

## Transport and Environment Committee

10.00 am Tuesday 2 June 2015

**Present:**

Councillors Hinds (Convener), McVey (Vice-Convener), Bagshaw, Barrie, Booth, Nick Cook, Edie (substituting for Councillor Aldridge), Gardner, Griffiths (substituting for Councillor Doran), Bill Henderson, Jackson, Keil, McInnes Perry and Rankin (substituting for Councillor Cardownie)

### **1. Deputation: Spokes and Living Streets Edinburgh Bus Lane Network Review – Objection to the Experimental Traffic Regulation Orders**

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The Committee considered a deputation request from Dave du Feu and David Spaven, on behalf of Spokes and Living Streets Edinburgh, in relation to a report by the Acting Director of Services for Communities regarding objections received to the advertisement of two Experimental Traffic Regulation Orders (ETROs) on the use of bus lanes.

The Council's Head of Legal, Risk and Compliance advised that hearing deputations in respect of Traffic Regulation Orders (TROs) would be contrary to the statutorily prescribed procedure for TROs and could expose the Council to legal challenge.

- 1) To agree not to hear the deputation.
- 2) That the legal advice regarding guidance on dealing with Traffic Regulation Orders (TROs) to all Committee members.
- 3) That clarification be sought regarding hearing deputations on experimental and temporary TROs.
- 2) To invite the deputation to remain for the Committee's consideration of the Acting Director of Services for Communities report at item 18 below.

### **2. Deputation: Tynecastle High Schools Pupils - Saughton Park and Gardens Heritage Lottery Fund Round 2 Submission**

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The Committee agreed to hear a deputation request from pupils from Tynecastle High School, in relation to a report by the Acting Director of Services for Communities regarding the second round bid application to the Heritage Lottery Fund for Saughton Park and Gardens.

The deputation requested that a new sign be installed that permitted the use of scooters within the skatepark and that the path leading from Saughton Park to Ford Road had lighting installed For safety/security reasons.

The convener thanked the deputation for their presentation and invited them to remain for the Committee's consideration of the Acting Director of Services for Communities report at item 6 below.

### **3. Deputation: The Royal Caledonian Horticultural Society - Saughton Park and Gardens Heritage Lottery Fund Round 2 Submission**

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The Committee agreed to hear deputation request from the Royal Caledonian Horticultural Society, in relation to a report by the Acting Director of Services for Communities regarding the second round bid application to the Heritage Lottery Fund for Saughton Park and Gardens.

Jasmine Cann, representing the Royal Caledonian Horticultural Society, stated that the aim of the Society was to inspire, encourage and improve the art, science and practice of horticultural in all its forms. The society reaffirmed their commitment and enthusiasm to working with the Council in redeveloping Saughton Park and Gardens.

The convener thanked the deputation for their presentation and invited them to remain for the Committee's consideration of the Acting Director of Services for Communities report at item 6 below.

### **4. Deputation: Craighall Centre - Saughton Park and Gardens Heritage Lottery Fund Round 2 Submission**

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The Committee agreed to hear a deputation request from the Craighall Centre, in relation to a report by the Acting Director of Services for Communities regarding the second round bid application to the Heritage Lottery Fund for Saughton Park and Gardens.

Pauline Livingston, on behalf of the Craighall Centre advised that Community Based projects had used the winter gardens for several years and that the excitement and enjoyment gained from such experiences by service users is immeasurable. The Craighall Centre fully supported the plan to redevelop Saughton Park and Gardens.

The convener thanked the deputation for their presentation and invited them to remain for the Committee's consideration of the Acting Director of Services for Communities report at item 6 below.

### **5. Deputation: Friends of Saughton Park - Saughton Park and Gardens Heritage Lottery Fund Round 2 Submission**

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The Committee agreed to hear a deputation request from Friends of Saughton Park, in relation to a report by the Acting Director of Services for Communities regarding the second round bid application to the Heritage Lottery Fund for Saughton Park and Gardens.

Jenny Wood, on behalf of Friends of Saughton, outlined their reasons why they hoped the Committee would approve the Saughton Park masterplan. The redevelopment of Saughton Park and Gardens on community moral and well being grounds would be

large and the further benefits of revitalising a well used public green space would be immeasurable. The Friends of Saughton park saw this as a real opportunity to improve the park.

The convener thanked the deputation for their presentation and invited them to remain for the Committee's consideration of the Acting Director of Services for Communities report at item 6 below.

