

The City of Edinburgh Council

Edinburgh, Thursday 22 November 2018

Present:-

LORD PROVOST

The Right Honourable Frank Ross

COUNCILLORS

Robert C Aldridge
Scott Arthur
Gavin Barrie
Eleanor Bird
Chas Booth
Claire Bridgman
Mark A Brown
Graeme Bruce
Steve Burgess
Lezley Marion Cameron
Ian Campbell
Jim Campbell
Kate Campbell
Mary Campbell
Maureen M Child
Nick Cook
Gavin Corbett
Cammy Day
Alison Dickie
Denis C Dixon
Phil Duggart
Karen Doran
Scott Douglas
Catherine Fullerton
Neil Gardiner
Gillian Gloyer
George Gordon
Ashley Graczyk
Joan Griffiths
Ricky Henderson

Derek Howie
Graham J Hutchison
Andrew Johnston
David Key
Callum Laidlaw
Kevin Lang
Lesley Macinnes
Melanie Main
John McLellan
Amy McNeese-Mechan
Adam McVey
Claire Miller
Max Mitchell
Joanna Mowat
Gordon J Munro
Hal Osler
Ian Perry
Susan Rae
Alasdair Rankin
Cameron Rose
Neil Ross
Jason Rust
Stephanie Smith
Alex Staniforth
Mandy Watt
Susan Webber
Iain Whyte
Donald Wilson
Norman J Work
Louise Young

1 Minutes

Decision

To approve the minute of the Council of 25 October 2018 as a correct record.

2 Questions

The questions put by members to this meeting, written answers and supplementary questions and answers are contained in Appendix 1 to this minute.

3 Leader's Report

The Leader presented his report to the Council. He commented on:

- Edinburgh By Numbers Report
- Scottish Government announcement of additional funding
- Chamber of Commerce support for Transient Visitor Levy

The following questions/comments were made:

Councillor Whyte	-	Failing bin collection service – Convener of the Transport and Environment Committee
Councillor Booth	-	Extreme poverty and human rights – Professor Alston – Vision of creation of a fair City
Councillor Aldridge	-	Bin collection complaints
Councillor Day	-	Condolences to the family of Wilbur Smith
Councillor Dickie	-	Scottish Government further funding for Edinburgh Schools
Councillor Johnston	-	Case being made to Derek Mackay MSP for additional funding for Edinburgh
Councillor Rae	-	Special report from UN – 14m people in this country are living in poverty – write to UK Government regarding implementation of Universal Credit
Councillor Neil Ross	-	Review of Garden Tax
Councillor Munro	-	City's financial position – support for COSLA's case for increase in financial settlement

Councillor Bird	-	Introduction of Best Start Grants
Councillor Webber	-	Delivery of essential services
Councillor Fullerton	-	Saughton Park redevelopment
Councillor Staniforth	-	Threat of withdrawal of UNESCO World Heritage status
Councillor Bruce	-	Curriehill Primary School closure – Wave 4 programme
Councillor Lang	-	Unrest in Edinburgh Labour Party
Councillor Cameron	-	Foodbank collection at EICC – involvement of the Council

4 **Edinburgh Partnership Review and Consultation of Governance Arrangements**

Details were provided on the governance model agreed by the Edinburgh Partnership following a review and consultation. A summary was provided of the proposed next steps in establishing the framework.

Motion

- 1) To approve the Edinburgh Partnership’s governance model.
- 2) To note the next steps in establishing the framework which was planned to be in place by April 2019.

- moved by Councillor McVey, seconded by Councillor Day

Amendment 1

- 1) To approve the Edinburgh Partnership’s governance model.
- 2) To note the next steps in establishing the framework which was planned to be in place by April 2019.
- 3) To instruct the Chief Executive to develop, along with Partners, an “easy read” guide for public use explaining Community Planning and the Partnership structure and roles and how this related to other structures and work the Council undertook with community representative bodies at Locality level and below.

- moved by Councillor Whyte, seconded by Councillor Mowat

Amendment 2

- 1) To replace 1) of the motion with:
 - 1) To note the recent report of the United Nations Intergovernmental Panel on Climate Change advised that climate-changing pollution must be significantly reduced within the next 12 years to mitigate catastrophic global impacts and that there was potential for joint-working between organisations of the Edinburgh Partnership on this issue through the Edinburgh Sustainable Development Partnership.
 - 2) To note that public bodies had a statutory duty under the Climate Change Act (2009) to report on Climate Change emissions reduction and specifically to report annually on Partnership Working as stated in the guidance to the Act at 4.3.8.
 - 3) To note that the Sustainable Energy Action Plan 2020 was a city-wide partnership to reduce climate-changing pollution and that the Edinburgh Sustainable Development Partnership was responsible for reporting to the Edinburgh Partnership on its progress (p62 SEAP).
 - 4) To welcome the commitment by the Council Leader at full Council on 25 October that he agreed sustainability and climate change should continue to be on the Edinburgh Partnership agenda and that there was agreement at the Edinburgh Partnership meeting on October 30 that issues outside of the LOIP would continue to be considered by the board.
 - 5) To therefore approve the Partnership Governance model as currently proposed on the understanding that the Edinburgh Partnership board had agreed that this structure did not preclude partners working on issues of shared concern alongside the Local Outcome Improvement Plan.
 - 6) To request that the Edinburgh Partnership be asked to engage the Edinburgh Sustainable Development Partnership to progress partnership working on sustainability, and specifically work delivering shared statutory responsibilities of public bodies on climate change.
- 2) To note the next steps in establishing the framework which was planned to be in place by April 2019.

- moved by Councillor Burgess, seconded by Councillor Miller

In accordance with Standing Order 21(11), Amendments 1 and 2 were accepted as addendums to the motion.

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the recent report of the United Nations Intergovernmental Panel on Climate Change advised that climate-changing pollution must be significantly reduced within the next 12 years to mitigate catastrophic global impacts and that there was potential for joint-working between organisations of the Edinburgh Partnership on this issue through the Edinburgh Sustainable Development Partnership.
- 2) To note that public bodies had a statutory duty under the Climate Change Act (2009) to report on Climate Change emissions reduction and specifically to report annually on Partnership Working as stated in the guidance to the Act at 4.3.8.
- 3) To note that the Sustainable Energy Action Plan 2020 was a city-wide partnership to reduce climate-changing pollution and that the Edinburgh Sustainable Development Partnership was responsible for reporting to the Edinburgh Partnership on its progress (p62 SEAP).
- 4) To welcome the commitment by the Council Leader at full Council on 25 October that he agreed sustainability and climate change should continue to be on the Edinburgh Partnership agenda and that there was agreement at the Edinburgh Partnership meeting on October 30 that issues outside of the LOIP would continue be considered by the board.
- 5) To therefore approve the Partnership Governance model as currently proposed on the understanding that the Edinburgh Partnership board had agreed that this structure did not preclude partners working on issues of shared concern alongside the Local Outcome Improvement Plan.
- 6) To request that the Edinburgh Partnership be asked to engage the Edinburgh Sustainable Development Partnership to progress partnership working on sustainability, and specifically work delivering shared statutory responsibilities of public bodies on climate change.
- 7) To note the next steps in establishing the framework which was planned to be in place by April 2019.
- 8) To instruct the Chief Executive to develop, along with Partners, an “easy read” guide for public use explaining Community Planning and the Partnership structure and roles and how this related to other structures and

work the Council undertook with community representative bodies at Locality level and below.

(Reference: report by the Chief Executive, submitted)

5 Expansion of Webcasting

The Council had agreed to offer support and facilities to the Pensions Committee, Licensing Board and Edinburgh Integration Joint Board to enable webcasting for each body should they choose to do so. A six-month update outlining the response of each body was provided.

Decision

To note the update by the Chief Executive.

(References – Act of Council No 9 of 3 May 2018; report by the Chief Executive, submitted.)

6 Managing Our Festival City – referral from the Culture and Communities Committee

The Culture and Communities Committee had referred a report which set out issues of public concern which were raised during the summer festival 2018, together with proposed changes for future years, to the Council for decision.

Motion

- 1) To note the initial feedback received on the summer festival in 2018 and the issues raised.
- 2) To note a summer-specific operational plan for the city centre was proposed for future summer festivals.
- 3) To note that proposals for appropriate temporary limits, management or prohibition of vehicle traffic at key periods of the day would be developed by officers in consultation with key stakeholders. Proposals would then be presented to the Transport and Environment Committee before the end of February 2019, and would identify the resources needed to deliver these proposals, and would outline how the proposals complemented, and closely aligned with, initial plans for City Centre Transformation.
- 4) To note the need to enhance the attractiveness and appeal of George Street for festival activities and footfall.

- 5) To agree that officers should develop a new agreement for free event space on the High Street, as outlined in paragraph 3.13 of the report by the Executive Director of Place.
- 6) To discharge the motion from the Governance, Risk and Best Value Committee in August (as outlined in paragraph 2.3 of the report by the Executive Director of Place).
- 7) To agree that the Summer Sessions concert series in West Princes Street Gardens would continue in 2019, subject to approval from the Executive Director of Place in consultation with the Conveners and Vice Conveners of the Culture and Communities and Transport and Environment Committees on the final details and design of an improved public safety and access solution. This solution should be developed as early as possible.
- 8) To note that a Coach Parking Strategy for the city was being developed and that a plan specifically for the summer period would also be developed concurrently.
- 9) To note that a more coordinated approach would be taken in support of the presentation of the city during the summer festivals, with a review of festival advertising and city dressing.

- moved by Councillor Wilson, seconded by Councillor McNeese-Mechan

Amendment

- 1) To note the initial feedback received on the summer festival in 2018 and the issues raised.
- 2) To note a summer-specific operational plan for the city centre was proposed for future summer festivals which would consider whether amplified busking was appropriate and should be permitted on streets and in areas adjacent to residential properties and where there had been regular complaints from residents to build on work carried out by officers in summer 2017 and 2018.
- 3) To note the need to enhance the attractiveness and appeal of George Street for festival activities and footfall and to ensure full recovery of the income lost from the suspension of parking.
- 4) Council does not agree that the Summer Sessions concert series would take place at the same time as the Edinburgh International Festival, the Edinburgh Fringe Festival or Edinburgh Tattoo; that should proposals come forward for such a concert series outwith the period of the above Festivals that the details of the final details and design of an improved public safety access solution would be approved by the Executive Director of Place in consultation with the Convener and Vice Convener of the Culture and Communities Committee;

consideration of any series of concerts should not be agreed until the principles of what safety measures and restrictions of access are agreed by the relevant Committees of the Council.

