**Decision**

To approve the proposals for revisions to the governance arrangements for the ICT Partnership between BT plc and the Council as detailed in the report by the Director of Corporate Services.

**(d) Housing Rents and Revenues and Benefits IT Migration – Operational Impact**

The Executive had referred to the Council details of progress on the migration of the Housing Rents and Revenues and Benefits computer systems, changes to the agreed plans and the potential impact of the changes on the operation of services to the public.

**Decision**

- 1) To note that the Migration Project and new systems in Housing Rent and Revenues and Benefits were part of the plan to significantly enhance the Council's ability to further modernise services in line with the Smart City Vision.
- 2) To note that in the short term some disruption to services was inevitable as the new systems were introduced and staff became familiar with the new technology.

- 3) To note that the Communications Plan would address customers directly affected by the changes and would also inform the public more generally about the changeover.
- 4) To note that contingency plans and solutions to minimise potential problems would be in place for the critical period spanning migration, until the service to customers was fully recovered for both Housing and Revenues and Benefits.
- 5) To note that, as it was critical that adequate resources were deployed for the service recovery, steps would be taken to ensure that customers did not face excessive delays as the year progressed and so that the Council's main performance targets were recovered as soon as possible.

(References – Executive of the Council 17 June 2003 (items 5, 6, 7 and 8); report nos E/54/03-04/CE by the Chief Executive, E/55/03-04/CS and E/56/03-04/CS by the Director of Corporate Services and joint report no E/62/03-04/F&H by the Directors of Finance and Housing, submitted.)

#### **Declaration of Interests**

Councillor Meek declared a non-financial interest in the above item as a member of his family was employed by BT plc.

## **14 Review of Appeal Committee Arrangements**

The Executive recommended rationalisation of the Appeal Committee arrangements for Council employees.

#### **Decision**

- 1) To discontinue the Personnel Appeals (Teachers) Committee and transfer its delegated function to the existing Personnel Appeals Committee.
- 2) To appoint the members of the Personnel Appeals Committee as follows:-

Councillor Henderson (Convener)  
Councillor Berry  
Councillor Child  
Councillor Lowrie  
Councillor Paisley

Councillor Perry  
Councillor Russell  
Councillor Shiels  
Councillor Wheeler

(References – Executive of the Council 17 June 2003 (item 4); report no CEC/23/03-04/EXEC by the Executive, submitted.)

## 15 Edinburgh 2007: Corporate Plan

Progress on the Council's Corporate Plan, within the context of the Edinburgh 2007 change programme, was presented.

### Decision

- 1) To note the progress to date of the Corporate Plan as detailed in the Chief Executive's report.
- 2) To note that the final version would be submitted to the Council meeting on 21 August 2003.

(References – Act of Council No 13 of 27 June 2002; report no CEC/30/03-04/CE by the Chief Executive, submitted.)

## 16 Lothian Buses Annual General Meeting

On 10 June 2003, the Chief Executive and Director of Finance attended the Annual General Meeting of Lothian Buses plc. Details were given of the decisions reached.

### Decision

- 1) To note the appointment of Directors, as follows:-  
  
Mr William Campbell (Executive Director)  
Mr William Gallagher (Non-Executive Director)  
Mr Brian Cox (Non-Executive Director)  
Mr Andrew Guest (Non-Education Director)  
Ms Jane Saren (Non-Executive Director).
- 2) To note that Scott & Moncrieff were re-appointed as Auditors of the Company.
- 3) To note that Directors' fees were increased by 3.1% in line with the retail price index.

(Reference – report no CEC/12/03-04/CE by the Chief Executive, submitted.)

## 17 Edinburgh International Festival - Funding

As requested, further information was provided on the financial position of the Edinburgh International Festival (EIF); namely, a summary of 2002/2003 income and expenditure, including an explanation of EIF's accumulated deficit and why the three year business plan would not result in a break even position by 2004.

### **Decision**

To note the information detailed in the report by the Chief Executive.

(References – Act of Council No 6(a) of 10 April 2003; report no CEC/31/03-04/CE by the Chief Executive, submitted.)

### **Declaration of Interests**

Lord Provost Hinds and Councillors Mrs Elaine Aitken, Cardownie, Harrold, Longstaff and Maginnis declared a non-financial interest in the above item as they were Board members of Edinburgh Festival Council.

## **18 Strategic Work Programme – Annual Report 2002-2003**

An overview of progress of the Council's Strategic Work Programme was given, together with a summary of key activities and performance information.

### **Decision**

- 1) To note the progress made on the Strategic Work Programme as detailed in the Chief Executive's annual report.
- 2) To note that a further report would be submitted on projects not covered in the report.
- 3) To note that the next annual progress report would be submitted to the Council in June 2004.
- 4) To regret that progress on those parts of the work programme related to the local Community Planning agenda and the role of the Council's Local Development Committees had fallen behind the timescales originally set out.
- 5) To instruct the Chief Executive to report before the end of 2003 detailing the action being taken to complete the following projects and the timescales for their completion:
  - Agree City Plan targets for Local Development Committees;
  - Local performance plans for LDCs.

(References – Act of Council No 17 of 2 May 2002; report no CEC/32/03-04/CE by the Chief Executive, submitted.)

## **19 Public Processions - Procedures**

In response to a motion by Councillor Gilchrist, an outline was given of the current procedures for dealing with public processions.

Attention was also drawn to the response to Councillor Lowrie's motion to the Executive and the subsequent decisions of the Executive and the Development of the City Scrutiny Panel on the financial and public safety implications of the number of processions and events held in the city.

### **Decision**

- 1) To note the report by the Director of Corporate Services and, in particular, the current procedures adopted by the Council and the extent of powers available to the Council and the Chief Constable in terms of the Civic Government (Scotland) Act 1982.
- 2) To note the current position regarding a notice of motion by Councillor Lowrie and to discharge the motion by Councillor Gilchrist.

(References – Act of Council No 34 of 10 April 2003; Development of the City Scrutiny Panel 1 April 2003 (item 1); report no CEC/13/03-04/CS by the Director of Corporate Services, submitted.)

## **20 Management Information Report: October 2002-March 2003**

Corporate performance information for the Council for the two six-month periods April 2002-September 2002 and October 2002-March 2003 was presented.

### **Decision**

To note the report by the Chief Executive and refer it to the Resource Management and Audit Scrutiny Panel for consideration.

(Reference – report no CEC/39/03-04/CE by the Chief Executive, submitted.)

## **21 Provision for Wheels-Based Recreation in the City**

Recent developments regarding plans to provide skateboarding facilities in the city were detailed, including a possible legal challenge to the siting of a competition-standard skatepark in the Meadows.

### **Decision**

- 1) To note the joint report by the Directors of Corporate Services and Culture and Leisure.

- 2) To note the disappointment expressed by the Edinburgh skating community of the possible consequences of the recent legal advice regarding a skateboard facility at the Meadows.
- 3) To establish a Skatepark Short-Life Working Group to examine and evaluate alternative suitable sites within the city and report back to the Council within one cycle.
- 4) To authorise the Directors of Culture and Leisure, Education, City Development and Corporate Services to nominate officers to the Working Group and, in addition, that the Edinburgh Skatepark Project have equal representation on the Group to the number of officials nominated by the respective Directors.
- 5) To note that the Council remained committed to the construction of a competition-standard skatepark in the city.

(References – Executive of the Council 8 October 2002 (item 16); joint report no CEC/32/03-04/CS&CL by the Directors of Corporate Services and Culture and Leisure, submitted.