## **6. Saughton Park and Gardens Heritage Lottery Fund Round 2 Submission**

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Saughton Park and Gardens had been in Council ownership for over 100 years, but required significant investment to bring it back to the standard expected of one of Edinburgh's Premier Parks. A master plan had been developed and Committee approval was sought to submit a second round bid application to the Heritage Lottery Fund "Parks for People".

### **Decision**

- 1) To note the master plan proposals developed through consultation and research.
- 2) To note the matched funding requirement of £1.149m from the Council as detailed in appendix 2 to the report by the Acting Director of Services for Communities.
- 3) To approve the submission of the Council's Heritage Lottery Fund 'Parks for People' second round bid application on 1 September 2015, subject to Council match funding being in place.
- 4) To agree that the signage at the skate park be amended to include the use of scooters.
- 5) To congratulate all the Officers and stakeholders involved in the project.

(References – Minute of the Transport and Environment Committee 29 October 2013 (item 20); report by the Acting Director of Services for Communities, submitted.)

## **7. Minutes**

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### **Decision**

To approve the minute of the Transport and Environment Committee of 9 March 2015 as a correct record.

## **8. Key Decisions Forward Plan**

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The Transport and Environment Committee Key Decisions Forward Plan for the period August to October 2015 was submitted.

### **Decision**

To note the Key Decisions Forward Plan for August to October 2015.

(Reference – report by the Acting Director of Services for Communities, submitted)

## **9. Objections to Proposed Introduction of 24 Hour Waiting Restrictions - Glenogle Road Area**

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Details were provided of objections received during consultation on the proposed introduction of a section of double yellow line waiting restrictions on each of the colony roads at the junctions of Glenogle Road.

### **Decision**

- 1) To note the objections received.
- 2) To set aside the two unresolved objections and proceed to make the Traffic Regulation Order (TRO) with a reduction in length of the restriction by one metre at each location.

(Reference – report by the Acting Director of Services for Communities, submitted)

## **10. Objections to Traffic Regulation Order TRO/13/26 – Proposed Waiting Restrictions - Balgreen Road at the Junctions of Glendevon Avenue and Saughtonhall Avenue West**

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Details were provided of objections received as part of the consultation on a proposed Traffic Regulation Order (TRO) to introduce double yellow line waiting restrictions in Balgreen Road.

### **Decision**

- 1) To acknowledge that the objections against the Traffic Regulation Order had been considered and to set aside the two objections.
- 2) To approve the amendments as detailed in the report by the Acting Director of Services for Communities to acknowledge the concerns raised, whilst maintaining road safety.

(Reference – report by the Acting Director of Services for Communities, submitted)

## **11. Objections to Traffic Regulation Order TRO/14/24 – Proposed Waiting Restrictions - Gyle Park Gardens**

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Details were provided of objections received as part of the consultation on a proposed Traffic Regulation Order (TRO) to introduce double yellow line waiting restrictions in Gyle Park Gardens.

### **Decision**

- 1) To acknowledge that the objections against the Traffic Regulation Order had been considered.
- 2) To set aside the objections to the Traffic Regulation Order and approve the implementation of the waiting restrictions.

(Reference – report by the Acting Director of Services for Communities, submitted)

## **12. Proposed Amendment to Traffic Regulation Order TRO/13/33B – Proposed Waiting Restrictions - The Green, Davidson’s Mains**

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Details were provided of an objection received as part of the consultation on a proposed Traffic Regulation Order (TRO) to introduce double yellow line waiting restrictions in The Green, Davidson’s Mains.

### **Decision**

- 1) To acknowledge that the objections against the Traffic Regulation Order had been considered and to set aside the objection.
- 2) To approve the amendments as detailed in report the Acting Director of Services for Communities to acknowledge the concerns raised, whilst maintaining road safety.

(Reference – report by the Acting Director of Services for Communities, submitted)

## **13. Objections to Traffic Regulation Order TRO/14/04 – Proposed Waiting Restrictions - North Gyle Terrace**

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Details were provided of an objection received as part of the consultation on a proposed Traffic Regulation Order (TRO) to introduce double yellow line waiting restrictions in North Gyle Terrace.

### **Decision**

- 1) To acknowledge that the objection against the Traffic Regulation Order had been considered.
- 2) To set aside the objection to the Traffic Regulation Order and approve the implementation of the waiting restrictions.

(Reference – report by the Acting Director of Services for Communities, submitted)

## **14. Rolling Actions Log**

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As part of a review of the Council’s political management arrangements, the Council had approved a number of revisions to committee business processes including the requirement that Executive Committees introduce a rolling actions log to track committee business.

The Transport and Environment Committee Rolling Actions Log updated to 2 June was presented.