- 5) To note that a Coach Parking Strategy for the city was being developed and that a plan specifically for the summer period would also be developed concurrently and the timing of this work would be advised in the next Transport and Environment Committee business bulletin.
- 6) To note that a more coordinated approach would be taken in support of the presentation of the city during the summer festivals, with a review of festival advertising and city dressing and in light of the recently introduced ban on A Boards to facilitate ease of movement around the city, to ensure that the review upheld these same principles and the new approach would not permit additional structures on the footway, to be reported to Committee within 2 cycles.

- moved by Councillor Mowat, seconded by Councillor Doggart

Voting

For the motion	-	44 votes
For the amendment	-	17 votes

(For the motion: The Lord Provost, Councillors Aldridge, Arthur, Barrie, Bird, Booth, Bridgman, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gloyer, Gordon, Graczyk, Griffiths, Henderson, Howie, Key, Lang, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munro, Osler, Perry, Rae, Rankin, Neil Ross, Staniforth, Watt, Wilson, Work and Young.

For the amendment: Councillors Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Rose, Rust, Smith, Webber and Whyte.)

Decision

To approve the motion by Councillor Wilson.

(References – Culture and Communities Committee 13 November 2018 (Item 9); referral from the Culture and Communities Committee, submitted.)

Declaration of Interests

Councillor Mitchell declared a non-financial interest in the above item as a member of the Board of Directors of the Capital Theatres Trust.

7 Tree Charter – Motion by Councillor Miller

The following motion by Councillor Miller was submitted in terms of Standing Order 16:

“Council:

- 1) Thanks the Woodland Trust for sending all elected members its leaflet “What every councillor in Scotland needs to know about trees”.
- 2) Re-affirms its commitment to delivering this council’s 2014 “Trees in the city” trees and woodland action plan.
- 3) Agrees to adopt the Woodland Trust’s Charter for Trees:
 - 3.1 Sustain landscapes rich with wildlife
 - 3.2 Plant for the future
 - 3.3 Celebrate the power of trees to inspire
 - 3.4 Grow forests of opportunity and innovation
 - 3.5 Protect irreplaceable trees and woods
 - 3.6 Plant greener local landscapes
 - 3.7 Recover health, hope and wellbeing with the help of trees
 - 3.8 Make trees accessible to all
 - 3.9 Combat the threats to our habitats
 - 3.10 Strengthen our landscapes with trees.”

Motion

To approve the motion by Councillor Miller.

- moved by Councillor Miller, seconded by Councillor Burgess

Amendment 1

To add to the end of the motion:

- 3.11 Regrets that only 40% of the 150,000 trees estimated to be growing on Council land had been condition assessed as a consequence of the inadequate funding of our Forestry service by this Administration.

- moved by Councillor Jim Campbell, seconded by Councillor Rose

Amendment 2

To add to the motion:

- 4) Instructs officers to report to the meeting of the Finance and Resources Committee on 1 February 2019 on the financial implications of delivering on points 1-3 including the costs of fully assessing the condition of trees on Council land.

- moved by Councillor Corbett, seconded by Councillor Booth

In accordance with Standing Order 21(11), Amendment 2 was accepted as an addendum to the motion.

Voting

The voting was as follows:

For the Motion (as adjusted)	-	38 votes
For Amendment 1	-	23 votes

(For the motion (as adjusted): The Lord Provost, Councillors Arthur, Barrie, Bird, Booth, Bridgman, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Graczyk, Griffiths, Henderson, Howie, Key, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munro, Perry, Rae, Rankin, Staniforth, Watt, Wilson and Work

For Amendment 2: Councillors Aldridge, Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, McLellan, Mitchell, Mowat, Osler, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.)

Decision

To approve the following adjusted motion by Councillor Miller:

Council:

- 1) Thanks the Woodland Trust for sending all elected members its leaflet "What every councillor in Scotland needs to know about trees"
- 2) Re-affirms its commitment to delivering this council's 2014 "Trees in the city" trees and woodland action plan.
- 3) Agrees to adopt the Woodland Trust's Charter for Trees:
 - 3.1 Sustain landscapes rich with wildlife

- 3.2 Plant for the future
 - 3.3 Celebrate the power of trees to inspire
 - 3.4 Grow forests of opportunity and innovation
 - 3.5 Protect irreplaceable trees and woods
 - 3.6 Plant greener local landscapes
 - 3.7 Recover health, hope and wellbeing with the help of trees
 - 3.8 Make trees accessible to all
 - 3.9 Combat the threats to our habitats
 - 3.10 Strengthen our landscapes with trees.
- 4) Instructs officers to report to the meeting of the Finance and Resources Committee on 1 February 2019 on the financial implications of delivering on points 1-3 including the costs of fully assessing the condition of trees on Council land.

8 Deanpark Primary School – Motion by Councillor Bruce

The following motion by Councillor Bruce was submitted in terms of Standing Order 16:

“Council

- 1) Congratulates pupils and staff at Deanpark Primary School in Balerno on achieving the Gold Sport Scotland Award for showing their dedication to sport and demonstrating how much effort they have put into the health and wellbeing of their pupils.
- 2) Asks the Lord Provost to write to the headteacher congratulating the school on this fantastic achievement.”

Decision

To approve the motion by Councillor Bruce.

9 Edinburgh's Pavements – Royal Mail – Motion by Councillor Jim Campbell

The following motion by Councillor Jim Campbell was submitted in terms of Standing Order 16:

“Council

Applauds the efforts to free Edinburgh's pavements of unnecessary clutter.

Asks the Convener of the Transport and Environment Committee to request a meeting with senior managers from the Royal Mail, to establish:

- 1) The ongoing use of pavement mounted drop off boxes intended to store mail in local areas prior to delivery.
- 2) The plans Royal Mail have to remove any drop off boxes that are no longer needed.
- 3) The maintenance regime for those drop off boxes still in use, including the removal of any graffiti.

In addition, Officers are asked to prepare a note on the rights and obligations of utilities, and similar organisations, regarding infrastructure installed in public places, including arrangements for decommissioning.”

Motion

To approve the motion by Councillor Jim Campbell.

- moved by Councillor Jim Campbell, seconded by Councillor Rose

Amendment

Council adds an additional point;

“This note should include an update on work ongoing by Council officers to remove redundant street furniture.”

- moved by Councillor Howie, seconded by Councillor Doran

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Jim Campbell :

Council

Applauds the efforts to free Edinburgh's pavements of unnecessary clutter.

Asks the Convener of the Transport and Environment Committee to request a meeting with senior managers from the Royal Mail, to establish:

- 1) The ongoing use of pavement mounted drop off boxes intended to store mail in local areas prior to delivery.
- 2) The plans Royal Mail have to remove any drop off boxes that are no longer needed.
- 3) The maintenance regime for those drop off boxes still in use, including the removal of any graffiti.

In addition, Officers are asked to prepare a note on the rights and obligations of utilities, and similar organisations, regarding infrastructure installed in public places, including arrangements for decommissioning.

This note should include an update on work ongoing by Council officers to remove redundant street furniture.

10 Garden Waste Charge Refund Scheme – Motion by Councillor Lang

The following motion by Councillor Lang was submitted in terms of Standing Order 16:

- "1) Council notes;
 - a) The new annual charge for the collection of garden waste which came into force in October 2018.
 - b) The promise made by the coalition administration that the new charge would lead to an improved service for residents who opted to pay it through more frequent collections.
 - c) The considerable problems which have emerged since the new collection scheme came into effect with residents reporting multiple cases of missed collections forcing them to put garden waste into landfill or transporting garden waste to recycling centres.

- 2) Council welcomes the apology issued by the Leader of the Council for the overall level of service seen on waste collection since the new collection schedule commenced but believes further action is needed to reassure residents and respond to concerns.
- 3) Council therefore agrees to seek a report to the Finance and Resources Committee within one cycle setting out the options to introduce a refund scheme for those who have paid the garden waste charge but where the service provided falls below a certain minimum standard.“

Decision

To approve the following adjusted motion by Councillor Lang:

- 1) Council notes;
 - a) The new annual charge for the collection of garden waste which came into force in October 2018.
 - b) The promise made by the coalition administration that the new charge would lead to an improved service for residents who opted to pay it through more frequent collections.
 - c) The considerable problems which have emerged since the new collection scheme came into effect with residents reporting multiple cases of missed collections forcing them to put garden waste into landfill or transporting garden waste to recycling centres.
- 2) Council welcomes the apology issued by the Leader of the Council for the overall level of service seen on waste collection since the new collection schedule commenced but believes further action is needed to reassure residents and respond to concerns.
- 3) Council therefore agrees to seek a report to the Transport and Environment Committee within two cycles setting out the options to introduce a refund scheme for those who have paid the garden waste charge but where the service provided falls below a certain minimum standard.

11 Bonfire Night – Motion by Councillor Brown

The following motion by Councillor Brown was submitted in terms of Standing Order 16:

“Council

- 1) Applauds the success of Police Scotland’s operational efforts which made significant inroads towards preventing a repeat of last year’s disorder witnessed across the capital around and on Bonfire Night.
- 2) Commends the ongoing bravery of the Fire and Rescue Service who once again saw personnel and vehicles come under attack whilst trying to carry out their job.
- 3) Welcomes the reported 26% reduction in anti-social behaviour and 11% fall in fireworks offences across the capital over the six day operation compared to the same timeframe in 2017.
- 4) Strongly condemns the shameful behaviour of those still intent on causing a cacophony of chaos within communities and is encouraged by prompt arrests of those involved in a range of law breaking activities.
- 5) Continues to work with key stakeholders to maintain this momentum and build on these successes for 2019.”

Motion

To approve the motion by Councillor Brown.