## **22 Transport Initiatives Edinburgh (tie) Business Plan – 2003/04**

Approval was sought for Transport Initiatives Edinburgh (tie) draft Business Plan for the financial year 2003/04, setting out the company's activities, costs, funding requirements and projections for 2004/05. An addendum to the Plan gave projections for the proposed Edinburgh Airport rail link.

### **Motion**

- 1) To approve the tie Business Plan for the financial year 2003-04, subject to any expenditure in excess of the tie projected out-turn for 2002-03 (per tie monitoring report at 31 December 2002) being contained within the tie 2003-04 budget.
- 2) To approve the Addendum to the tie Business Plan for the financial year 2003-04, subject to further discussions with the Scottish Executive on the client role and resulting tax implications and a satisfactory resolution of these issues.
- 3) To note that the total tie funding for 2003-04 and 2004-05 still required the identification of a capital provision of £367,000 which would be the subject of a separate report by the Director of City Development.
- 4) To note that additional funding of £128,600 per annum would continue for the time being to be funded from revenue and would be the subject of a separate report by the Director of City Development.

- 5) To note that the contract of the Interim Chief Executive had been extended until the end of July 2003 on a 2 day per week basis.
- 6) To note that a further report reviewing the overall financial performance of **tie** would be submitted to the Executive early in the financial year.
- 7) To note that the approval of additional match funding from the Scottish Executive as detailed at paragraph 4.3 of the Director of City Development's report was still outstanding and that should this not be forthcoming additional funding or compensatory savings would need to be identified.

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

#### **Amendment 1**

- 1) To acknowledge that the case for the introduction of Road User Charging as proposed in the New Transport Initiative before the introduction of trams had not yet been made.
- 2) To approve 5 of the 6 key projects in the **tie** Business Plan, but not approve the work to produce a system for Road User Charging.
- 3) In order to ensure that both elected members and officials were provided with sufficient information about the work being carried out by **tie**, to instruct the Chief Executive to bring forward a report on the lines of communication between **tie** and elected members and officers.

- moved by Councillor Wheeler, seconded by Councillor Mackintosh.

#### **Amendment 2**

- 1) To approve 5 of the 6 key projects in the **tie** Business Plan but not approve the work to produce a system for Road User Charging.
- 2) To adjust the funding and Business Plan for **tie** accordingly.

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

#### **Voting**

The voting was as follows:-

For the motion	-	28 votes
For amendment 1	-	13 votes
For amendment 2	-	12 votes

**Decision**

To approve the motion by Councillor Burns.

(References – Act of Council No 10 of 17 October 2002; report no CEC/33/03-04/CD by the Director of City Development, submitted.)

**Declaration of Interests**

Councillors Burns, Child and Cunningham declared a non-financial interest in the above item as that they were Directors of Transport Initiatives Edinburgh (tie).

**23 Braid Burn Flood Prevention Scheme – Progress Report**

The Council had been kept advised of progress on the development of a flood prevention scheme for the Braid Burn.

The implications of anticipated delays arising from the submission of formal objections to the scheme were outlined. Details were also given of revised costs and the progress of works at Redford Road, Mid Liberton and Duddingston.

**Decision**

- 1) To note the report by the Director of City Development
- 2) To note that a further report would be submitted seeking approval for a short list of companies to be invited to bid for the construction works once the scheme was assured.
- 3) To note the delay in commencing construction.
- 4) To note the increased scheme costs and that the funding shortfall in 2003/4 would be the subject of a future report to the Council.
- 5) To note that further reports would be submitted to the Executive on evaluation of the current claim for additional fees submitted by the designers.
- 6) To note that representations would be made to the Scottish Executive with regard to the new funding framework effective from April 2004 and its impact on the financing of the flood prevention scheme.
- 7) To request a ministerial meeting, on an all party basis, to discuss funding of the Braid Burn Flood Prevention Scheme, the delegation also to discuss funding of the Water of Leith Scheme (see item 24 below).



- 8) To note that further reports would be submitted on progress of the flood prevention scheme as required.

(References – Act of Council No 3 of 20 February 2003; report no CEC/34/03-04/CD by the Director of City Development, submitted.)

## **24 Water of Leith Flood Prevention Scheme – Progress Report**

The Council had been kept advised of progress on the development of a Flood Prevention Scheme for the Water of Leith. Further progress was detailed along with the implications of delays arising from the submission of formal objections to the scheme.

Details were also given of increased costs in respect of sewer and reservoir design works, and the construction of more extensive flood defences.

### **Decision**

- 1) To note the report by the Director of City Development.
- 2) To agree that discussions should progress with Scottish Water on consideration of the Council becoming joint undertakers of reservoirs associated with the Flood Prevention Scheme along with Scottish Water, upon completion of the Water of Leith Flood Prevention Scheme.
- 3) To note that a further report would be submitted regarding legal agreement on the reservoir joint undertaker issues.
- 4) To note that a further report would be submitted seeking approval for a short list of companies to be invited to bid for the construction works.
- 5) To note the level of objection received and the impact this would have upon the original programme for the flood prevention scheme.
- 6) To approve the funding for the design of the sewer works by Scottish Water, subject to identification of appropriate funding, which would be the subject of a separate report.
- 7) To note the increased scheme costs and that funding shortfalls in 2003/4 would be the subject of a future report to the Council.
- 8) To note that further reports would be submitted to Council on the evaluation of the current claim for additional fees submitted by the designers.
- 9) To note that representations would be made to the Scottish Executive with regard to the new funding framework effective from April 2004 and its impact on the financing of the flood prevention scheme.

- 10) To request a ministerial meeting, on an all party basis, to discuss funding of the flood prevention scheme, the delegation also to discuss funding of the Braid Burn Scheme (see item 23 above).
- 11) To note that further reports would be submitted on progress of the Water of Leith Flood Prevention Scheme as required.

(References – Act of Council No 2 of 20 February 2003; report no CEC/35/03-04/CD by the Director of City Development, submitted.)

## **25 Rationalisation of Office Accommodation: Council Headquarters Building**

Details were provided of possible advantages in respect of the lease agreement for the new Council Headquarters building resulting from the introduction of the proposed Prudential Code for Capital Finance in Local Authorities.

### **Decision**

- 1) To note the implications of the proposed new Prudential Code for Capital Finance in Local Authorities and the current discussions between the Director of Finance and the Scottish Executive.
- 2) To delegate authority to the Director of City Development, in consultation with the Director of Finance, to enter into an Agreement to Lease the new Council Headquarters on revised terms on the basis that it was in the Council's interest to do so.

(References – Act of Council No 15 of 10 April 2003; report no CEC/36/03-04/CD by the Director of City Development, submitted.)

## **26 Property Improvements Plan: City Chambers and Chesser House**

Details were given of progress on the property improvements planned for the City Chambers and Chesser House and the arrangements to minimise disruption to Council business.

### **Decision**

- 1) To note the progress made in the achievement of the Property Improvements Plan.

- 2) To note the arrangements in relation to the proposed works as detailed in the report by the Director of City Development.

(Reference – Act of Council No 10 of 20 February 2003; report no CEC/24/03-04/CD by the Director of City Development, submitted.)

## **27 Unaudited Financial Statement 2002/2003**

The unaudited financial statements for the 2002/2003 financial year were presented.

### **Decision**

- 1) To note the unaudited accounts for 2002/03.
- 2) To authorise the transfer of the surplus of £0.1m on the Housing Revenue Account from the General Fund to the Renewal and Repairs Fund.

(Reference – report no CEC/20/03-04/F by the Director of Finance, submitted.)

### **Declaration of Interests**

Councillors Dawe and Gordon Mackenzie declared a financial interest in the above item as they were members of Lothian Pension Fund.

Councillor Maginnis declared a non-financial interest in the above item as she was a member of Lothian Pension Fund.