### **Decision**

- 1) To note that future actions agreed by the Committee calling for further reports or information would be added to the Rolling Actions Log.
- 2) To agree to close actions 4, 14, 18, 20, 22, 23, 26, 29, 32 and 33.

(References – Act of Council No 12 of 24 October 2013; Rolling Actions Log 2 June 2015, submitted)

## 15. Business Bulletin

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The Transport and Environment Committee Business Bulletin for 2 June 2015 was presented.

### Decision

To note the Transport and Environment Committee Business Bulletin.

(Reference – Business Bulletin, submitted)

## 16. Mortonhall Memorial Options; Summary Review of Responses

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An update on progress made on developing fitting memorials for babies and families affected by historical practices at Mortonhall Crematorium was provided. Four initial garden designs had been developed for Mortonhall and were made available for consultation throughout February 2015. The results from the survey had been analysed and a favoured option had emerged. based in feedback from those affected who responded.

### Decision

- 1) To note the summary of consultation results on memorial garden options at Mortonhall, attached as Appendix 1 to the report by the Acting Director of Service for Communities.
- 2) To note the selection made by affected parents of the initial design Option 2 (Walled Circular Water Garden) as the basis of the final design that would be taken forward through procurement.
- 3) To note the progress currently underway on consultation with affected parents on the location of an alternative second memorial.

(Reference – report by the Chief Executive, submitted)

## 17. Delivering the Local Transport Strategy 2014-19: School Streets Consultation

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A summary of the consultation carried out between 15 December 2014 to 27 February 2015 regarding the school streets pilot was provided. A number of changes had been made as a result of the comments and feedback received during the consultation. The proposed implementation date for the schools in phase of the scheme was September/October 2015.

### Decision

- 1) To note the outcome of the consultation process.
- 2) To agree that a further report be presented the Transport and Environment Committee on 27 August 2015 to include:
  - the results of the formal Experimental Traffic Regulation Order process for Phase 1 schools;
  - a detailed plan for Phase 1 implementation in September/October 2015;

- an update on the further discussions on the revised proposals for the Sciennes and Buckstone schemes with local residents, school and the Royal Hospital for Sick Kids.
- further consideration of Carers as an exempted party; and
- the feasibility of each school being given one pass to be used at the discretion of the Head Teacher.

(References – Minute of the Transport and Environment Committee 3 June 2014 (item 8); report by the Acting Director of Services for Communities, submitted)

## **18. Bus Lane Network Review – Objection to the Experimental Traffic Regulation Orders**

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Details were provided of objections received as part of the consultation on two proposed Experimental Traffic Regulation Orders (ETROs) to change all day bus lanes into peak periods bus lanes and to permit motorcycles to use with-flow bus lanes during their operational hours, both on a trial basis.

### **Motion**

- 1) To note the objections received to the two advertised Experimental Traffic Regulation Orders and the Council's comments in response.
  - 2) To set aside the objections and give approval to make Experimental Traffic Regulation Order ETRO/14/38B to change all day bus lanes into peak periods bus lanes, on a trial basis.
  - 3) To note that there was an error with the advertisement of ETRO/14/38B and that an amendment to correct this was subsequently advertised as ETRO/14/38B(i). This amendment would be incorporated into ETRO/14/38B.
  - 4) To set aside the objections and give approval to make Experimental Traffic Regulation Order ETRO/14/38A to permit motorcycles to use with-flow bus lanes during their operational hours, on a trial basis.
  - 5) To note that the trials would not make any changes to existing waiting or loading restrictions within bus lanes.
  - 6) To note that before and after surveys would be undertaken and used to inform the evaluation of the two trials.
  - 7) To note that consultation with stakeholders would continue throughout the trials.
  - 8) To note that the findings of the before and after surveys would be discussed with organisations representing bus lane users before they are reported to Committee.
  - 9) To note that the results of the trials would be reported to the Committee in Autumn 2016.
- moved by Councillor Hinds, seconded by Councillor McVey

## Amendment

- 1) To uphold the objections received and to therefore not agree to make Experimental Traffic Regulation Orders ETRO/14/38A and ETRO/14/38B;
- 2) To agree to consult publicly on the rationalisation of bus lane times, considering the options of peak-only, 7-7-7, and 24/7 hours of operation.
  - moved by Councillor Bagshaw, seconded by Councillor Booth

## Voting

For the motion	-	13 votes
For the amendment	-	2 votes

## Decision.

To approve the Motion by Councillor Hinds.