- moved by Councillor Brown, seconded by Councillor Jim Campbell

Amendment

Council adds additional point before Point 5 as follows:

Also wishes to thank the members of the Edinburgh Community Safety Partnership and the Bonfire CIP working group, and their role in seeing a significant decrease in antisocial behaviour witnessed during last year’s Bonfire Night

- moved by Councillor McNeese-Mechan, seconded by Councillor Wilson

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Brown:

Council:

- 1) Applauds the success of Police Scotland's operational efforts which made significant inroads towards preventing a repeat of last year's disorder witnessed across the capital around and on Bonfire Night.
- 2) Commends the ongoing bravery of the Fire and Rescue Service who once again saw personnel and vehicles come under attack whilst trying to carry out their job.
- 3) Welcomes the reported 26% reduction in anti-social behaviour and 11% fall in fireworks offences across the capital over the six day operation compared to the same timeframe in 2017.
- 4) Strongly condemns the shameful behaviour of those still intent on causing a cacophony of chaos within communities and is encouraged by prompt arrests of those involved in a range of law breaking activities.
- 5) Also wishes to thank the members of the Edinburgh Community Safety Partnership and the Bonfire CIP working group, and their role in seeing a significant decrease in antisocial behaviour witnessed during last year's Bonfire Night.
- 6) Continues to work with key stakeholders to maintain this momentum and build on these successes for 2019

12 Spartans Community Football Academy – Celebrating a Decade of Being Here for Good – Motion by Councillor Brown

The following motion by Councillor Brown was submitted in terms of Standing Order 16:

“Council

- 1) Congratulates the North Edinburgh based social enterprise on their forthcoming 10 year anniversary, to be celebrated on Wednesday 5th December 2018.
- 2) Acknowledges the excellent work The Spartans Community Football Academy have undertaken over the last decade in changing lives for the better in North Edinburgh.

- 3) Recognises the professionalism in which The Spartans Community Football Academy have delivered programmes and initiatives that will have a lasting positive social impact in North Edinburgh.
- 4) Asks the Lord Provost to write to The Spartans Community Football Academy and mark this decade of delivery of innovative programmes in youth work and education in the appropriate manner.”

Motion

To approve the motion by Councillor Brown.

- moved by Councillor Brown, seconded by Councillor Jim Campbell

Amendment

To add to the motion:

Council recognises that the Academy’s experience of young engagement and social development will be invaluable for informing a future vision for the development of the north of the City. Accordingly, asks that the Executive Director of Place include the Spartans football academy in appropriate consultation activity undertaken by Edinburgh City Council to redevelop the waterfront and north of the city.

- moved by Councillor Day, seconded by Councillor Gordon

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Brown:

Council:

- 1) Congratulates the North Edinburgh based social enterprise on their forthcoming 10 year anniversary, to be celebrated on Wednesday 5th December 2018.
- 2) Acknowledges the excellent work The Spartans Community Football Academy have undertaken over the last decade in changing lives for the better in North Edinburgh.
- 3) Recognises the professionalism in which The Spartans Community Football Academy have delivered programmes and initiatives that will have a lasting positive social impact in North Edinburgh.

- 4) Asks the Lord Provost to write to The Spartans Community Football Academy and mark this decade of delivery of innovative programmes in youth work and education in the appropriate manner.
- 5) Recognises that the Academy's experience of young engagement and social development will be invaluable for informing a future vision for the development of the north of the City. Accordingly, asks that the Executive Director of Place include the Spartans football academy in appropriate consultation activity undertaken by Edinburgh City Council to redevelop the waterfront and north of the city.

Declaration of Interests

Councillors Bird, Brown and Gordon declared a non-financial interest in the above item as Trustees of Spartans Community Football Club.

13 Caseworker Software Package – Motion by Councillor Neil Ross

The following motion by Councillor Neil Ross was submitted in terms of Standing Order 16:

“Council notes that a new Caseworker software package is to be introduced to assist councillors to manage their casework. While councillors may be grateful for assistance with managing their casework, Council is concerned that

- 1) this software should be properly assessed to ensure that it meets the needs of councillors;
- 2) given GDPR concerns and the individual ICO registration of each councillor, access to the data should be controlled and managed in a compliant manner;
- 3) the cost of implementation and of annual operation should be properly considered.

Council therefore requests a report to the Finance and Resources Committee within two cycles to provide the appropriate background information including the functionality, GDPR compliance and costings for the Caseworker software and details of any other options that were explored so that a considered and transparent decision can be taken.”

Motion

To approve the motion by Councillor Neil Ross.

- moved by Councillor Neil Ross, seconded by Councillor Aldridge

Amendment

To take no action on the motion on the basis that a briefing note on the issue would be circulated to members.

- moved by Councillor Rankin, seconded by Councillor Doran

Voting

For the motion - 6 votes
For the amendment - 55 votes

(For the motion: Councillors Aldridge, Gloyer, Lang, Osler, Neil Ross and Young.

For the amendment: The Lord Provost, Councillors Arthur, Barrie, Bird, Booth, Bridgman, Brown, Bruce, Burgess, Cameron, Ian Campbell, Jim Campbell, Kate Campbell, Mary Campbell, Child, Cook, Corbett, Day, Dickie, Dixon, Duggart, Doran, Douglas, Fullerton, Gardiner, Gordon, Graczyk, Griffiths, Henderson, Howie, Hutchison, Johnston, Key, Laidlaw, Macinnes, McLellan, McNeese-Mechan, McVey, Main, Miller, Mitchell, Mowat, Munro, Perry, Rae, Rankin, Rose, Rust, Smith, Staniforth, Watt, Webber, Wilson, Whyte and Work.)

Decision

To approve the amendment by Councillor Rankin.

14 Public Utility Performance Monitoring – Motion by Councillor Cook

The following motion by Councillor Cook was submitted in terms of Standing Order 16:

“Council

- 1) Notes continuing concern with various aspects of public utility works carried out on city roads and pavements.
- 2) Notes that, despite two verbal assurances from the Council Leader to Full Council, regular reports on Public Utility Performance Monitoring have yet to be reinstated for future consideration by the Transport and Environment Committee.
- 3) Council agrees to a quarterly monitoring reports on public utility performance to be added to TEC’s work programme.”

Motion

To approve the motion by Councillor Cook.

- moved by Councillor Cook, seconded by Councillor McLellan

Amendment 1

Council agrees point 1 of the motion, deletes point 2 and 3 and replaces with;

- 2) To note there was a report on Public Utility Performance Monitoring coming forward to the February Transport and Environment Committee and that this timing reflected the 6 monthly pattern of reporting from the Roadworks' Commissioner.
- 3) That future Committee reports would follow this timing.

- moved by Councillor Macinnes, seconded by Councillor Doran

Amendment 2

Add at the end of the motion:

- 4) To agree that the Convener of the Transport and Environment Committee should write to the Cabinet Secretary for Transport, Infrastructure and Connectivity, requesting an increase in the maximum level of fixed penalty notice which could be issued against a utility company for failing to comply with its responsibilities under the New Roads and Street Works Act 1991.

- moved by Councillor Lang, seconded by Councillor Gloyer

In accordance with Standing Order 21(11), Amendments 1 and 2 were accepted as addendums to the motion.

Decision

To approve the following adjusted motion by Councillor Cook:

Council:

- 1) Notes continuing concern with various aspects of public utility works carried out on city roads and pavements.
- 2) Notes that there was a report on Public Utility Performance Monitoring coming forward to the February Transport and Environment Committee and that this timing reflected the 6 monthly pattern of reporting from the Roadworks' Commissioner.

- 3) Notes that future Committee reports would follow this timing.
- 4) Agrees that the Convener of the Transport and Environment Committee should write to the Cabinet Secretary for Transport, Infrastructure and Connectivity, requesting an increase in the maximum level of fixed penalty notice which could be issued against a utility company for failing to comply with its responsibilities under the New Roads and Street Works Act 1991.

15 16 Days of Activism Against Gender-Based Violence 2018 – Motion by Councillor Main

The following motion by Councillor Main was submitted in terms of Standing Order 16:

“Council notes

that from 25 November, the International Day for the Elimination of Violence against Women, to 10 December, Human Rights Day, the 16 Days of Activism against Gender-Based Violence Campaign is a time to galvanize action to end violence against women and girls around the world.

One in three women worldwide are subject to violence over the course of their lives.

The very many organisations worldwide that support and take part in the campaign.

Agrees that Council social media and publicity will support the campaign over the 16 days, by highlighting different events and activities each day.”

Decision

To approve the motion by Councillor Main.

16 City Tree Installations in Edinburgh – Motion by Councillor Graczyk

The following motion by Councillor Graczyk was submitted in terms of Standing Order 16:

“Council:

- 1) Notes that CityTree was created by Berlin-based Green City Solutions. The CityTree is made up of moss cultures which have a much larger leaf surface area than any other plant and can capture more pollutants;

- 2) Further notes, the CityTree is a highly visual structure which, at 4 meters tall, 3 meters wide and 2 meters deep, is said to have the environmental benefit of up to 275 urban trees. The surfaces of moss installed in each CityTree can remove dust and nitrogen dioxide from the air. The manufacturer estimates that each CityTree can remove around 12.2kg of particulate matter and 240 metric tons of CO₂ (greenhouse gas) annually;
- 3) Recognises, poor air quality is a significant public health concern, but also a major social justice issue for Edinburgh. Pollution affects some of the most vulnerable people in our city, including the old, the sick and those experiencing poverty;
- 4) Further recognises, the council is a key partner in the Scottish Government's Cleaner Air for Scotland Strategy which defines the path to achieving full compliance with the relevant air quality standards;
- 5) Calls, for a report in one or two cycles to consider CityTree installations in Edinburgh;
- 6) Requests, that said report includes, but is not limited to:
 - a) High polluted areas which would most benefit from CityTree installations;
 - b) Potential funding options, e.g. the Scottish Government;
 - c) The level of civic and budgetary support required by the Council;
 - d) The completed report to be referred to the Transport and Environment Committee for further scrutiny.”

Motion

To approve the motion by Councillor Graczyk.

- moved by Councillor Graczyk, seconded by Councillor Bridgman

Amendment

Council accepts points 1-4 in the motion, and replaces points 5 and 6 with;

- 5) Recognises that these installations cost circa £17,500 each.
- 6) Calls for effective consideration of this possible solution shown in this motion and these issues within the next Low Emission Zones report coming to Transport and Environment Committee.

- 7) Requests that this report includes, but is not limited to:
- High polluted areas which would most benefit from City Tree installations;
 - Potential funding options, eg Scottish Government, advertisers, sponsors;
 - The level of civic and budgetary support required by the Council.