## **28 DLO/DSO Unaudited Accounts 2002/2003**

Unaudited accounts for the Council's DLO/DSOs for 2002/2003 were presented.

### **Decision**

- 1) To note the DLO/DSO unaudited accounts for 2002/03.
- 2) To note the outturn position on the contributions to the General Fund.

(Reference – report no CEC/14/03-04/F by the Director of Finance, submitted.)

## **29 Appointment of Public Analyst and Deputy Agricultural Analyst**

### **Decision**

To appoint Robert Beattie as Public Analyst and Deputy Agricultural Analyst for the City of Edinburgh Council.

(Reference – report no CEC/15/03-04/ECS by the Director of Environmental and Consumer Services, submitted.)

## **30 Appointment of Head of e-Government, Department of Corporate Services**

### **Decision**

To offer the post of Head of e-Government, Department of Corporate Services, to A Unsworth subject to receipt of satisfactory written references.

(References – report no CEC/21/03-04/RC by the Recruitment Committee, submitted.)

## **31 Appointment of Head of Human Resources, Department of Corporate Services**

### **Decision**

To offer the post of Head of Human Resources, Department of Corporate Services, to P Barr.

(Reference – report no CEC/41/03-04/RC by the Recruitment Committee, submitted.)

## **32 Re-Finalised Rural West Edinburgh Local Plan**

The Planning Committee recommended approval of the re-finalised Rural West Edinburgh Local Plan reflecting modifications by the Planning Committee and the Edinburgh and Lothians Structure Plan 2015.

### **Decision**

- 1) To approve the re-finalised Rural West Edinburgh Local Plan, as amended.
- 2) To advertise the Local Plan, notify interested parties and place the Plan on deposit for an eight week period.

- 3) To authorise the Director of City Development to make any non-material editing and drafting changes as appropriate prior to printing of the Local Plan.

(References – Acts of Council No 5 of 1 April 1999 and No 12 of 10 February 2003; report no CEC/16/03-04/PC by the Planning Committee, submitted.)

### **33 Banners: Unauthorised Signage in the City Centre**

#### **Decision**

To delegate authority to the Head of Planning and Strategy for six months to serve Enforcement Notices where appropriate with regard to banners in the City Centre.

(Reference – report no CEC/17/03-04/PC by the Planning Committee, submitted.)

### **34 Children and Young People Scrutiny Panel – Annual Review and Work Programme - 2003/2004**

As required by Standing Order 59(2), the Children and Young People Scrutiny Panel submitted a progress report for 2002/2003 and a proposed work programme for 2003/2004.

#### **Decision**

- 1) To note the Children and Young People Scrutiny Panel's work during 2002/2003.
- 2) To note that a full work programme for the coming year would be provided to the Council, once agreed by the newly-convened Scrutiny Panel.
- 3) To note the Panel's expression of thanks to the previous Convener, Councillor Maginnis.

(Reference – report no CEC/18/03-04/CYP by the Children and Young People Scrutiny Panel, submitted.)

### **35 Sir William Y Darling Bequest for Good Citizenship**

Details were given of nominations for the award of the Sir William Y Darling Bequest for Good Citizenship for the municipal year 2002/2003.

**Decision**

To award the Sir William Y Darling Bequest for Good Citizenship for the municipal year 2002-2003 jointly to George Pitcher and Daniel Watson.

(Reference – report no CEC/25/03-04/CS by the Director of Corporate Services, submitted.)

W6/CEC03/CEC260603/EK

**APPENDIX**  
**(as referred to in Act of Council No 4 of 26 June 2003)**

**QUESTION NO. 1**

**By Councillor Berry answered  
by the Executive Member for  
Environmental Services**

- Question** (1) What date will Powderhall Waste Station re-open for the treatment of waste?
- Answer** (1) Powderhall will re-open on 23 June 2003.
- Question** (2) What will the total cost be of diverting and processing all waste away from Powderhall Waste Station during the period of closure?
- Answer** (2) £1,832,448, ie:
- |         |   |            |
|---------|---|------------|
| 2002/03 | - | £1,330,036 |
| 2003/04 | - | £ 502,412  |
- Question** (3) How will the total cost of the above be met and what budget will this be paid from up to 31 March 2003?
- Answer** (3) This matter will be the subject of consideration by the Council. In particular the Council will be requested to consider what proportion of this overspending should be met from reserves. The actual departmental overspend for 2002/03 was £1,119,000. This could be partially offset by increased contributions from relevant DSOs of £516,000.
- Question** (4) What will the total costs be for the current financial year for the above and how will this cost be met?
- Answer** (4) The current projected overspend to 23 June 2003 is £502,412. The expectation is that this overspend will be met from the Department of Environmental and Consumer Services budget for 2003/4.

- Question** (5) What is the present cost of having all asbestos removed from Powderhall Waste Station?
- What will the total estimated cost be before Powderhall re-opens?
- Which budget will meet these costs?
- Answer** (5) The cost of removing the asbestos from Powderhall was £80,448. The money to pay for the work was met from the Capital budget by substitution from the Containerisation budget and savings from other budget headings (see below). Expenditure was also incurred on retaining wall and refurbishment of crane controls at Powderhall. This amounted to £60,490 and £74,447 respectively, for which budget provision of £97,000 and £100,000 had been made.
- Supplementary Question** (1) Would Councillor Cairns admit that the spending at Powderhall is now well and truly far above what was ever expected and that, had the Council officials worked in conjunction with the Health and Safety report which was presented to this Council some time ago, and action been taken on the report sooner, a lot of this money would not now be required to be spent.
- Supplementary Answer** (1) I have a supplementary answer to my own answer and it is not a happy one that I have to communicate to the Council before I go on to answer Councillor Berry's question.
- On Sunday a section of the roof at Powderhall fell in and we have been advised by structural engineers that the building is unsafe and the roof will have to be demolished before the transfer station can be used again. That will cost around £35,000 and there will, of course, be additional delay in reopening the facility with the additional costs that that incurs. I have received an assurance from the Director that every effort will be made to ensure that the plant is open as soon as possible bearing in mind that safety is paramount.



In answer to Councillor Berry's supplementary question, I think the problem is that this is a plant which dates back to the 1960s and it is a building which has all the faults of that era. When asbestos was discovered we had no option but to remove it and that has meant not so much costs in actually carrying that out but the huge costs of seeking additional sources for the transfer of the refuse. So I am sure there could have been improvements in the way it was handled but I think the basic problem is that the building is grossly unfit for its purpose.

- Supplementary Question** (2) Could we also have a report to the Executive in regard to the situation at Powderhall Waste Station. A report to the Executive was due several months ago and it has not appeared. What really is the position with Powderhall? Are we staying there or are we moving out?
- Supplementary Answer** (2) It is the intention of the Council to move to a new waste transfer facility and a number of sites have been identified.

**QUESTION NO. 2**

**By Councillor Berry answered  
by the Executive Member for  
Environmental Services**

- Question** (1) What is the estimated cost of the vandalism at the public toilets at Bath Street, Portobello?
- Answer** (1) £2,545 was the cost of repairs due to vandalism during the financial year April 2002/March 2003.
- Question** (2) When will these public Toilets be re-opened to the public?
- Answer** (2) The toilets were not closed due to vandalism. The toilets were closed from 14 May to 5 June 2003 to allow upgrading and refurbishment work to be undertaken. The cost of upgrading work was in excess of £11,000.
- Question** (3) What are the arrangements for staffing at these toilets to help prevent further closures and costs?
- Answer** (3) The toilets are maintained by mobile toilet attendants. In an attempt to reduce vandalism following refurbishment work we have increased the frequency of visits by the mobile attendants to four visits per day.
- Supplementary Question** (1) In view of the expected and much delayed upsurge in the improvement in tourism in Portobello would he consider having a full-time attendant at these toilets instead of the part-time situation.
- Supplementary Answer** (1) I could certainly consider it but as you know it is always a case of matching the advantages of that against the resources available.