(References – Minute of the Transport and Environment Committee 26 August 2014 (item 14) report by the Acting Director of Services for Communities, submitted)

## 19. George Street Experimental Traffic Regulation Order – Interim Cycle Lane Options 2015/16

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A trial road layout was introduced on George Street in September 2014 by way of an Experimental Traffic Regulation Order (ETRO). The trial introduced a dedicated two-way cycle lane, additional pedestrian space, a one-way traffic management system, and additional space that businesses, festivals and events could animate. The trial was scheduled to end in September 2015, and Committee was asked to approve the introduction of an interim cycling facility on George Street in advance of a permanent Traffic Regulation Order (TRO) being implemented.

## Decision

- 1) To agree that a cycle lane facility would be retained, on a more conventional one-way layout, and that opportunities to use the central reservation as civic space and public realm be explored on George Street in the interim period between the ETRO ending and a long term TRO being promoted;
- 2) To agree that, taking account of the fact the range of options were limited by legal and financial restrictions, the cycle lane during the interim period would be an advisory cycle lane as per the design in Appendix One of the report by the Acting Director of Services for Communities.

(References – Minute of the Transport and Environment Committee 29 October 2013 (item 16); report by the Acting Director of Services for Communities, submitted.)

## 20. Review of Tables and Chairs Summer Festival Trial in George Street

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Approval was sought to extend the operating hours of the current tables and chairs permit system, on a trial basis to other areas of the city centre, beyond George Street, during the Edinburgh Festival Fringe in 2015.

## **Decision**

- 1) To agree that, in the light of the satisfactory outcomes from previous years' trials, and to support work to promote the West End as a destination, the operating hours for tables and chairs permits in George Street and the West End Community Council area would be extended to midnight for premises in these areas, during the advertised operating period of the Edinburgh Festival Fringe in 2015 and in future years.
- 2) To agree that, during the advertised operating period of the Edinburgh Festival Fringe, businesses on George Street and those located within the West End Community Council area may apply for permission to use tables and chairs until midnight instead of 10pm (noting that it is the responsibility of businesses to apply for, and obtain the appropriate License and that this report does not seek to fetter the discretion of the Licensing Board or Regulatory Committee);
- 3) To agree to consult further with key stakeholders in the New Town and Old Town Community Council areas of the city centre, on the impact on residential amenity that could arise from any extension of the operating hours of the current tables and chairs permit system and to receive a report on the outcome of the consultation.

(References – Minute of the Transport and Environment Committee 13 January 2015 (item 15); report by the Acting Director of Services for Communities, submitted)

## **21. National Walking Strategy Action Plan – Response to Consultation – April 2015**

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On behalf of the Scottish Government, Paths for All was currently developing an Action Plan for the National Walking Strategy: Let's Get Scotland Walking. The Council had been invited to participate in a key stakeholder consultation to review the Action Plan.

In order to meet the consultation deadline the Council's response had been submitted by the Acting Director of Services for Communities.

### **Decision**

To approve the Council's draft response to the National Walking Strategy Action Plan consultation which had been submitted on 2 April 2015.

(References – report by the Acting Director of Services for Communities, submitted)

## **22. City Centre Public Spaces Manifesto Update**

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Approval was sought to commence public consultation to consider the use and management of all public spaces within the city centre and that Castle Street (and potentially, other areas within the city centre) become trial sites during the consultation period to test the effectiveness of a more prescriptive approach to the use and management of public spaces in the city.

## **Decision**

- 1) To note that a Public Spaces Manifesto (covering events and other uses) was required to provide clarity and certainty for event applicants, the Council and residents, businesses and other stakeholders, as a key part of the City Centre Vision and the long-term approach to management and use of civic spaces.
- 2) To recognise the balanced use of civic spaces in the West End, described in paragraphs 3.4 to 3.5 of the report by the Acting Directors of Services for Communities, as an example of good practice in managing civic spaces with stakeholders.
- 3) To approve the launch of a public consultation on the use and management of all public spaces in the city centre to inform a Public Spaces Manifesto.
- 4) To agree that trial arrangements for the use and management of Castle Street (as described in paragraph 3.7 and Appendix One of the report by the Acting Directors of Services for Communities) would be adopted during the consultation period (specifically between June 2015 and September 2016).
- 5) To note that the results of the trial in Castle Street and the findings of the public consultation would inform any other trial arrangements which could be required.
- 6) To note that a report on the findings and recommendations of the public consultation and Castle Street trial would be submitted to the Transport and Environment Committee in the Autumn of 2016.
- 7) To refer the report by the Acting Director of Services for Communities to the Culture and Sport and Regulatory Committees for information.