- moved by Councillor Macinnes seconded by Councillor Doran

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Graczyk:

- 1) Notes CityTree was created by Berlin-based Green City Solutions. The CityTree is made up of moss cultures which have a much larger leaf surface area than any other plant and can capture more pollutants;
- 2) Further notes, the CityTree is a highly visual structure which, at 4 meters tall, 3 meters wide and 2 meters deep, is said to have the environmental benefit of up to 275 urban trees. The surfaces of moss installed in each CityTree can remove dust and nitrogen dioxide from the air. Manufacturer estimate that each CityTree can remove around 12.2kg of particulate matter and 240 metric tons of CO₂ (greenhouse gas) annually;
- 3) Recognises, poor air quality is a significant public health concern, but also a major social justice issue for Edinburgh. Pollution affects some of the most vulnerable people in our city, including the old, the sick and those experiencing poverty;
- 4) Further recognises, the council is a key partner in the Scottish Government's Cleaner Air for Scotland Strategy which defines the path to achieving full compliance with the relevant air quality standards.
- 5) Recognises that these installations cost circa £17,500 each.
- 6) Calls for effective consideration of this possible solution shown in this motion and these issues within the next Low Emission Zones report coming to Transport and Environment Committee.

- 7) Requests that this report includes, but is not limited to:
- High polluted areas which would most benefit from City Tree installations;
 - Potential funding options, eg Scottish Government, advertisers, sponsors;
 - The level of civic and budgetary support required by the Council.

17 2nd Brexit Referendum/People's Vote – Motions by Councillor McVey and Graczyk

The Lord Provost ruled that the following motions, which had been submitted in terms of Standing Order 16, be considered together:

Motion 1 - By Councillor McVey:

- “1) Council notes there are currently around 39,000 EU nationals living in Edinburgh and more than 1,000 EU nationals directly employed to deliver Council services and according to a recent report at COSLA Leaders meeting, this accounts for more than a quarter of the national figure based on available data.
- 2) Council notes that 74.4% of the people of Edinburgh voted to remain in the EU and believes that this remains the best option for the social and economic wellbeing of the city.
- 3) Council agrees that, short of this outcome, the 'least worst' option for Edinburgh and Scotland would be a plan in which the UK remains a member of the Single Market and Customs Union; and further agrees that a No Deal scenario would be catastrophic for ordinary people here and across the UK. Council endorses calls, including from the First Minister, for an extension of the transition period to avert a cliff-edge scenario when the UK leaves the EU.
- 4) Council also acknowledges on-going discussion around a second 'People's Vote'.
- 5) Council asks the Council Leader to write to the Secretary of State for Exiting the European Union expressing the Council's position as stated above regarding the UK's relationship with the EU; setting out concerns about labour supply if Brexit occurs in the form proposed by the UK Government; opposing any costs charged to EU nationals through the settled and pre-settled status applications and highlighting that all Edinburgh MP's have endorsed a "People's Vote".

- 6) Further asks the Chief Executive to continue to provide information and advice to support EU citizens in the Capital, as they go through the process of having to apply for settled status by June 2021, as well as Edinburgh residents with family living in the EU.”

- moved by Councillor McVey, seconded by Councillor Day

Motion 2 by Councillor Graczyk

“Council:

- 1) Notes the EU referendum on 23rd June 2016 should be considered the beginning of a democratic process, not the end of one;
- 2) Further notes the conclusion by the Electoral Commission that the Leave campaign committed serious offences by breaking electoral law casts doubt on the legitimacy of the result of the 2016 referendum;
- 3) Recognises new information on the way the referendum campaign was conducted and the economic, environmental, and social impacts of Brexit, which have become known since the referendum, may have altered some voters’ preferences regarding desired outcomes of the Brexit negotiations;
- 4) Further recognises many non-UK EU nationals living in the City, whose life, and that of their UK-national families, has been destabilised by uncertainty following the vote. Apart from the social impacts, this has resulted in the loss of staff by local businesses and the NHS;
- 5) Acknowledges the Council believes that the interests of its residents would be best protected by a referendum on the terms of leaving the EU with the possibility of rescinding article 50;
- 6) Further acknowledges that giving the people across the four nations a final say on the Brexit negotiations will help to rebuild trust and engagement in the political process;
- 7) Calls Council to:
 - a) Express its support publicly for a People’s Vote on the final terms of any Brexit deal, along with the option to remain in the EU;
 - b) Request the Council Leader to write to our local Edinburgh MPs, Deidre Brock, Joanna Cherry, Christine Jardine, Ian Murray, Tommy Sheppard, and the Prime Minister, Theresa May, informing them that the City of Edinburgh Council has passed this motion in support of a People’s Vote.”

- moved by Councillor Graczyk, seconded by Councillor Bridgman

Amendment 1

Insert new paragraphs (in Councillor McVey's motion) as follows, and renumber existing paragraphs accordingly:

- 5) Council condemns the rhetoric used by Theresa May in implying that EU citizens in the UK have in some way been "jumping the queue"; council refutes this suggestion entirely; council recognises and values the contribution of new Scots and people across the UK wherever they come from; will do what it reasonably can to ensure they feel welcome in their adopted homeland, and calls on all politicians and leaders to avoid language which may sow division, or which may alienate our new Scots, wherever they originate;
- 6) Council notes that those citizens most affected by Brexit, specifically non-UK EU citizens and 16/17 year olds, were disenfranchised during the referendum and had no say in their own future.

- moved by Councillor Booth, seconded by Councillor Staniforth

Amendment 2

Delete paragraph 4) of Councillor McVey's motion and replace with:

Supports a people's vote on the agreed Brexit deal including the option to remain a member of the EU.

- moved by Councillor Aldridge, seconded by Councillor Gloyer

Amendment 3

To take no action on the matter.

- moved by Councillor Cook, seconded by Councillor Johnston

In accordance with Standing Order 21(11), paragraphs 1-4 of Councillor Graczyk's motion and Amendment 1 were accepted as addendums to the motion by Councillor McVey.

In accordance with Standing Order 21(11), Amendments 1 and 2 were accepted as addendums to the motion by Councillor Graczyk.

In terms of Standing Order 22(3), the Lord Provost ruled that a first vote be taken for or against Amendment 3, for no action.

Voting

For Amendment 3	-	17 votes
Against Amendment 3	-	43 votes

(For Amendment 3 - Councillors Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Rose, Rust, Smith, Webber and Whyte.

Against Amendment 3 - The Lord Provost, Councillors Aldridge, Arthur, Barrie, Bird, Booth, Bridgman, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gloyer, Gordon, Graczyk, Griffiths, Henderson, Howie, Key, Lang, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munro, Osler, Perry, Rae, Neil Ross, Staniforth, Watt, Wilson, Work and Young.)

As the vote for no action was lost a second vote between the adjusted motion by Councillor McVey and the adjusted motion by Councillor Graczyk was then taken.

Voting

The voting was as follows:

For Motion 1 by Councillor McVey (as adjusted)	-	28 votes
For Motion 2 by Councillor Graczyk (as adjusted)	-	15 votes

(For Motion 1 by Councillor McVey (as adjusted): The Lord Provost, Councillors Arthur, Barrie, Bird, Bridgman, Cameron, Ian Campbell, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Key, Macinnes, McNeese-Mechan, McVey, Munro, Perry, Watt, Wilson and Work.

For Motion 2 by Councillor Graczyk (as adjusted): Councillors Aldridge, Booth, Burgess, Mary Campbell, Corbett, Gloyer, Lang, Main, Miller, Osler, Rae, Neil Ross, Staniforth and Young.

Abstentions: Councillors Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Rose, Rust, Smith, Webber and Whyte.)

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) Council notes there are currently around 39,000 EU nationals living in Edinburgh and more than 1,000 EU nationals directly employed to deliver Council services and according to a recent report at COSLA Leaders meeting, this accounts for more than a quarter of the national figure based on available data.
- 2) Council notes that 74.4% of the people of Edinburgh voted to remain in the EU and believes that this remains the best option for the social and economic wellbeing of the city.

- 3) Council agrees that, short of this outcome, the 'least worst' option for Edinburgh and Scotland would be a plan in which the UK remains a member of the Single Market and Customs Union; and further agrees that a No Deal scenario would be catastrophic for ordinary people here and across the UK. Council endorses calls, including from the First Minister, for an extension of the transition period to avert a cliff-edge scenario when the UK leaves the EU.
- 4) Council also acknowledges on-going discussion around a second 'People's Vote'.
- 5) Council condemns the rhetoric used by Theresa May in implying that EU citizens in the UK have in some way been "jumping the queue"; council refutes this suggestion entirely; council recognises and values the contribution of new Scots and people across the UK wherever they come from; will do what it reasonably can to ensure they feel welcome in their adopted homeland, and calls on all politicians and leaders to avoid language which may sow division, or which may alienate our new Scots, wherever they originate.
- 6) Council notes that those citizens most affected by Brexit, specifically non-UK EU citizens and 16/17 year olds, were disenfranchised during the referendum and had no say in their own future.
- 7) Council asks the Council Leader to write to the Secretary of State for Exiting the European Union expressing the Council's position as stated above regarding the UK's relationship with the EU; setting out concerns about labour supply if Brexit occurs in the form proposed by the UK Government; opposing any costs charged to EU nationals through the settled and pre-settled status applications and highlighting that all Edinburgh MP's have endorsed a "People's Vote".
- 8) To further ask the Chief Executive to continue to provide information and advice to support EU citizens in the Capital, as they go through the process of having to apply for settled status by June 2021, as well as Edinburgh residents with family living in the EU.
- 9) To note the EU referendum on 23rd June 2016 should be considered the beginning of a democratic process, not the end of one.
- 10) To further note the conclusion by the Electoral Commission that the Leave campaign committed serious offences by breaking electoral law casts doubt on the legitimacy of the result of the 2016 referendum.
- 11) To recognise new information on the way the referendum campaign was conducted and the economic, environmental, and social impacts of Brexit, which have become known since the referendum, may have altered some voters' preferences regarding desired outcomes of the Brexit negotiations.

- 12) To further recognise many non-UK EU nationals living in the City, whose life, and that of their UK-national families, has been destabilised by uncertainty following the vote. Apart from the social impacts, this has resulted in the loss of staff by local businesses and the NHS.

18 Strategic Transport Project Review 2 (STPR2) – Motion by Councillor Jim Campbell

The following motion by Councillor Jim Campbell was submitted in terms of Standing Order 16:

“Council

- 1) Asks the Chief Executive to expedite the Strategic Transport Project Review 2 (STPR2), working with the Regional Strategic Transport Board (established through the City Deal), Transport Scotland and Scottish Ministers.
- 2) Recognising the importance of transport to existing Edinburgh neighbourhoods, the development of new quarters, our economic vitality, the needs of those who commute throughout our City Region, and to our many visitors, looks forward to a comprehensive briefing note covering the scope and timescales of STPR2 early in the new year to inform all members.
- 3) This note should identify any other transport modelling work that should be carried out in the interests of the City, and in support of City Plan 2030 and any other significant transport changes that are planned, but are not within the scope of STPR2 or would not be supported by the STPR2 timescales.”