**QUESTION NO. 3**

**By Councillor Berry answered  
by the Executive Member for  
Environmental Services**

- Question** (1) What is the department's target for recycling in this financial year?
- Answer** (1) 15%.
- Question** (2) How confident is the new Executive Member for the Environment of achieving this target?
- Answer** (2) An application has been submitted to the Scottish Executive's Strategic Waste Fund. Subject to the funds requested being made available, I am confident that the target can be achieved.
- Supplementary Question** (1) What is the position with the application to the Scottish Executive for this money and does he have a fallback situation where, if we don't get all this money from the Scottish Executive, what will the situation be in regard to recycling and especially his target?
- Supplementary Answer** (1) A draft application was approved by the Executive at its last meeting and has been submitted to the Scottish Executive. I believe the report has been called in for scrutiny which personally I welcome. If there are any changes to it then that will be fed back into the application and the Scottish Executive are aware of the position. As I have said in the answer these funds really are essential if we are to make any serious inroads into the target on recycling. But we have every reason to believe that the Scottish Executive are positive about our application and they have given it very substantial encouragement.

**QUESTION NO. 4**

**By Councillor Paisley  
answered by the Executive  
Member for Health and Social  
Work**

**Question** (1) Can you please give an update on numbers of clients waiting to be assessed for residential care?

**Answer** (1) There are currently approximately 824 assessments awaiting allocation. This may include those for whom the outcome of the assessment is care home admission. At the time of referral the outcome of the assessment will not be known. To provide a context for this figure, an average of 245 community care assessments are completed each week.

**Question** (2) Average waiting time for assessment?

**Answer** (2) The Department operates assessment standards whereby new referrals are screened and allocated for assessment on the basis of the perceived priority and risk. The average figure for the completion of all assessments is 6.4 weeks. For those admitted to a care home, the average figure for the completion of the assessment is 3.6 weeks.

**Question** (3) What is the current availability of accommodation in:

- a) Council Homes
- b) Voluntary Sector
- c) Private Sector

<b>Answer</b>	<b>(3)</b>		Capacity*	Vacancies**
		(a) Private Sector	1891	57
		(b) Voluntary Sector	448	12
		(c) Council Homes	590	6

\* The capacity figure is operational capacity and includes respite

\*\* Vacancies include shared rooms and those requiring top-up payments

- Question**                      **(4)**    What is the position on the newly leased ex-private sector premises?
- a) How many beds are available?
  - b) Are any adaptations required?
  - c) Have any maintenance costs now been assessed?
  - d) Has a comparative cost analysis been made, by comparing existing units, voluntary sector and private sector beds?

<b>Answer</b>	<b>(4)</b>	a)	The Grange, Edinburgh	42 beds in operation
			Greenfield Park, Musselburgh	25 beds opening June 2003
			Trefoil Gogarburn	26 beds due to open October 2003

- b) **The Grange:** Work was required to upgrade the property, which had suffered from a lack of capital investment and maintenance, by the previous occupiers.

**Greenfield Park and Trefoil:** Capital work was required to meet registration requirements. These costs were reported to the Executive of the Council in January 2003. NHS Lothian has agreed to contribute half the capital requirement.

- c) The capital investment in each of the units will mean that no planned maintenance will be required for the duration of the contracts. Any unplanned / emergency maintenance will be met from existing budgets held for that purpose.

- d) Comparative cost analyses were undertaken utilising information on the costs of operating the Department's own units and the work undertaken by COSLA and the Scottish Executive in establishing national benchmark fee rates.

- Question** (5) What if any emergency plans are being formulated in the event of Church of Scotland Homes in the City being closed?
- Answer** (5) Meetings are planned with representatives of the Church of Scotland to discuss the future of the three care homes that they operate in Edinburgh. We have been advised by the Church of Scotland that none of the three care homes in Edinburgh is threatened with closure at this time.
- Supplementary Question** (1) Would the Council consider raising the rate paid to the private and voluntary sector for care home places up to the same level as it costs this Council to run their homes? Would this perhaps alleviate some of the problems in care home places throughout the city?
- Supplementary Answer** (1) I make no secret of the fact that I have felt that the big mistake which Scottish Care made last year and the year before was insisting that a national rate should be applied for care home fees throughout Scotland. I believe that there should be differential rates between different parts of the country and I believe that the funding package agreed with Scottish Care, COSLA and the Scottish Executive should reflect that because Edinburgh does have particular problems in relation to capital and property prices which mean that fee rates in the city ought to be higher than perhaps other parts of the country. We reflected that in our budget this year by paying over the nationally agreed rate but without sufficient extra funding from the Scottish Executive to pay more than that, it would be very difficult to maintain our balanced policy of providing good quality residential care against providing essential services to allow older people to stay longer in their own homes.

**QUESTION NO. 5**

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

**Question** (1) What is the overall cost of the cycle lane currently being installed on Wester Hailes Road?

**Answer** (1) The cycle lane on Wester Hailes Road forms part of the scheme being implemented to create a cycle route avoiding the A720 City Bypass.

The scheme, which will cost £35,000 approximately, is being funded by the Scottish Executive and implemented by the City of Edinburgh Council. The cost of the cycle lane in Wester Hailes Road has not been costed separately.

The purpose of the scheme is to provide a route avoiding the A720 City Bypass in response to Police concerns over cyclists using the Bypass. Traffic orders are in progress to formalise the prohibition.

**Supplementary Question** (1) Has Councillor Burns actually gone down Wester Hailes Road recently and seen the extent of this cycle lane that's been introduced where they've burned off all the existing road markings and introduced this red painting down the side of the road. This is probably the only road in Edinburgh that could have provided a cycle track adjacent to the road. There are very few streets that could have this facility and only yesterday when I came up that road I noticed that people are pushing prams up the cycle path. Are there any measures to put up notices saying no prams to use this cycleway?

**Supplementary Answer** (1) No.

**QUESTION NO. 6**

**By Councillor Paisley  
answered by the Executive  
Member for Environmental  
Services**

It is noted that 10,509 hours of overtime were worked between April/October 2002 by ground maintenance staff.

- Question** (1) How does this figure relate to:
- a) Year 2000?
  - b) Year 2001?
- Answer** (1) a) 15,185 hours of overtime worked between April/October 2000.
- b) 12,196 hours of overtime worked between April/October 2001.
- Question** (2) What was the cost of this overtime to the Council?
- Answer** (2) 10,509 hours of overtime in 2002 cost £92,710 (or) an average of £8.82 per hour.
- Question** (3) Could this figure have been reduced by a change in shift pattern or additional full-time staff, or seasonal staff?
- Answer** (3) The grounds maintenance section has already made significant progress in the reduction of overtime since the year 2000, in line with a Value for Money Review of Overtime carried out with all the Council's DSOs and DLOs by the Internal Audit Section of the Department of Finance.



Overtime costs could be further reduced by the employment of additional seasonal staff, however due to the buoyant economy within Edinburgh, recruitment and retention of additional seasonal staff has proved to be extremely difficult.

It is considered that changing shift patterns or employing additional staff would not assist the situation at that time.

Generally, overtime falls into two categories in grounds maintenance terms, eg planned overtime such as work on highways, central reservations, and work on recreation grounds during weekends and evenings. The second category of overtime is reactive and unplanned, generally dealing with emergency situations or with Client requests for urgent work.