(Reference – Minute of the Corporate Policy and Strategy Committee 5 November 2013 (item 8) report by the Acting Director of Services for Communities, submitted)

## **23. MyParkScotland – Innovative Funding for Edinburgh’s Parks**

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The Committee agree to support the development and implementation of the MyParkScotland initiative which aimed to encourage people to discover and support their local parks.

### **Decision**

- 1) To note the report by the Acting Director of Services for Communities.
- 2) To support the development and implementation of the MyParkScotland initiative.
- 3) To refer the report by the Acting Director of Services for Communities to Neighbourhood Partnerships for information.
- 4) To agree that an update be submitted to the Committee in 12 months time.

### **Declaration of Interest**

Councillor Hinds declared a non-financial interest in the foregoing item as a Member of MyParkScotland Advisory Board.

(References – report by the Acting Director of Services for Communities, submitted)

## **24. Cleanliness of the City**

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The outcome of the Cleanliness Index Monitoring System (CIMS) assessment of Edinburgh's streets, which had been undertaken by Keep Scotland Beautiful in March 2015, was detailed. The Council had achieved a score of 76 with 98% of the streets surveyed as clean.

### **Decision.**

- 1) To note the content of the report by the Acting Director of Services for Communities.
- 2) To note that the CIMS scores were the highest since monitoring began and to thank all Officers and community groups involved.

(References - report by the Acting Director of Services for Communities, submitted)

## **25. Dog Fouling Prevention**

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An overview of the approach to tackling dog fouling in the city was provided together with the outcome of consultation with the Scottish Government on measures to tackle the problem of dog fouling.

### **Motion**

- 1) To note the content of the report by the Acting Director of Services for Communities.
- 2) To agree that dog fouling statistics be included in future Cleanliness of the City reports.
- 3) That Officers give consideration to various national and international dog fouling initiatives in tackling dog fouling, as referenced to in part of the amendment by Councillor Booth (see below).
- 4) To discharge the remit from the 28 October 2014 Transport and Environment Committee to report back on the outcome of consultation with Scottish Government.
  - moved by Councillor Hinds, seconded by Councillor McVey

### **Amendment**

- 1) To note the content of the report by the Acting Director of Services for Communities.
- 2) To note, in particular, the 2014 results of the Edinburgh People's Survey, which found that only 30% of respondents were satisfied with the Council's management of dog fouling issues.
- 3) To note that there may be a variety of reasons for a reduction in complaints about dog fouling, and that a reduction in complaints does not necessarily indicate the problem is being resolved.

- 4) To notes that while there has been a small improvement in Cleanliness Index Monitoring System (CIMS) scores, a CIMS assessment is a snapshot of the cleanliness of the streets, with a 50 metre transect surveyed from a random sample of 10% of the city's streets, and therefore depending on the sample surveyed may not give a complete picture of the situation.
- 5) To welcome the refocused campaign to tackle dog fouling as set out in appendix 1 to the report by the Acting Director of Services for Communities, in particular exploring the use of plain clothes wardens working varied shift patterns, increased use of social media to highlight fines and fixed penalties, and increased partnership working with community groups; believes however that more can be done to tackle the problem;
- 6) To agree therefore to:
  - adopt the refocused campaign as set out in appendix 1 to the Acting Director of Services for Communities.
  - write to the Scottish Government urging them to increase the fixed penalties and maximum fine payable for dog fouling as soon as possible; to make it easier and cheaper for the council to pursue non-payment of Fixed Penalty Notices (FPNs); to review the "discount" for paying an FPN within 28 days; to give local authorities explicit powers to introduce a dog DNA testing and database regime; and to consider the introduction of a national compulsory dog DNA database alongside the introduction of compulsory microchipping of dogs which would be introduced in April 2016,
- 7) To bring forward a report within one cycle setting out national and international best practice in tackling dog fouling, including, but not limited to, examining the feasibility, costs and benefits of the following options:
  - introducing a council app to report dog fouling, as used by Flintshire, Thurrock, North Ayrshire and many other councils;
  - pursuing a publicity campaign focussed on the negative impact of dog fouling including the impact of toxicariasis on children, the negative impact on wheelchair users and those with health complications;
  - enabling a greater number of council employees to issue FPNs;
  - introducing an incentive scheme to encourage owners to pick up after their pets, such as the lottery scheme run by New Taipei City;
  - introducing an incentive scheme to encourage members of the public to report irresponsible dog owners, as undertaken by Hyndburn Borough Council;
  - highlighting instances of dog fouling using brightly-coloured paint, as used by Gloucestershire and West Dunbartonshire councils amongst others;