Motion

To approve the following adjusted motion by Councillor Jim Campbell

Council

- 1) Asks the Chief Executive to seek to expedite the Strategic Transport Project Review 2 (STPR2), working with the Regional Strategic Transport Board (established through the city deal), Transport Scotland and Scottish Ministers.
- 2) Recognising the importance of transport to existing Edinburgh neighbourhoods, the development of new quarters, our economic vitality, the needs of those who commute throughout our City Region, and to our many visitors, looks forward to a comprehensive briefing note covering the scope and timescales of STPR2 early in the new year to inform all members.
- 3) This note should identify any other transport modelling work that should be carried out in the interests of the City, and in support of City Plan 2030 and

any other significant transport changes that are planned, but are not within the scope of STPR2 or would not be supported by the STPR2 timescales.”

- moved by Councillor Jim Campbell, seconded by Councillor Mowat

Amendment 1

Council deletes all and replaces with;

- 1) Recognises that the Strategic Transport Project Review 2 (STPR2) is a national strategy being undertaken by Scottish Ministers and developed through the Transport Appraisal Board (established through the City Deal), Transport Scotland and Scottish Ministers.
- 2) Recognises the importance of transport to existing Edinburgh neighbourhoods, the development of new quarters, our economic vitality, the needs of those who commute throughout our City Region, and to our many visitors, looks forward to a briefing note covering regional and CEC's input to STPR2.
- 3) Notes that the first meeting of this Transport Appraisal Board (which will deliver this input) will take place in Q1 2019.

- moved by Councillor Macinnes, seconded by Councillor Doran

Amendment 2

Insert at end of paragraph 3 of the adjusted motion:

“, including, but not limited to, active travel infrastructure linked to the Sheriffhall roundabout, as requested by Spokes and others”.

- moved by Councillor Booth, seconded by Councillor Burgess

In accordance with Standing Order 21(11) Amendments 1 and 2 were accepted as amendments to the motion.

Decision

To approve the following adjusted motion by Councillor Jim Campbell:

- 1) To call for a briefing note to identify any other transport modelling work that should be carried out in the interests of the City, and in support of City Plan 2030 and any other significant transport changes that were planned, but were not within the scope of STPR2 or would not be supported by the STPR2 timescales, including, but not limited to, active travel infrastructure linked to the Sheriffhall roundabout, as requested by Spokes and others.

- 2) Recognises that the Strategic Transport Project Review 2 (STPR2), was a national strategy being undertaken by Scottish Ministers and developed through the Transport Appraisal Board (established through the City Deal), Transport Scotland and Scottish Ministers.
- 3) Recognises the importance of transport to existing Edinburgh neighbourhoods, the development of new quarters, our economic vitality, the needs of those who commute throughout our City Region, and to our many visitors, looks forward to a briefing note covering regional and CEC's input to STPR2.
- 4) Notes that the first meeting of this Transport Appraisal Board (which will deliver this input) will take place in Q1 2019.

19 Princes Street Gardens Christmas Market – Motion by Councillor Doggart

The following motion by Councillor Doggart was submitted in terms of Standing Order 16:

“Council

Asks Officers to investigate how the work to construct the Princes Street Gardens Christmas Market and attractions could be programmed so that:

- 1) a dignified no-work cordon is maintained round the Garden of Remembrance, and
- 2) the erection of high structures are delayed till after Armistice Day and Remembrance Sunday from 2019 on?”

Decision

To approve the following adjusted motion by Councillor Doggart:

Council:

Asks Officers to investigate and report back to the Transport and Environment Committee how the work to construct the Princes Street Gardens Christmas Market and attractions could be programmed so that:

- 1) a dignified no-work cordon is maintained round the Garden of Remembrance, and
- 2) the erection of high structures are delayed till after Armistice Day and Remembrance Sunday from 2019 on?

20 Events and Attractions in Parks – Motion by Councillor Miller

The following motion by Councillor Miller was submitted in terms of Standing Order 16:

“Council:

- 1) Notes existing council policies and procedures for events and attractions in parks, which allow commercial events to take place, authorised by the Executive Director of Place under delegated authority, with comments from elected members and advice from relevant council departments;
- 2) Notes that Edinburgh’s Christmas has again erected structures in East Princes Street Gardens and St Andrew Square Garden over areas of tree roots which are known to require protection, which is evidenced respectively by the planning condition in relation to the National Galleries of Scotland development specifying that roots of retained trees in East Princes Street Gardens are to be treated as “sacrosanct”, and the St Andrew Square Garden tree report commissioned by Essential Edinburgh and carried out by Potter Tree Consultancy regarding tree root compaction;
- 3) Notes that the Summer Sessions concerts held at the Ross Bandstand in West Princes Street Gardens closed the gardens to general public access and blocked views of the garden and castle from Princes Street;
- 4) Recognises public feedback on a) the need for a clearer, transparent council policy, and b) a review of the appropriate number of commercial events and attractions in public parks and green spaces;
- 5) Requests the Executive Director of Place to coordinate a review of policies and procedures to simplify and combine these policies where possible, to achieve a clear directive to reduce commercial events in parks and green spaces, and to reduce the impact of any commercial events in terms of the access for members of the general public to public parks and green spaces, and to report this to Transport and Environment Committee within 2 cycles;
- 6) Notes that the scope of this motion excludes community events as these are beneficial to the local community, typically short in duration, and low in impact.“

Motion

To approve the motion by Councillor Miller.

- moved by Councillor Miller, seconded by Councillor Main

Amendment

Council

Agrees paragraphs 1-4 of the motion and amends paragraph 5 to read:

Requests the Executive Director of Place to coordinate a review of policies and procedures to simplify and combine these policies where possible, including evaluation of the number and duration of events, in order to reduce the impact of any commercial events in terms of the access for members of the general public to public parks and green spaces, and to report this to Transport and Environment Committee and Culture and Communities Committee within 2 cycles;

To amend paragraph 6;

Notes that the scope of this motion excludes small-scale community events, typically short in duration, and low in impact.

- moved by Councillor Wilson, seconded by Councillor McNeese-Mechan

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Miller:

Council:

- 1) Notes existing council policies and procedures for events and attractions in parks, which allow commercial events to take place, authorised by the Executive Director of Place under delegated authority, with comments from elected members and advice from relevant council departments;
- 2) Notes that Edinburgh's Christmas has again erected structures in East Princes Street Gardens and St Andrew Square Garden over areas of tree roots which are known to require protection, which is evidenced respectively by the planning condition in relation to the National Galleries of Scotland development specifying that roots of retained tree in East Princes Street Gardens are to be treated as "sacrosanct", and the St Andrew Square Garden tree report commissioned by Essential Edinburgh and carried out by Potter Tree Consultancy regarding tree root compaction;
- 3) Notes that the Summer Sessions concerts held at the Ross Bandstand in West Princes Street Gardens closed the gardens to general public access and blocked views of the garden and castle from Princes Street;

- 4) Recognises public feedback on a) the need for a clearer, transparent council policy, and b) a review of the appropriate number of commercial events and attractions in public parks and green spaces;
- 5) Requests the Executive Director of Place to coordinate a review of policies and procedures to simplify and combine these policies where possible, including evaluation of the number and duration of events, in order to reduce the impact of any commercial events in terms of the access for members of the general public to public parks and green spaces, and to report this to Transport and Environment Committee and Culture and Communities Committee within 2 cycles;
- 6) Notes that the scope of this motion excludes small-scale community events, typically short in duration, and low in impact.

21 Asylum Dispersal – Motion by Councillor McVey

The following motion by Councillor McVey was submitted in terms of Standing Order 16:

“Council notes:

- 1) That the UK Government currently disperses Asylum Seekers to a limited number of local authorities of which Glasgow City Council is the only Scottish representative.
- 2) That responsibility for asylum dispersal is contracted to private sector providers with SERCO holding the contract for Scotland and that these arrangements are currently being re-procured by the Home Office.
- 3) Concerns about the existing arrangements and the current re-procurement process outlined in the joint campaign promoted by the Scottish Refugee Council (SRC) and Asylum matters as well as a recent letter by the Local Government Associations of Scotland, England, Northern Ireland, and Wales to the Immigration Minister.
- 4) This Council’s existing work with Refugees and Asylum Seekers through participation in the Syrian Resettlement Programme and support for other resettled refugees, Unaccompanied Asylum-Seeking Children and people with insecure immigration status who have no recourse to public funds.
- 5) That Local Government representative organisations, including COSLA, have set out a recommendation for fully funded Local Authority involvement in the Asylum Resettlement Programme.

- 6) The financial and operational pressures associated with supporting Unaccompanied Asylum-Seeking Children and people with no recourse to public funds and that engagement with asylum dispersal under current arrangements risks exacerbating these pressures.
- 7) Whilst endorsing the principle that there should be a fair and equitable distribution of Asylum Seekers within local authority areas and across the UK as a whole, also endorses the concerns raised in the SRC/Asylum Matters Campaign and the Local Government Associations' letter and specifically that Local Authorities:
 - i. should have equal partner status in the new asylum contracts;
 - ii. should have full access to any data and information necessary to support their roles in relation to dispersal;
 - iii. should have joint oversight of asylum dispersal contracts with the Home Office;
 - iv. should have authority with the Home Office over levels of dispersal and the ability to make binding decisions around the procurement process;
 - v. should be fully funded to support their roles in relation to dispersal and that this funding should recognise responsibilities both during and after the asylum process including meeting the needs of destitute refused asylum seekers with no recourse to public funds.
- 8) Accordingly, agrees that the Council Leader write to the Home Office supporting these concerns and engage in constructive dialogue with the Home Office as to how the city might overcome these issues to engage sustainably with asylum dispersal and any future fully funded refugee resettlement schemes.
- 9) Agrees that Council provide a copy of such a letter to Home Affairs Select Committee, who on the 21st November heard Oral Evidence on the subject of Asylum Accommodation."

Decision

To approve the motion by Councillor McVey.

22 COMAS and Social Enterprises – Motion by Councillor Cameron

The following motion by Councillor Cameron was submitted in terms of Standing Order 16:

“Notes that Council:

- 1) Recognise the important work, the social innovation charity COMAS, has provided to the City of Edinburgh for over a decade.
- 2) Acknowledges, with regret, the recent decision to liquidate the organisation, based on a shortage of funds.
- 3) Thanks the organisation for providing vital support, guidance and a safe space through the Serenity Café for individuals experiencing addiction, poverty, mental health issues and homelessness in the city.
- 4) Asks that officers conduct an impact assessment on the impact COMAS closure will have on service users and what measures can be put into place to mitigate this.