**Supplementary Question** (1) Can I ask Councillor Cairns if he thought the 10,509 hours of overtime at time and a half, we could have made some savings by taking on extra staff?

**Supplementary Answer** (1) I think that's the question you put and you received the written answer. As I see it a reduction of 15,000 hours in 2000 to 12,000 in 2001 and to 10,000 last year looks to me like substantial progress. I think that the report does indicate that attempts are being made to recruit seasonal staff as the bulk of the overtime is in the summer but this is made difficult by the current very healthy labour market in Edinburgh thanks to the policies of this Council.

**QUESTION NO. 7**

**By Councillor Whyte answered  
by the Executive Member for  
Business and Property  
Management**

- Question** (1) Why is the demolition work at the main reception area only commencing on 14 July and not in the previous two weeks in which the fewest number of meetings are held?
- Answer** (1) Tender documents for the new City Chambers entrance and reception area have been returned, however, Historic Scotland require to be consulted and should they wish to comment, a response is due by 1 July 2003. The contractor requires a further 2 weeks to mobilise.
- Question** (2) If the answer to Question 1 is “because of the Edinburgh Trades Fortnight”, what attempts were made to negotiate work during that period?
- Question** (3) What was the capital cost of the recent work to improve disabled access to 249 High Street?
- Answer** (3) The cost was £38,236 plus fees at £6,161.
- Question** (4) Why is the entrance to 249 High Street now closed?
- Answer** (4) The entrance at 249 High Street will re-open on 14 July 2003 following completion of refurbishment of the East Wing of the City Chambers and will form the main entrance and reception during the period of the works to the main entrance at City Chambers.
- Question** (5) If the answer to Question 4 is that there is no money in the revenue budget for staffing the entrance at 249 High Street, what would be the revenue cost of this?

**Supplementary Question (1)**

Could the Executive Member tell me, notwithstanding the fact that the work will now take place into a business period when some of the noisiest demolition work could have taken place during the first two weeks in July had this been moved ahead quicker, when there are no Council meetings, does it not seem that the Council has effectively wasted £44,000 on providing disabled access at 249 High Street when that is not open at present for anybody to use, simply, I believe, because there are no security people to staff that area as well as front reception and, if we are going ahead with the huge refurbishment at the main entrance to the City Chambers which will provide disabled access, surely in those terms it's a longer term waste of that £44,000? How can that money be justified?

**Supplementary Answer (1)**

With regard to the first supplementary question, my understanding is the work has been started and will be completed as soon and as quickly as is practical. There was of course the question of permission from Historic Scotland and I understand that the 28 day period in which they were to reply to us has expired and we will be able to get on with the work on the date contained in the report to the Council this morning.

In relation to 249 High Street, the door hasn't been used so far for disabled access because work was still ongoing in the east wing. In relation to the long-term use of 249 High Street, that will be used during the work on the reception area and the lifts. It is the intention of the Council to use both entrances. Both will be adequate and proper in meeting the needs of disabled people and of course the Disability Access legislation which will be amended next year. Colleagues will appreciate that the Business Centre and the Dean of Guild, which is used for Committee meetings, are in the east wing so both entrances will be used. In my view that is not a waste of money.

**QUESTION NO. 8**

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

**Question** (1) I note that a Traffic Survey was being carried out on June 3<sup>rd</sup> at the Gillespie Crossroads. Could I please be advised of how many cycles passed through the junction and cycled down the Wester Hailes Road whilst this survey was being carried out?

**Answer** (1) The survey to which you refer is one of several being carried out by the consultants Halcrows, on behalf of Transport Initiatives Edinburgh. The survey data have not yet been analysed and returned to **tie**. I will arrange for this to be sent to you as soon as it is available.

**QUESTION NO. 9**

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

As I am unable to ask questions of the Planning Convener can you please answer these questions on behalf of your Administration:-

- Question**           (1)   How many local people or groups have requested the opportunity to address the Development Quality Sub-Committee on the application to develop the Kinleith Mill site?
- Question**           (2)   Why was this information not made available to the Currie Community Council who are after all a statutory consultee in planning matters?
- Question**           (3)   Why has consent been refused for local groups to address the Development Quality Sub-Committee?
- Question**           (4)   Why is the Planning Department bringing forward this application recommended for consent when it breaches so many of our own planning guidelines?
- Question**           (5)   Why is the Transportation Department accepting the traffic assessment by the developers consultants which is at variance with the views held by this Council in 1985 and 1991 about volumes of traffic and the Lanark Road and why are we not having a confirmation report by an independent traffic consultant?
- Question**           (6)   Why is the development being brought forward with consent recommendation which would if granted allow 150 units in a cul-de-sac with limited access for emergency vehicles?

- Question** (7) Why are the transport guidelines on this application being over-ruled on the following points:
- (a) there is no access for public transport
  - (b) there are no verges provided at some parts of the development
  - (c) some of the footpaths are below the minimum requirements
  - (d) access to the site is too narrow to allow more than 50 dwellings if it is to comply with the City's own transportation guidelines
  - (e) why is a 9 metre turning circle being used to determine the turning circles rather than the 10 metres as recommended
  - (f) will the access onto Lanark Road meet the visibility splay for such a development

**Answer** I have been provided with the following information by the Director of City Development:

**Answer** (1) 24

**Answer** (2) The Chief Executive wrote to Currie Community Council whose opinion, as statutory consultees, was incorporated in the report to Committee by the City Development Department. The number of requests to address a meeting is not normally automatically supplied to all the statutory consultees. Nor is it a criteria in isolation for holding a Hearing.

**Answer** (3) Both Councillor Paisley and Currie Community Council have been advised of the reasons for not holding a Hearing whereby third parties could address the Development Quality Sub Committee. The recently adopted Hearings system is not intended to apply retrospectively ie to applications which have already been considered by the Development Quality Sub Committee. This application was considered earlier by the Development Quality Sub Committee and continued for certain specific matters to be addressed. The procedures are as agreed by the Planning Committee.

- Answer** (4)- This is a live application and it would be wholly  
(7) inappropriate for this Council to discuss the matter and could prejudice its position as planning authority.
- Supplementary Question** (1) I believe I have to address this to the Leader of the Council because there is no Executive Member for planning. This extremely contentious planning application - that was the reason I put down the questions – has been going on since 1985 and it has had several alterations. The last one was within the last fortnight where the plan is now I understand to take fire engines along the Water of Leith walkway and this is the reason I want to highlight this. I wonder if the Leader would think that this would meet the new West Edinburgh Rural Plan to take fire engines along the Water of Leith walkway to gain access to the site because there is no access through the normal site because it's a cul-de-sac. That's the reason I'm asking the question. Do you believe that fire engines should be taken along the Water of Leith walkway?
- Supplementary Answer** (1) Where there is a contentious planning application all of the relevant information needs to be put before the Planning Committee. The officials of the Council need to have a chance to consider every aspect of that application and the Planning Committee needs to deliberate on these issues. If Councillor Paisley, other than raising specific concerns, wants to suggest that the Planning Committee has not got all the relevant information or is not in a position to take that into account then that would be a concern but I have no evidence that that is the case and I have every confidence that the Planning Committee can deal with it appropriately.