- greater use of technology such as mobile CCTV or wardens with night vision apparatus in hotspot areas to catch irresponsible owners, as used by Hyndburn Borough Council and others;
  - establishing a dog DNA database, as piloted by North Down Council, Northern Ireland, the London Borough of Barking and Dagenham Council and in Plano, Texas;
  - supporting and encouraging volunteer groups to undertake clean-ups; and empowering volunteers to report irresponsible dog owners and encourage responsible owners;
  - introducing or expanding dedicated pet exercise areas in parks and greenspace and/or designating/expanding certain greenspace areas where children are more likely to play as 'no dogs' areas.
- 8) Discharges the remit from the 28 October 2014 Transport and Environment Committee to report back on the outcome of consultation with Scottish Government.
- moved by Councillor Booth, seconded by Councillor Bagshaw

### **Voting**

For the motion	-	13 votes
For the amendment	-	2 votes

### **Decision**

To approve the Motion by Councillor Hinds.

(References – Minute of the Transport and Environment Committee 28 October 2014 (item 20); report by the Acting Director of Services for Communities, submitted)

## **26. Update on Second Round of Noise Mapping**

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The Committee was asked to support a further 18 proposed Noise Management Areas and 10 proposed Quiet Areas that had been identified in the city by the Edinburgh Agglomeration Working Group.

### **Decision**

- 1) To approve the 18 Noise Management Areas (NMAs) and 10 Quiet Areas (QAs) recommended by the Edinburgh Agglomeration Working Group in relation to round 2 of the Scottish Government noise mapping process.
- 2) To discharge the remit from the Transport and Environment Committee of 26 August 2014 to provide an update on the second round of noise mapping.

(Reference – Minute of the Transport and Environment Committee 26 August 2014 (item 21) report by the Acting Director of Services for Communities, submitted.)

## 27. Impact of the Increases to Fixed Penalty Notice amounts

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The impact of the increased penalties for litter and flytipping Fixed Penalty Notices (FPN's) was outlined.

### Decision

- 1) To note the content of the report by the Acting Director of Services for Communities.
- 2) To discharge the remit from the 18 March 2014 Committee to report back on the impact of the Fixed Penalty Notice (FPN) changes in terms of revenue and payment rates.
- 3) To agree to receive a further report in 6 months regarding discussions with the Procurator Fiscal and the enforcement of fixed penalty notices.

(References – Minute of Transport and Environment Committee 18 March 2014 (item 13); report by the Acting Director of Services for Communities, submitted)

## 28. Landfill and Recycling

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An update was provided on performance in reducing the amount of waste being sent to landfill and increasing recycling. The total amount of waste sent to landfill in 2014/15 was 1.2% higher when compared against 2013/14 and the tonnage of waste that was recycled increased by 3%. The proportion of all waste recycled this year was 39.1%, compared to 38.4% in 2013/14.

### Motion

- 1) To note the adjustment of the 2013/14 city recycling rate outlined section 3.1 of the report by the Acting Director of Services for Communities.
- 2) To note the contents of the report by the Acting Director of Services for Communities.
- 3) To agree that members receive a presentation on the issues raised with a view to identifying issues to be taken forward.
  - moved by Councillor Hinds, seconded by Councillor McVey

### Amendment

- 1) To note the adjustment of the 2013/14 city recycling rate outlined section 3.1 of this report by the Acting Director of Services for Communities.
- 2) To note the contents of the report by the Acting Director of Services for Communities.
- 3) To agree that members receive a presentation on the issues raised with a view to identifying issues to be taken forward.
- 4) To note with disappointment that total waste arisings increased in 2014/15 for the first time in 6 years;

- 5) To agree to receive a report within three cycles reviewing the council's waste prevention strategy.

- moved by Councillor Booth, seconded by Councillor Bagshaw

### **Voting**

For the motion - 9 votes  
For the amendment - 6 votes

### **Decision**

To approve the Motion by Councillor Hinds.

(Reference – report by the Acting Director of Services for Communities, submitted)

## **29. Seafield Waste Water Treatment Working – Monitoring of Scottish Water Odour Improvement Plan**

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An update was provided on progress regarding representations made to Scottish Water on the measures being pursued to mitigate and minimise the potential impact of odour with specific focus on storm tank cleaning operations, from the Seafield Waste Water Treatment Works (WWTW) to the surrounding local community.