And furthermore, building on the success of Edinburgh’s hosting of the World Forum on Social Enterprise 2018, held recently at the EICC that Council:

- 5) Requests a report to the Housing and Economy Committee within two cycles, setting out cost neutral options to promote and continue the success of existing, and establishing of new, social enterprises to increase the contribution of these models to Edinburgh’s economy across the public, private and third sectors - and prevent similar closures in the future.
- 6) Includes in the report opportunities which could be made available to social enterprises and cooperatives through the Council’s and arms length companies’ procurement policies.
- 7) Should also include in the report any mitigating measures identified in relation to COMAS service users.”

Decision

To approve the motion by Councillor Cameron.

23 CPR in Schools – Motion by Councillor Dickie

The following motion by Councillor Dickie was submitted in terms of Standing Order 16:

“Council:

- 1) Recognises the British Heart Foundation’s ambition of ‘Beating Heartbreak in Scotland’ by introducing CPR to every local authority in Scotland.
- 2) Notes that every year in Scotland, 9,000 people will have a cardiac arrest, and only approximately 3,500 of these will have resuscitation attempted.
- 3) Congratulates the existing work of third sector organisations such as St John’s Scotland and the Thistle Foundation in providing voluntary training to pupils and staff in schools across the city.
- 4) Further notes, that 23 of our schools have already accessed training through our contracted First Aid Trainer, British Heart Foundation Training during October’s ‘Restart a Heart Day’.
- 5) Requests the Executive Director for Communities and Families to work with the remaining schools to roll out the British Heart Foundation training to promote and provide a subsequent report to Council on the success of this programme.
- 6) Requests the Executive Director for Communities and Families promote and facilitate access to the British Heart Foundation’s free “Call, Push, Rescue” class training kits.”

Decision

To approve the motion by Councillor Dickie.

24 Hibernian Ladies Football Team – Motion by Councillor McNeese-Mechan

The following motion by Councillor McNeese-Mechan was submitted in terms of Standing Order 16:

“Council:

Congratulates the Hibernian Girls and Ladies Football Club on winning the SSE Scottish Women’s Cup trophy for the third year in succession, following their 8 - 0 victory over Motherwell, which is an inspiration to all.

Recognises also their historic achievement of securing a 'treble double', having also won the Scottish Women's Premier League Cup for 2018 for the third year in a row."

Decision

To approve the motion by Councillor McNeese-Mechan.

25 The John Muir Way – Motion by Councillor McVey

The following motion by Councillor McVey was submitted in terms of Standing Order 16:

"Council acknowledges the success of the John Muir Way can contribute towards the economic wellbeing, health and quality of life of communities that touch the route in Edinburgh and across Scotland. Since its completion in 2014, the 215km route has encouraged active travel, health and wellbeing and the enjoyment of nature amongst the many people who use it each year.

In Edinburgh, the route benefits from spectacular views of the Forth Bridges at South Queensferry to the fascinating wildlife of Corstorphine Hill Nature Reserve, as well as connecting to Edinburgh's extensive network of off-road paths.

Council welcomes the vision for the John Muir Way as set out by the John Muir Way Partnership and the opportunity it provides to support our economic, social and environmental aims.

Council instructs the Council Leader and Chief Executive to sign the John Muir Way Declaration committing to:

- 1) Promote the vision of the John Muir Way to relevant staff and stakeholders;
- 2) Engage where appropriate with the John Muir Way partnership initiative;
- 3) Maximise opportunities to manage, maintain and develop the John Muir Way direct infrastructure and connections to it;
- 4) Ensure relevant communications work is undertaken, compatible with the John Muir Way vision;
- 5) Widely promote the John Muir Way to relevant audiences; and
- 6) Drive forward economic development and enhancement for business and communities."

Motion

To approve the motion by Councillor McVey.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

Council adds at the end of the motion:

Council looks forward to the forthcoming report to the Transport and Environment Committee, re-invigorating the Council's Promenade strategy to complete a continuous, safe and engaging route from Joppa to South Queensferry along the full length of our waterfront, that walkers of the John Muir Way and others can follow the North shore of the Forth through this Council's boundaries.

- moved by Councillor Jim Campbell, seconded by Councillor Brown

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor McVey:

Council acknowledges the success of the John Muir Way can contribute towards the economic wellbeing, health and quality of life of communities that touch the route in Edinburgh and across Scotland. Since its completion in 2014, the 215km route has encouraged active travel, health and wellbeing and the enjoyment of nature amongst the many people who use it each year.

In Edinburgh, the route benefits from spectacular views of the Forth Bridges at South Queensferry to the fascinating wildlife of Corstorphine Hill Nature Reserve, as well as connecting to Edinburgh's extensive network of off-road paths.

Council welcomes the vision for the John Muir Way as set out by the John Muir Way Partnership and the opportunity it provides to support our economic, social and environmental aims.

Council instructs the Council Leader and Chief Executive to sign the John Muir Way Declaration committing to:

- 1) Promote the vision of the John Muir Way to relevant staff and stakeholders;
- 2) Engage where appropriate with the John Muir Way partnership initiative;
- 3) Maximise opportunities to manage, maintain and develop the John Muir Way direct infrastructure and connections to it;

- 4) Ensure relevant communications work is undertaken, compatible with the John Muir Way vision;
- 5) Widely promote the John Muir Way to relevant audiences; and
- 6) Drive forward economic development and enhancement for business and communities;

Council looks forward to the forthcoming report to the Transport and Environment Committee, re-invigorating the Council's Promenade strategy to complete a continuous, safe and engaging route from Joppa to South Queensferry along the full length of our waterfront, that walkers of the John Muir Way and others can follow the North shore of the Forth through this Council's boundaries.

26 Chloe Bell – Motion by Councillor Wilson

The following motion by Councillor Wilson was submitted in terms of Standing Order 16:

“This Council congratulates Chloe Bell on being named the Sunday Mail's Great Scot 2018. The Council further requests that the Lord Provost marks this extraordinary act of heroism in an appropriate way. Her actions in climbing through the window of a crashed car to assist a stranger and then assisting paramedics in a potentially life threatening situation with no thought for her own personal safety is truly inspirational. Her actions are those of which the City can be proud”

Decision

To approve the motion by Councillor Wilson.

Appendix 1

(As referred to in Act of Council No 2 of 22 November 2018)

QUESTION NO 1

By Councillor Osler for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

Question

Given reports in relation to the Council's newly-introduced garden waste removal service, that it has generated more revenue so far than was expected or budgeted for, on account of a higher number of residents signing up and paying for the service, will the Council commit to apply a proportion of that additional windfall revenue, to clear up the autumn leaf fall from trees on land that the Council is responsible for, and including clear up of Council pavements, footpaths and cycle paths?

Answer

The removal of leaf fall from Council pavements, footpaths and cycle paths is already undertaken as part of the core Street Cleansing service. As part of the 2018/19 budget additional funding was allocated to the Waste and Cleansing service for 'Clean and Green' initiatives. One of these initiatives is the employment of additional staff to focus on deep cleaning of areas which includes the removal of leaf fall

Supplementary Question

Thank you very much, and thank you very much Convener for the answer to the question. Unfortunately that wasn't the answer to my question but I am very grateful for that additional information. The question I actually asked was related to the actual additional revenue that was generated from more people signing up to garden waste, a simple yes or no be quite suffice.

Supplementary Answer

No

QUESTION NO 2

**By Councillor Osler for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

Question

In the period since the introduction of the Council's revised Waste collection timetable as of October 2018, how many collection "runs" for waste and were not completed on the timetabled collection day?

Information to be broken down by

- a) Ward (for each category of Waste)
- b) Number of households affected for each category of waste

Answer

This information is not currently available at ward level. However, a number of actions are being progressed by the service, working with the relevant parties such as CGI, ICT, Customer, Strategy and Communications, to revise the performance reporting following the introduction of Routesmart Route Management System.

An update on progress will be reported to Transport and Environment Committee on 6 December 2018.

**Supplementary
Question**

Thank you again Convener. I must say I tabled this question early to try and give as much time for officers to respond because I appreciate that it might have been quite a large ask considering the amount of issues we've had with waste, so I was a bit surprised and disappointed that there is no information on this at all. That with this new system that we have, it does not presently have the capacity to actually track how many bins have been missed which I would have thought would be quite a major thing considering it is a new system, but hey-ho what do I know.

I just wondered you know, when will this information be made available?

**Supplementary
Answer**

Thank you Councillor Osler, as you'll no doubt be aware we are in the current state of implementing this new system. Inevitably we will be looking at exactly what we need to do but can I draw your attention to the fact that you requested information broken down by ward. Often there's a mismatch between how we collect information and as happens repeatedly in questions I get put to me here in the chamber, where the information is requested by ward and we don't record it that way. As I indicated clearly in my answer, we are looking at a full update coming to Transport and Environment on 6th December and hopefully some of what you're looking for will be answered there, thank you.

QUESTION NO 3

**By Councillor Osler for answer by
the Convener of the Finance and
Resources Committee at a meeting
of the Council on 22 November 2018**

Question

In the period since May 2017, how many requests has the Council received under the Community Empowerment (Scotland) Act 2015 for possible transfer of Council Owned Assets?

Information to be broken down for all Wards.

Answer

Community Asset Transfer Requests by Ward

Period May 2017 to November 2018

WARD	NUMBER OF INITIAL ENQUIRIES	NUMBER OF EXPRESSIONS OF INTEREST (STAGE 1)	NUMBER OF FORMAL REQUESTS (STAGE 2)
1	1	0	0
2	2	2	0
3	1	0	0
4	3	2	0
5	3	2	0
6	3	0	0
7	8	0	0
8	2	0	0
9	2	1	0
10	3	1	0
11	3	2	0
12	0	0	0
13	2	0	0
14	1	0	0
15	2	0	0
16	6	2	1
17	0	0	0
General	6	0	0

NOTES:

Initial Enquiries – Initial contact (email, phone etc) to discuss potential asset transfer request

Expression of Interest Stage 1 – Applicants submit Stage 1 Expression of Interest Form (comprising a pre-application process which does not in itself constitute a formal asset transfer application) for consideration.