**QUESTION NO. 10**

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

**Question** (1) How satisfied are you with the validity of the "Tram Time" consultation exercise?

**Answer** (1) Satisfied.

**Question** (2) In particular, how many leaflets were distributed, in which wards, and when?

**Answer** (2) **Initial Delivery**

102,000 leaflets were delivered as follows:

Wednesday 14-Friday 16 May

Lorne  
Leith Links  
Calton  
Broughton  
Harbour  
Meadowbank  
(part)  
Restalrig (part)  
Trinity  
Newhaven  
**34,555**

Monday 19-Tuesday 20 May

Stenhouse  
Moat  
Sighthill  
SE Corstorphine  
Gyle  
Dalmeny/  
Kirkliston  
Murrayfield – both  
**24,991**



Wednesday 21 May

New Town  
Tollcross (part)  
Holyrood (part)  
Stockbridge  
**15,196**

Thursday 22-Friday 23 May

Pilton  
Granton  
Craigleith  
Dean  
Muirhouse/Drylaw  
(part)  
Dalry  
Shandon  
**26,591**

**In addition:**

- 2,000 leaflets (1,000 of each type) were distributed through the central library's distribution service to libraries, community centres and public buildings.
- Major businesses, third party groups and all businesses in the city centre (which face directly onto the proposed line – both options) were mailed a leaflet.
- 5,000 leaflets were held back for distribution through the exhibitions, most of which have been used and which are still ongoing.
- All public meetings and exhibitions were advertised in a prominent position (page three) in the Evening News during the first week of the consultation.
- Radio advertising also supported the public meetings, with different scripts giving notice of individual meetings (ads ran between 19/05 – 07/06).

**Question**

- (3)** What is the minimum acceptable notice period between delivery of a leaflet and the local consultation meeting?

- Answer** (3) 1 week from date of advertising in the press. The delivery of the leaflet is a supporting piece of information, the important notification being the press advert.
- Supplementary Question** (1) I would like to thank Councillor Burns for the answer he has given us. I wonder if he would still be satisfied if he heard as I have, on good authority, that these leaflets were still being distributed on 10 June in some parts of the city which was the day of the final consultation meeting, bearing in mind also the point that those who wished for a reason of disability or impairment to ring for transport had to do so before 26 May.
- Supplementary Answer** (1) I am still satisfied, very satisfied with the way the consultation programme is being conducted by Transport Initiatives Edinburgh on behalf of the Council. I've been to several of the public meetings myself. They didn't finish on 10 June Councillor Wheeler. That might have been the ones that were advertised in the leaflets but there were certainly two in the city last night and there may be more to follow before the end of the consultation period on 10 July. So I remain very satisfied with the consultation and I am very much looking forward to tie's analysis coming to the Council in the autumn.
- Supplementary Question** (2) I just wondered whether, if the leaflet was late and it doesn't mention these further meetings, he is still satisfied.
- Supplementary Answer** (2) Yes.

**QUESTION NO. 11**

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

**Question** (1) For how many properties which received a common repair grant are there still outstanding bills to be settled?

**Answer** (1) There are outstanding bills for 88 properties which received a common repair grant. 8 of these are interim bills where the final invoice has yet to be issued.

**Question** (2) Please detail the properties involved and for each property list

- a) the date of repair;
- b) the date the Council issued the accounts;
- c) the number of affected owners in each property; and
- d) the total sum involved for each property.

**Answer** (2) See attached list, Appendix A.

- a) The date of repair is deemed to be the date of completion of the repair. Because of the age of some projects the repair date was unavailable.
- b) See Appendix A. The date the final account was received from the appointed agent is also shown.
- c) See Appendix A.

- d) See Appendix A, amount outstanding, total £298,112.65. Also shown is the total sum due for all properties, £4,641,326 and the original invoiced amount £431,831.54 relating to the amount outstanding. Where the amount outstanding is less than the original invoice amount the debtor will be paying by instalments. This is the case for 50 of the 88 outstanding bills.

**Note:** Attached at Appendix B are the common repair schemes still to be completed.

**Supplementary Question (1)** This question arose from a problem that one of my constituents had with being billed for a repair that was carried out when the property was in different ownership and finished about 15 years ago. If you look through the very detailed list, which I think might be of use to other Councillors besides myself, there are several situations where bills have been issued more than ten years after the final account was received from the agent and I would like the Executive Member to say whether she thinks that this is acceptable or whether, in such circumstances, the account should perhaps be suspended or given up. I know this is a cost to the Council but I do not feel that it is fair to residents to submit bills for work that was carried out such a long time ago. It may be that I can't get a full answer today but I think a report on the individual cases would be appropriate to come at some future time.

**Supplementary Answer (1)** Can I thank Councillor Tritton for the constructive way in which she has dealt with this question over the last couple of days. There is a wealth of useful information for individual Councillors here. The individual cases are a matter of concern and I'll pass you over to the Executive Member for Housing who will give you the definitive answer.

**Supplementary  
Answer by the  
Executive  
Member for  
Housing**

I'm not going to give you a definitive answer at the moment. Unfortunately, because of the way this question was framed and the person to whom it was addressed, it only came to my attention, and I was only fully briefed on this yesterday. Some of the cases are people who haven't yet paid, there may be enforcement action going on but that is a different issue. The issue that Councillor Tritton has raised is clearly about the late rendering of final accounts and there are issues involved there. I still have to get some further information. I have been briefed and I want to discuss it further with the Director. I would undertake to come back with a further report, initially to Councillor Tritton, and involve her in that discussion and, if necessary, bring it back to Council if we haven't been able to resolve it to everyone's satisfaction. I hope at the moment that would be satisfactory.