### **Decision**

- 1) To note that the Council's odour monitoring and assessment programme shows that while the sewerage nuisance and major incidents affecting local residents had reduced substantially since 2012, there had been no significant further reduction since 2013 and it was recognised that local residents continue to complain about odour nuisance.
- 2) To note that the findings of the Council's odour monitoring and assessment programme from 1 March 2012 to 31 October 2014 show Scottish Water continued to remain compliant with the Code of Practice (CoP) and the implementation of the Scottish Water OIP.
- 3) To instruct officers to continue, for one further year, the odour monitoring and assessment programme. This includes responding to complaints of sewerage nuisance and carrying out monitoring when activities which pose an odour release risk are due to be implemented within the WWTW.
- 4) To note the recent improvements which had become operational as set out in section 3.15 of the report by the Acting Director of Services for Communities and requests that an evaluation report be provided in one year detailing the findings of the continued monitoring and assessment programme, including the outcome of any investigations into any major odour incidents.
- 5) To note Scottish Water had advised the Council that although the Seafield WWTW storm tanks had the potential to be a significant source of odour, Scottish Water had specifically focussed both managerial and investment effort on these tanks, and see these efforts as a primary route to minimising the risk of odour release.

- 6) To request that Scottish Water continue to give ongoing consideration to what additional enhancements and operational improvements might be provided to further enhance odour risk mitigation.
- 7) To note the response from Scottish Water on the relevance and possible implementation of the remaining potential odour improvement measures (options B to E) contained in the Scottish Water OIP.
- 8) To recognise that the City of Edinburgh Council's experience of application, and interpretation, of the Sewerage Nuisance (CoP) (Scotland) Order 2006 is concurrent with six other Scottish Local Authorities.
- 9) To note that advice provided internally by Legal Services on an interpretation of what represents a "material breach" of the CoP is in line with the officer interpretation previously presented to stakeholders.
- 10) To note the information provided by the Council's Planning Enforcement Team on Planning conditions and consents relating to boundary odour monitoring at the WWTW.
- 11) To further note that the clear perception as expressed by local community representatives is that there are continuing significant odour problems associated with the Seafield plant.
- 12) In light of the above, and recognising that local residents interests at present are not best served by the legislation and/or regulations currently in place, to instruct the Acting Director of Services for Communities to engage with the relevant Authorities with a view to reviewing and strengthening the existing Code of Practise and report back to Committee on the outcome.

(References – Minute of the Transport and Environment Committee 26 August 2014 (item 24); report by the Acting Director of Services for Communities, submitted)

### **30. Scottish Water Environment Consultations**

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The Scottish Environmental Protection Agency (SEPA) had invited the Council to comment on its second river basin management plan. The Scottish Government also invited the Council to comment on proposals for several key steps to increase progress in delivering improvements to the physical condition of Scotland's water environment.

#### **Decision**

To approve the Council's response to the Scottish Water Environment consultations as set out in Appendix 1 and 2 of the report by the Acting Director of Services for Communities.

(References – report by the Acting Director of Services for Communities, submitted)

### **31. Appointments to Working Groups, Etc 2015/16**

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The Committee was invited to appoint the membership of its Sub-Committees and Working Groups for 2015/2016.

## Decision

- 1) To note the establishment of the Active Travel Forum, the Walking Forum and the reconstitution of the Cycling Forum.
- 2) To note the formation of the Future Transport Working Group.
- 3) To request that the Head of Legal, Risk and Compliance seek nominations from each of the Political Groups for membership of the Working Groups etc for 2015/16. Details of the nominations received are set out in the appendix to this minute.

(References – report by the Director of Corporate Governance, submitted)

### **32. Velocity Road Repair - Motion by Councillor Mowat**

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The following motion by Councillor Mowat, seconded by Councillor Hinds, was submitted in terms of Standing Order 29.1:

“Committee:

Notes that Edinburgh's roads continue to suffer from potholes and cracked surfaces and that this is a concern to all road users and especially cyclists and asks officers to consider how the Velocity pothole repair system which provides a cost effective, greener, faster permanent could contribute to the Council's road maintenance programme.

To call for a report to Committee in one cycle.

## Decision

To approve the motion by Councillor Mowat subject to amending the last sentence to read ‘To call for a report to committee in one cycle and to note that the Council is currently pursuing this approach’.

### **33. Pentland to Portobello Cyclepath and Walkway – Motion by Councillor Robson**

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The following motion by Councillor Robson, seconded by Councillor Nick Cook, was submitted in terms of Standing Order 29.1:

"Committee welcomes the proposal by Friends of Burdiehouse Burn Valley Park to create a joined-up cycle path and walkway from the Pentlands to Portobello drawing inspiration from the Water of Leith Walkway. Discussions on proposals for housing at Moredun and Burdiehouse within the Local Development Plan prompted the Friends Group to look at the opportunity to create new links and public spaces along the burn that runs through the park and on to Portobello.