Formal Request Stage 2 – Applicants submit Stage 2

Sustainable Business Case is a detailed submission which constitutes a formal application under the Act for a Community Asset Transfer.

General queries are those seeking a particular type of asset, with no specific location expressed.

List correct as of 12 November 2018.

Supplementary Question

Thank you very much. I'll be very brief on this one. Thank you Convener for your response. Given the numbers for the initial inquiries stand at almost 50 but only 12 progress on to the first stage of applications, are we doing enough to support our community groups with their applications in this process?

Supplementary Answer

I thank Councillor Osler for her question. I'm not sure how much it's a matter for the Council to encourage people to act in this way, but I think some of these applications are going to be fairly complex, and perhaps when people have a first look at them they see that they are exactly that, but nevertheless that the Council is perfectly ready to consider any applications that come forward and particularly full business cases as are required at the later stages of the process.

QUESTION NO 4

**By Councillor Whyte for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

In a recent response to my request for an update on an Active Travel project in Inverleith Ward I was told

“the level of staff resources currently available is insufficient to manage our entire Active Travel programme. As a result, we have had to suspend work on a number of projects ...”

Question

Given that Active Travel is a priority for the Council and 10% of the Transport Budget has been allocated to progress it can the Convener please provide a full list of the Transport projects that

- a) have been suspended,
- b) whether they are Active Travel or another category of project (e.g. junction safety improvements or parking),
- c) the date they were suspended,
- d) the date of any consultation that has been undertaken and the date that work is expected to recommence?

Answer

There is not a comprehensive list of transport projects which have been suspended or delayed. The information provided below is based on the 2018 -19 [programme of active travel improvements](#) which is updated periodically. The programme includes 49 projects, of which work is currently suspended on 14.

A review of programme management arrangements has been undertaken with a view to bringing projects forward on a phased basis from March 2019.

The information requested for the 14 suspended projects is contained in the following table:

Project	Work suspended	Consultation
Broughton Street/East London Street	May 2017	n/a
Dean Park Crescent	May 2017	Feb-Mar 2017
Morrison Street	May 2017	n/a
Guardrail Removal	Sep 2017	n/a
QuietRoute 6 (Meadows to Castle Terrace)	Sep 2017	Nov-Dec 2016
QuietRoute 8 (Roseburn - Gyle -links to Saughton park)	Sep 2017	May-Jun 2017
QuietRoute 20 (Craigleith to Leith Walk)	Sep 2017	Jul-Dec 2016
QuietRoute 30 - Holyrood Park to Ratcliffe Terrace	Sep 2017	May-Jun 2017
Forthquarter - Silverknowes Promenade (Granton Link)	Sep 2017	n/a
Leith - Portobello (Water of Leith to Links Place)	Sep 2017	n/a
Cultins Road shared footway	Sep 2017	n/a
Crewe Road South/Orchard Brae	Sep 2017	n/a
One-way street exemptions (Phase 1)	Sep 2017	n/a
A8 Gyle - Newbridge (QuietRoute 9)	Sep 2017	n/a

Supplementary Question

Thank you Lord Provost. I see a theme developing here. The Convener has given me a partial answer to my question which doesn't really deal with the issue of performance on active travel or other transport projects. Can the Convener tell me, given that there's not a full list of suspended transport projects in the answer, and that there isn't any indication about when the active travel projects that are suspended might be restarted, how on earth she intends to find out how well we're performing and delivering on transport projects?

Supplementary Answer

Thank you Councillor Whyte for that supplementary. I do often wonder what the point behind some of these questions is and whether or not the answers actually get read. I think it's quite clear we are talking a major component of council business. The fact that you ask a question in a particular way doesn't necessarily mean that we're able to answer immediately in that format and quite frankly I prefer to have an officer spend the time concentrating on delivery rather than necessarily undergoing a substantial amount of work to provide you with the answer in the way that you've requested.

There is a considerable amount of work going on both in transport and the Active Travel team in order to keep on top

of our requirements as a city and I suspect that if you had asked the officers directly you might have got a more direct answer, thank you.

QUESTION NO 5

By Councillor Burgess for answer by the Convener of the Housing and Economy Committee at a meeting of the Council on 22 November 2018

Question

What is the current status of the proposal to retrofit Edinburgh's tenements (not only council-owned buildings) with low energy LED stair-lighting?

Answer

The Council has upgraded the lighting in over 3,700 common stairs where it continues to own a property, and therefore has part ownership in the asset. This was funded through capital investment and was carried out between 2015 and 2018.

On 21 January 2016 the Council decided to withdraw from providing a repair and maintenance service for wholly privately owned common stairs.

The ownership and responsibility for stair lighting in common stairs is the responsibility of the property owners.

Supplementary Question

Thanks very much, thanks for the answer. Can the Convener clarify that the Council still owns stair lighting in private tenements and also pays the electricity bill for that lighting, and would the Convener support investigation of a spend to save project by the Council to convert this lighting to LED and both cut costs for the Council and cut climate changing emissions? Thank you.

Supplementary Answer

Thank you Councillor Burgess for your question. I believe that the stair lighting, and I will have to go back and check this, but my understanding is the stair lighting is not owned by the Council but we do still pay the electricity costs in stairs. Having looked into this it goes across quite a lot of different Committees, different decisions that were made so, in September 2014 there was a policy decision made at Committee to upgrade LED lighting in 14,000 stairs with a projected cost of around £9m. There was the funding approved for the first phase of that which was to carry out

the LED upgrades in stairs where there was a Council property, that was in Finance and Resources in 2015 and then as part of the subsequent budget process. This work has been completed at a cost of £1.93m but there's been no further approval for the funding for the work, so as part of the budget in January 2016 it was agreed that responsibility would be passed to owners in stairs where the Council didn't own a property for maintenance and repair of style lighting.

Based on the 2014 figures, if we were to go back and carry out the programme in the remaining round about 10,000 stairs, based on figures from 2014, that would cost in excess of £6m. So I think it would be quite difficult for Council to approve funding in the current climate to invest £6m of public money in private property where the Council doesn't own it and doesn't have responsibility for maintaining or repairing it, but I do accept that there is an environmental impact here and that the decisions have been kind of scattered across quite a number of different Committees. So I've asked officers if we can have a report come to Housing and Economy that pulls together all of the different decisions, makes it quite clear our position, sets out this updated financial assessment and would take into account obviously any savings that might be made but also within the current financial context. I would say though I would expect that report probably won't recommend that we invest £6m of public money into private property upgrades, but I think there is certainly, it should be looked at and I think there is a leadership role for the Council here in terms of how we can enable and support owners to make that transition themselves. But I'm happy to bring a report and discuss it further.

QUESTION NO 6

**By Councillor Johnston for answer
by the Leader of the Council at a
meeting of the Council on 22
November 2018**

Question

Can the Council leader confirm, following his answer at Leader's Questions on 25th October, that none of the project management staff who will be recruited at a cost of £1 million per year (as approved by Full Council on 25th October) will work directly or indirectly on the Tram Extension Project should it be approved in March 2019?

Answer

Yes.

**Supplementary
Question**

Can I thank the Council Leader for that answer. Can he clarify the rationale for this decision and how will we know that they won't work on the tram project?

**Supplementary
Answer**

I'm a little bit perplexed with the question because the question is as anyone from the project management team from the additional resources that were allocated working on Tram, these were very specific projects doing very specific things to take the Council's programme forward in light of previous budget decisions and parts of the Administration program. Tram was not included in that, therefore it's not included. I don't know how much clearer that I can be other than the word yes to your question.

QUESTION NO 7

By Councillor Rae for answer by the Convener of the Housing and Economy Committee at a meeting of the Council on 22 November 2018

Question

What steps have been taken to ensure that the effects of the implementation of Universal Credit, due to be rolled out on 28th November, cause minimum hardship to those in receipt of this benefit?

Answer

Transitional support for those moving on to Universal Credit (UC) is available through the Personal Budgeting Service and Assisted Digital Support schemes. These services are currently delivered by local authorities, however, from April 2019 the services will be delivered by the Citizens Advice Bureau, which is being directly funded by the Department for Work and Pensions (DWP) to undertake these responsibilities.

The Council continues to offer various measures to provide support for claimants and maximise appropriate income opportunities:

- Discretionary Housing Payments to meet financial hardship as a result of shortfalls between housing costs payment and rent charges.
- Scottish Welfare Fund payments. The team responsible for the fund administration has recently been bolstered to meet the anticipated increase in demand.
- Simplified evidence procedures to support Council Tax Reduction claims.
- Ongoing assessments to ensure other eligible benefits such as Free School Meals, Clothing Grants and Educational Maintenance Allowance are in place.
- Dedicated support for Council tenants, with regular communication to raise awareness and encourage early engagement when payment difficulties are experienced. Council officers are currently working alongside energy and employability advisers to provide appropriate advice to tenants. A report surrounding the support to Council

tenants was considered by the [Housing and Economy Committee](#) on 1 November 2018.

- Programme of multi-agency awareness sessions is underway aimed at partnership locality teams, private landlords, through care and after care teams, family support agencies, foodbanks, benefit practitioners and elected members. This is being complemented by further DWP training on technical aspects of UC.
- A cross Council action plan is in place to support UC claimants. Council officers will continue to engage with key agencies throughout the implementation and regular welfare reform updates will be provided to the Corporate Policy and Strategy Committee, included UC. The next such update report will be considered at the Committee's meeting on 4 December 2018.
- The Council will signpost appropriate queries to DWP telephone service who, as the administering body, are best placed to provide detailed advice on the eligibility of a UC claim.

Supplementary Question

Thank you Convener. This Council must recognise that the report from Professor Alston that has recently come out has been a shocking indictment of the UK Government and in the light of that I would like to know what this Council is doing to make sure that all of our citizens in Edinburgh are cushioned against the impending effects of the introduction of Universal Credit and the horrendous affect it's going to have on the poor people and the disabled people in our society, thank you.