The City of Edinburgh Council  
26 June 2003

APPENDIX A

COMMON REPAIRS SCHEME  
AMOUNTS OUTSTANDING AS AT 18 JUNE 2003

No	Repair Address	Notice Code	Repair Date	Final Account received from Agent	Invoice Date	No's of owners	Original Invoice	Amount Outstanding	Total sum due
91545	11-17 Annandale Street	175	19/09/1991	28/02/1992	18/07/1996	9	£6,589.33	£5,741.28	£62,004.00
72305	7 (2F1) Lower Granton Road	364	30/11/1995	20/03/1996	31/03/1997	12	£2,402.48	£1,919.92	£33,227.00
40729	135-139 Easter Road/51-53 Brunswick Road	855			21/04/1992	12	£5,465.84	£5,694.67	£37,265.00
31752	60-64 Leamington Terrace	955			19/10/1993	7	£2,754.72	£2,754.72	£18,268.00
60937	91-97 Lauriston Place	A70			17/12/1996	13	£11,720.28	£11,720.28	£62,894.00
4650	38-40 Ashley Terrace	A88			26/03/1996	11	£3,340.60	£3,340.60	£16,674.00
49642	99-107 Causewayside	C0007	26/10/1996	12/12/1997	28/05/1998	30	£1,138.94	£774.20	£43,129.00
54273	16-24 Henderson Row	C0015	31/01/1992	05/06/1998	18/02/1999	14	£827.49	£224.49	£43,162.00
670773	65-71 Cornhill Terrace	C0019			20/02/2003	4	£1,947.41	£1,947.41	£13,134.00
680258	3 Castle Wynd North	C0021		26/06/1992	13/03/2003	8	£1,796.54	£1,796.54	£11,163.00
680255	3 Castle Wynd North	C0021		26/06/1992	13/03/2003	see above	£454.63	£454.63	see above
282626	102-16 Duke Street	C0029	27/11/1992	08/03/2000	22/06/2000	14	£2,858.75	£1,046.85	£68,392.00
89632	1-5 Gayfield Place/33 Gayfield Square	C0030	05/07/1993	30/10/1997	22/04/1999	17	£11,030.84	£7,535.46	£224,413.00
43922	35-39 Sandport Street	C0031	23/03/1993	15/12/1996	11/03/1999	19	£1,956.80	£50.48	£34,368.00
43948	68 Lorne Street	C0031	20/09/1996	01/04/1998	04/06/1998	as above	£1,755.49	£1,115.49	as above
92960	35-39 Sandport Street	C0031	23/03/1993	15/12/1996	05/11/1998	as above	£1,023.51	£1,131.57	as above
481435	65-71 Broughton Street	C0033	09/07/1993	16/02/2001	01/11/2001	13	£2,266.21	£845.24	£110,957.00
18757	25 Castle Terrace/17 Cornwall Street	C0034	10/02/1995	25/09/1996	26/06/1997	8	£46,654.72	£2,801.16	£17,351.00
309379	15-19 Clarence Street	C0037	24/06/1992	01/01/1995	24/08/2000	13	£4,600.96	£3,109.52	£79,886.00
206581	53 Cockburn Street	C0044	17/02/1994	18/03/1997	17/09/1999	18	£3,171.38	£3,171.38	£93,257.00
4221	47-53 Broughton Street, 2 Forth Street	C0063	30/08/1996	18/02/1998	29/10/1998	13	£3,126.45	£674.73	£82,222.00
49973	1-11 Lower Granton Road	C0070	27/09/1995	22/10/1997	19/03/1998	35	£618.10	£151.58	£129,369.00
233334	24-28 Lauriston Gardens	C0075	12/03/1996	23/09/1996	10/02/2000	9	£4,364.81	£4,203.21	£57,055.00
227601	24-28 Lauriston Gardens	C0075	12/03/1996	23/09/1996	04/02/2000	see above	£641.36	£641.36	see above
24061	11-15 Thorntree Street/ 13-15 Halmyre Street	C0109	10/11/1995	24/03/1997	11/12/1997	4	£1,430.00	£1,330.64	£15,393.00
201296	43-49 Great Junction Street	C0112	12/07/1996		09/07/1999	9	£3,248.05	£3,248.05	£68,121.00
39244	24 Calton Hill	C0118	29/07/1996	30/10/1997	11/06/1998	4	£3,248.30	£3,290.45	£24,468.00
56777	27 Halmyre Street	C0128	26/04/1996	06/08/1997	05/11/1998	16	£1,716.85	£1,007.70	£44,058.00
85621	121-125 Lochend Road Flat 123 (2f1)	C0140	14/02/1996	24/06/1997	14/08/1997	11	£4,225.96	£1,894.99	£23,513.00
52220	30-33 South Bridge/45-51 Niddry Street	C0150	17/12/1997	30/09/2000	12/06/1997	8	£7,091.00	£5,025.26	not finalised
210504	17 Thorntree Street	C0156	11/04/1997	19/05/1999	28/10/1999	12	£3,223.42	£2,259.12	£76,934.00

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No	Repair Address	Notice Code	Repair Date	Final Account received from Agent	Invoice Date	No's of owners	Original Invoice	Amount Outstanding	Total sum due	
210493	17 Thorntree Street	C0156	11/04/1997	19/05/1999	28/10/1999	see above	£2,030.46	£346.99	see above	
210501	17 Thorntree Street	C0156	11/04/1997	19/05/1999	28/10/1999	see above	£1,614.69	£1,637.16	see above	
367901	14-16 Moncrieff Terrace	C0157	23/05/1997	03/03/1999	18/01/2001	24	£687.86	£59.92	£77,236.00	
367918	14-16 Moncrieff Terrace	C0157	23/05/1997	03/03/1999	18/01/2001	24	£1,708.89	£560.69	£77,236.00	
81999	2-4 Tarvit Street	C0159	10/12/1997	15/01/1999	25/02/1999	17	£1,533.61	£673.92	£111,788.00	
276015	8-12 Steels Place	C0164	01/01/1996	01/03/1998	01/06/2000	11	£706.77	£328.80	£29,519.00	
51819	1-8 Haddington Place	C0171	08/01/1992	13/06/1997	24/07/1997	24	£2,615.32	£2,615.32	£114,196.00	
3224	75 Albert Street	C0175	24/10/1988	28/02/1997	05/02/1998	16	£2,443.99	£1,765.99	£45,771.00	
407846	13-15 Melville Terrace	C0177	29/03/1992	09/11/1996	19/04/2001	8	£3,567.82	£3,567.82	£32,674.00	
212961	34-36A Howard Place	C0194	11/03/1997	08/02/1999	18/11/1999	7	£6,097.09	£6,097.09	£62,369.00	
62156	18-32 Haddington Place	C0209	05/12/1992	10/10/1996	15/05/1997	16	£7,878.02	£551.50	£247,484.00	
665643	68-72 Polwarth Gardens	C0212	15/02/1991	24/07/1992	06/02/2003	8	£154.32	£154.32	£15,531.00	
665644	68-72 Polwarth Gardens	C0212	15/02/1991	24/07/1992	06/02/2003	see above	£307.95	£307.95	see above	
665647	68-72 Polwarth Gardens	C0212	15/02/1991	24/07/1992	06/02/2003	see above	£80.70	£80.70	see above	
7468	35-39 St. Patrick Square	C05			28/08/1996	11	£3,786.21	£3,786.21	£20,761.00	
52538	12-14A Gayfield Square	C46	08/03/1994	08/03/1995	20/03/1997	12	£9,953.54	£6,103.54	£159,867.00	
438530	85 Haymarket Terrace	C50	31/03/1998	19/03/2001	12/07/2001	11	£14,750.20	£14,750.20	£222,677.00	
438534	79-87 Haymarket Terrace	C50	31/03/1998	19/03/2001	12/07/2001	1	£13,622.73	£13,622.73	see above	
438536	79-87 Haymarket Terrace	C50	31/03/1998	19/03/2001	12/07/2001	1	£13,622.73	£13,622.73	see above	
61272	11 Wardlaw Place	E30			13/12/1993	16	£407.53	£210.18	£14,172.00	
71493	9-13 Portland Place F32	F32			24/02/1994	11	£2,187.38	£3,959.95	£64,633.00	
45729	6-8 & 10-14 Iona Street	G34	13/12/1995	01/04/1997	28/10/1996	24	£4,130.31	£1,762.51	£175,134.00	interim
39880	1-4 Abbey Mount/2-4 Montrose Terrace	G46	31/12/1995	22/09/1997	04/07/1995	15	£5,990.00	£4,766.92	£114,918.00	interim
34939	8 Mentone Avenue	H13	31/01/1997	19/08/1998	01/07/1996	8	£2,108.02	£488.02	£26,556.00	interim
1109	15 Thorntree Street	H20	11/04/1997	20/03/1999	01/08/1996	12	£3,212.06	£2,343.21	£58,209.00	interim
5766	81-85 Dickson Street	T0101	15/08/1996	06/01/1997	04/06/1998	11	£2,153.43	£513.60	£38,129.00	
227633	61-67 Dalmeny St/31 Sloan St	T0109	01/10/1997	08/09/1999	04/02/2000	13	£3,191.61	£3,766.02	£18,690.00	
374850	46-48 Hawthornvale	T0112	28/11/1997	27/05/1997	02/02/2001	12	£682.54	£556.42	£41,129.00	
67066	26-28 Kirk Street	T0123	02/12/1998	30/05/2000	28/08/1997	8	£9,240.79	£4,695.85	£61,495.00	interim
363619	87 Pennywell Gardens	T0127	17/02/1999	19/10/2000	11/01/2001	88	£426.86	£125.00	£109,742.00	
363756	87 Pennywell Gardens	T0127	17/02/1999	19/10/2000	11/01/2001	see above	£726.86	£881.58	see above	
399394	87 Pennywell Gardens	T0127	17/02/1999	19/10/2000	05/04/2001	see above	£726.86	£777.32	see above	
363592	87 Pennywell Gardens	T0127	17/02/1999	19/10/2000	11/01/2001	see above	£676.86	£669.19	see above	
10335	2-4 Leopold Place	T0202	30/05/1996	14/04/1997	23/07/1998	8	£4,905.74	£628.10	£48,846.00	
521844	67-77 Dundas Street	T0207	21/11/1997		07/02/2002	19	£3,367.47	£3,367.47	£107,715.00	
605585	112-116 McDonald Road	T0217	19/09/1997	09/09/1998	12/09/2002	11	£444.32	£444.32	£37,100.00	