Committee notes the positive initial interest in the initiative from local ward councillors, Edinburgh and Lothians Greenspace Trust, Portobello Community Council and Spokes. Committee further notes the intention to set up a local working group to bring all interested parties together.

Committee instructs a report to go to the Transport and Environment Committee to consider the approximate costs and potential sources of funding for such an initiative.”

#### **Decision**

To approve the motion by Councillor Robson.

### **34. Trade Waste – Street Scene Initiative – Presentation**

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The Committee received a presentation on the Council's trade waste policy. It was noted that trade waste containers (bags, bins and boxes) left on the city's streets had a negative impact on the city's appearance. Following a successful 10 month pilot within the city centre, Trade Waste containers were now no longer permitted to be stored in public spaces.

#### **Decision**

To note the presentation on Trade Waste, Street Scene Initiative.

(References – presentation by the Acting Director of Services for Communities)

### **35. Resolution to consider in private**

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The Committee, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for consideration of item 36 below on the grounds that it involved the disclosure of exempt information as defined in Paragraphs 1, 6 and 11 of Schedule 7(A) of the Act.

### **36. Transport Companies Update – Verbal update**

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The Committee received a verbal update regarding changes to the corporate structure of Transport for Edinburgh.

#### **Decision**

To note the verbal update.

(Reference – verbal update by the Acting Director of Services for Communities)

**Membership of Sub-Committees and Working Groups for 2015/16**

**Active Travel Forum**

1 Member (Convener of the Transport and Environment Committee)

Councillor Hinds

**Active Travel Forum for Cycling**

1 Member (Vice Convener of the Transport and Environment Committee)

Councillor McVey

**Active Travel Forum for Walking**

1 Member (Vice Convener of the Transport and Environment Committee)

Councillor McVey

**Carbon, Climate and Sustainability Working Group**

5 Members (Convener and Vice-Convener of the Transport and Environment Committee, 1 Conservative, 1 Green and 1 SLD)

Councillor Hinds

Councillor McVey

Councillor Cook

Councillor Bagshaw

Councillor Aldridge

**Duddingston Village Traffic Working Group**

5 Members (1 Labour, 1 SNP, 1 Conservative, 1 Green, 1 SLD and local ward members for the Craigentiny/Duddingston Ward)

Councillor Hinds

Councillor McVey

Councillor Cook

Councillor Bagshaw

Councillor Aldridge

Councillor Griffiths (local Ward Member)

Councillor Lunn (local Ward Member)

Councillor Tymkewycz (local Ward Member)

### **Future Transport Working Group**

5 Members (1 Labour, 1 SNP, 1 Conservative, 1 Green and 1 SLD )

Councillor Hinds

Councillor McVey

Councillor Cook

Councillor Bagshaw

Councillor Aldridge

### **Leith Programme Oversight Group**

12 Members (Convener and Vice-Convener of Transport and Environment Committee and local ward members for the City Centre, Leith and Leith Walk wards)

Councillor Hinds

Councillor McVey

Councillor Blacklock (local ward members – Leith Walk)

Councillor Booth (local ward members – Leith)

Councillor Brock (local ward members – Leith Walk)

Councillor Chapman (local ward members – Leith Walk)

Councillor Doran (local ward members - City Centre)

Councillor Gardner (local ward members – Leith Walk)

Councillor Mowat (local ward members - City Centre)

Councillor Munro (local ward members - City Centre)

Councillor Rankin (local ward members - City Centre)

### **Tram All Party Oversight Group**

10 members (Leader and Deputy Leader of the Council, Opposition Group Leaders, Convener and Vice-Convener of Transport and Environment Committee, Opposition Spokespersons of Transport and Environment Committee)

Councillor Burns

Councillor Howat

Councillor Hinds

Councillor McVey

Councillor Aldridge

Councillor Bagshaw

Councillor Burgess

Councillor Edie

Councillor Cook

Councillor Rose

**Transport Forum**

5 Members (1 Labour, 1 SNP, 1 Conservative, 1 Green, 1 SLD)

Councillor Hinds

Councillor McVey

Councillor Cook

Councillor Bagshaw

Councillor Aldridge

**Zero Waste Cross Party Cross Council Group**

5 Members (1 Labour, 1 SNP, 1 Conservative, 1 Green, 1 SLD)

Councillor Hinds

Councillor McVey

Councillor Jackson

Councillor Booth

Councillor Aldridge