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No	Repair Address	Notice Code	Repair Date	Final Account received from Agent	Invoice Date	No's of owners	Original Invoice	Amount Outstanding	Total sum due	
497106	114-116 McDonald Road	T0217	19/09/1997	09/09/1998	13/12/2001	see above	£1,712.70	£444.38	see above	
605582	112-116 McDonald Road	T0217	19/09/1997	09/09/1998	12/09/2002	see above	£132.63	£80.00	see above	
605581	112-116 McDonald Road	T0217	19/09/1997	09/09/1998	12/09/2002	see above	£132.63	£132.63	see above	
635771	112-116 McDonald Road	T0217	19/09/1997	09/09/1998	21/11/2002	see above	£444.32	£444.32	see above	
607225	112-116 McDonald Road	T0217	19/09/1997	09/09/1998	19/09/2002	see above	£107.02	£107.02	see above	
305262	64-68 East Claremont Street	T0225	12/06/1998	23/06/2000	17/08/2000	8	£2,860.18	£2,860.18	£56,288.00	
275435	75 (2F1) Montgomery Street	T0227	27/06/1997	23/08/2001	01/06/2000	8	£12,748.09	£7,313.86	£108,993.00	interim
598195	20 (2F1) Montrose Terrace	T0229			22/08/2002	9	£2,139.36	£2,139.36	£19,254.00	
74326	26-30 Melville Terrace	T0307	01/02/1999	08/02/2001	02/07/1998	9	£10,639.09	£9,235.37	£121,780.00	interim
458434	26-30 Melville Terrace	T0307	01/02/1999	08/02/2001	13/09/2001	see above	£17,532.09	£17,532.09	see above	
56558	5-9 Panmure Place	T0311	29/04/1997	04/09/1998	10/12/1998	11	£11,187.85	£312.80	£123,605.00	
12662	5-7 Steels Place	T0312	20/12/1996	13/11/1997	22/04/1999	11	£1,691.42	£1,691.42	£31,806.00	
65564	25-33 Brougham St/1-3 Drumdryan St	T0337	27/03/1998	14/09/1999	17/12/1998	18	£10,650.34	£6,625.22	£169,690.00	
248408	25-33 Brougham St/1-3 Drumdryan St	T0337	27/03/1998	14/09/1999	23/03/2000	see above	£10,434.43	£5,537.47	see above	
360405	2 Ponton St/97-105 Fountainbridge	T0340	26/04/1999	20/09/2000	04/01/2001	17	£3,292.19	£1,107.70	£82,794.00	
204448	1-11 Comiston Road/6 Braid Road	T0405	11/04/1997	17/08/1998	19/08/1999	10	£4,897.52	£866.38	£87,121.00	
283842	1-3 Robertson Avenue	T0406	16/07/1996	05/02/1998	22/06/2000	8	£1,101.46	£103.56	£30,360.00	
380228	56-60 Comiston Road	T0410	01/02/2001	26/07/2000	15/02/2001	8	£1,451.27	£454.80	£70,195.00	
333965	242-252 Gorgie Road	T0412	19/12/1997	21/02/2000	26/10/2000	14	£195.86	£45.86	£42,811.00	
372077	27-29 Angle Park Terrace	T0420	24/02/1999	01/08/2000	25/01/2001	10	£5,552.73	£4,337.92	£72,375.00	
59790	34-36 South Bridge/53-57 Niddry St/212 Cowgate	TC03039	20/03/1998	02/01/2001	20/03/1997	8	£54,495.60	£55,248.09	not finalised	interim
						939	£431,831.54	£298,112.65	£4,641,326.00	



**APPENDIX B**

**COMMON REPAIRS SCHEME  
PROJECTS TO BE COMPLETED**

<b>No</b>	<b>Repair Address</b>
C0203	2-6 Baltic Street,2-6 Salamander Street
C0229	6,7,8 Hope Park Crescent
T0342	14 St Leonards Bank
T0325	1-2 Hunter Square
C0150	30-33 South Bridge
T0339	34-36 South Bridge
C0145	48-52 South Bridge
T0326	18-22 Nicolson Street

**QUESTION NO. 12**

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

- Question**           (1)   How often are roads and pavements inspected for problems which could cause an accident (such as potholes or broken slabs):
- a)   by an inspector on foot; or  
                          b)   by an inspector in a vehicle?
- Answer**             (1)   All carriageway, footways and cycleways in the city are scheduled for a walking inspection at a minimum frequency of once per year. Roads with a high level of pedestrian traffic are inspected more often with Princes Street and the Royal Mile inspected each week day. Mobile inspections from a vehicle are carried out weekly, generally on a Monday, on all arterial and major roads in the city.
- Question**           (2)   How many defects were identified by these inspections in the year to April 2003? How many of these were classified as needing an "urgent" repair, and how many were left to be dealt with as part of routine maintenance?
- Answer**             (2)   In the year to 31 March 2003, approximately 31,000 individual defects were repaired by the CLARENCE defect squads. These are generally defects which are considered urgent and identified during inspections although a significant proportion were also reported by the public through the CLARENCE freephone service.
- Question**           (3)   Does the Council increase its inspections where work is being carried out by utility companies, and how long are such companies given to make good the roadway or pavement affected?

- Answer** (3) The New Roads and Streetworks Act 1991 determines the amount of inspection given to the work of the utility companies and this is carried out separately from the walking and mobile inspections. Under the agreement 5% of the total utility works in each of four stages is inspected and costs are recovered from the companies. The Council is unable to resource any inspection of utility works beyond this level but inspectors coming across utility operations as part of their general duties may, if a particular concern has arisen, carry out an inspection. Utility companies are required to guarantee the quality of their work for two years following completion. The Council is able to require reinstatement work to be redone at any time during the guarantee period if it can be shown that the work is defective.
- Question** (4) If there is a nearby construction site which could be expected to lead to an increase in heavy lorry traffic, is there any increase in the level of inspections? Are any repairs charged to the construction company?
- Answer** (4) Roads Inspectors within Network Services are deployed on the basis of 'beats' which are typically four Council wards. Each inspector is aware of the activities in their area and will give appropriate attention to works affecting the road network. Resources do not permit the routine devotion of increased levels of attention near construction sites but inspectors will make a judgement about the type of activity and try to visit sites accordingly. Any damage that can be proven to be the responsibility of a construction company will be repaired and the costs charged to them. This does however require evidence of the damage caused to be collected, which due to resource constraints is not always possible.
- Question** (5) How many road/pavement repairs were reported to CLARENCE by citizens in the year to April 2003?
- a) How many of these problems required an "urgent!" repair?
- b) What was the average response time for dealing with these repairs?

**Answer**

- (5)** In the year up to 31 March 2003 CLARENCE received a total of 31,389 calls of which 3,620 related to carriageways and 2,121 were footway reports. All of these reports were investigated mostly by visiting the location. Road inspectors determine whether a defect requires urgent attention. Practically all of the reported carriageway and footway defects are treated as urgent in recognition of the fact that the public have concerns and feel the need to report them.

Average response times are not measured although ERS is required to deal with all urgent defect reports within 24 working hours. During 2002/2003, 94% of defects were repaired within that period.

W6/CEC2003/CEC260603/EK