Supplementary Answer

I thank Councillor Rae for her question. The answer that she's received sets out the work that has been done in preparation for the roll out of Universal Credit full service in Edinburgh next week. It's a day that we've been preparing for some time and this includes bolstering the team responsible for administering the Scottish welfare funds, the use of discretionary housing payments, simplified procedures around Council Tax reduction claims, dedicated support to raise awareness with tenants and encourage early engagement working alongside energy and employability advisers reports to Housing and Economy, Corporate Policy and Strategy, the Welfare Reform Working Group, a cross Council Action Plan to support Universal

Credit claimants and multi-agency awareness sessions. The report from Professor Philip Alston the UN special rapporteur on extreme poverty and human rights talks specifically about the impact of universal credit in the UK. He says “as I spoke with local authorities and the voluntary sector about their preparations for the future roll-out of universal credit, I was struck by how much their mobilisation resembled the sort of activity that one might expect from an impending natural disaster or health epidemic”. This is a UK Government policy that has required an emergency response from Local Authorities and the third sector. The Scottish Government has done what it can to mitigate the policy and the report highlights this in several ways. He says “Scotland has repeatedly urged the Government to halt the roll out, and paid DWP for the introduction of certain flexibilities for claimants”. He also says that “devolved administrations have tried to mitigate the worst impacts of austerity, despite experiencing significant reductions in block grant funding and constitutional limits on their ability to raise revenue”, but what is most difficult is that although he says universal credit is being sold as part of an unavoidable programme of fiscal austerity, any savings are offset by additional resources required to fund emergency services by the families, communities, local government, the NHS and even the police, and this was made absolutely clear in the report that we had to the Housing and Economy Committee which set out the £9m contingency we had to put into our HRA business plan. This was to mitigate one aspect of Universal Credit.

The report goes on “in the area of poverty related policy the evidence points to the conclusion that the driving force has not been economic but rather a commitment to achieving radical social re-engineering. Key elements of the postwar Beveridge social contracts are being overturned. Great misery has also been inflicted unnecessarily, especially on the working poor, on single mothers, on people with disabilities and on millions of children who are being locked into a cycle of poverty.

The statistics are a damning indictment of UK policy. A fifth of the population live in poverty, 1.5 million people in the UK are destitute, but for me the most damning of all are the first eight words of the report, “the UK is the world's fifth largest economy”.

QUESTION NO 8

**By Councillor Burgess for answer by
the Chair of the Edinburgh
Integration Joint Board at a meeting
of the Council on 22 November 2018**

- Question** (1) To ask what role the Council has in the future of the Astley Ainslie Hospital site.
- Answer** (1) Planning will produce a Place Brief (with input from the Community and NHS Lothian (NHSL) to help inform the sale of the site, and this will act as approved guidance for any forthcoming planning application.
- Question** (2) What issues have been discussed with the NHS about the Astley Ainslie site.
- Answer** (2) A wide range of issues have been discussed so far including: the scope of the supporting environmental information that Planning will expect to be forthcoming in the preparation of the Place Brief; and the drafting of a memorandum of understanding between NHSL and the Council in terms of the expectations of each body.
- Question** (3) Will the council ensure a Masterplan is developed for the site, including taking account of the asserted rights of way for pedestrians and cyclists through the site?
- Answer** (3) The rights of way are safeguarded for cycleway/footways in the adopted Edinburgh Local Development Plan and will be addressed within the Place Brief prepared. The next Council/NHSL/community workshop is taking place in January 2019 and is looking at specific active travel and transport issues.
- Question** (4) How will the local community be involved and consulted about the future of the site?
- Answer** (4) Various local bodies are currently engaged in the process, including the Community Engagement Group (chaired by Roger Kellett), the Grange Association, the Community Trust and representatives from all the adjoining community councils.

**Supplementary
Question**

Thanks very much. Regarding Answer 4 about community engagement on the future of the Astley Ainslie hospital site, can the Convener clarify if they're also aware of a properly constituted Development Trust, the Astley Ainslie Community Trust, which is supported by Government Making Places funds which is investigating with NHS Lothian's blessing an innovative community asset transfer for all or part of the site, which would deliver all the community benefit that current legislation expects plus a substantial capital receipt? Will the Council support this asset transfer process to unfold alongside the conventional planning process? Thank you.

**Supplementary
Answer**

I thank Councillor Burgess for the supplementary question and I am happy to discuss that with him in the near future and not make any commitment at this stage, because obviously it involves NHS Lothian who are the owners of the site, so I would be very happy to discuss it with him outwith this Chamber.

QUESTION NO 9

**By Councillor Lang for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

Question (1) How many officials are currently employed in the central team which deals with draft traffic regulation orders (TROs)?

Answer (1) There are currently four members of staff within the TRO team. Those staff are involved in the processing of not only TROs, but also TTROs for roadworks and events, as well as Stopping Up and redetermination orders across the Edinburgh area.

Question (2) How many draft TROs are currently with the central Traffic Regulation Order team awaiting publication for consultation, broken down by (a) ward and (b) the month on which the TRO was submitted to that team either from locality officers or the road safety team.

Answer (2) TROs are recorded by originating section, for example the Locality area, rather than the wards affected. As of 15 November 2018, there are 21 traffic orders which are to be advertised. A breakdown of those outstanding orders, and the month in which they were received by the TRO team, can be found appended to this response.

Question (3) What is the average turnaround time between draft TROs being submitted by locality officers to the central traffic regulation order team and that team publishing them for consultation?

Answer (3) There are a range of factors which can affect the time taken to process TROs and other legal processes for which the TRO team is responsible. As a result, it would be extremely difficult to determine an average turnaround period. However, we have a KPI to advertise 70% of all TROs within 9 months of receipt. In 2017, 94% of our TROs were advertised within this timescale and for 2018, (up to 15 November 2018), we have achieved 83%.

Question (4) What performance targets are in place for the central team dealing with draft TROs?

Answer (4) The TRO team has a single KPI in place, recognising that there are a range of factors outwith the teams (and the Councils) control that can affect the time taken to process and complete TROs. The KPI requires that 70% of all TROs received be progressed to advert within 9 months of receiving the TRO request.

Supplementary Question Thank you very much thank you for the answer to the question. Firstly under Question 2 there's reference to an appendix which I couldn't see attached, so if the Convener could follow that up that would be very helpful. But on the matter of substance that's a fairly common refrain from officers that it can take 18 months to two years for a TRO to go through its process even for relatively simple and straightforward TROs where there are no objections. Does she agree with me that that still feels like quite a long time and does she think anything can be done to try and reduce that time?

Supplementary Answer Thank you for your supplementary Councillor Lang. In terms of the report that could be appended, I already wrote late last night to ask for that to be recirculated so thank you. In terms of the length of time over TRO, as you'll be well aware, that time is often stretched to that 18 months if we have specific objections that they have to deal with. It is part of the process, it's important that people have their objections listened, heard and are responded to within that process. But yes I do think it's a long time, it holds us up and all sorts of things it means that we can't be as flexible as we would like to be as a Council and I know that we have made representations through various submissions to Scottish Government to look at ways in which that could be shortened and tightened.

QUESTION NO 10

**By Councillor Lang for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

Question (1) How many of the roads prioritised for (a) road strengthening, (b) resurfacing and (c) surface treatment in the 2018/19 capital programme have had this work completed so far and what percentage does this represent in terms of the total number of roads prioritised in each case?

Answer (1) The 2018/19 capital carriageway programme consists of strengthening, resurfacing and surface treatment schemes. The Road Footway and Bridges capital investment programme was approved by the Transport and Environment Committee on [9 March 2018](#) and schemes that have been carried forward from previous financial years (as reported to the Transport and Environment Committee on [20 June 2018](#)).

The total number of carriageway schemes in the 2018/19 are as follows:

2018/19	Total	Carried Forward	2018/19
Strengthening	45	25	20
Resurfacing	96	43	53
Surface Treatments	159	52	107

The number of schemes that have been delivered in 2018/19 to date are as follows:

2018/19	Delivered	% of Total Delivered to date in 2018/19
Strengthening	7	16%
Resurfacing	15	16%
Surface Treatments	45	28%

Question (2) What percentage of roads prioritised for (a) road strengthening, (b) resurfacing and (c) surface treatment in the 2018/19 capital programme are expected to be complete by the end of March 2019?

Answer (2) The estimated figures at this stage are:

2018/19	18/19 Delivery	m ²	% of Total
Strengthening	15	110,000	33%
Resurfacing	35	67,000	36%
Surface Treatments	57	137,000	36%
	107	314,000	

The total that will be delivered in 2018/19 is an increase on 2017/18 delivery on both the number of schemes delivered and the area treated.

2017/18	Delivered	m ²	% of Total
Strengthening	11	23,000	28%
Resurfacing	28	48,000	27%
Surface Treatments	65	118,000	38%
Total	104	189,000	

The June 2018 report (referenced in question 1) indicated that it would take two to three years to clear the backlog of schemes.

Question (3) How many of the (a) main footways and (b) local footways prioritised for resurfacing in the 2018/19 capital programme have had this work completed and what percentage does this represent in terms of the total number prioritised in each case?

Answer (3) The 2018/19 capital footway programme consists of main footway and local footway schemes (as outlined in the March and June 2018 reports in under question 1).

2018/19	Total	Carried Forward	2018/19
Footways	75	54	21
Local Footways	100	32	68

The number of schemes that have been delivered in 2018/19 to date are as follows:

2018/19	Delivered	% of Total
Footways	10	13%
Local Footways	0	0%

The local footways programme is programmed to start in quarter 4 of 2018/19.

Question (4) What percentage of (a) main footways and (b) local footways prioritised for resurfacing in the 2018/19 capital programme are expected to be complete by the end of March 2019?

Answer (4) The estimated figures at this stage are:

2018/19	18/19 Delivery	m ²	% of Total
Footways	20	17,000	27%
Local Footways	36	32,400	36%
		49,400	

The total that will be delivered in 2018/19 is an increase on 2017/18 delivery on both the number of schemes delivered and the area treated.

2017/18	Delivered	m ²	% of Total
Footways	6	5,100	27%
Local Footways	28	25,200	30%
Total	34	30,300	

The June 2018 report (referenced in question 1) indicated that it would take two to three years to clear the backlog of schemes.

**Supplementary
Question**

Thank you again for all the information that was provided. I was however pretty alarmed by the fact that at this point in the year, and the Convener now estimates that of the projects which were prioritised for resurfacing this year, only a third of those are now expected to be completed by the end of the financial year. We're often told that the work has to be done when the weather is better. Well looking outside right now I'm pretty concerned at the fact that only 10 of the 175 footways which were prioritised for resurfacing work have been completed so far. Why is so little of the plan which she and her Committee approved in March going to be completed this year?

**Supplementary
Answer**

Thank you for the supplementary, but on the specific answer to section 3 of your question, it states quite clearly the local footways programme is programmed to start in quarter 4 of 2018-19. I think that might help explain the figures shown. Inevitably there are constraints whether it's to do with weather, whether it's to do with all sorts of other aspects of whether or not we can get in because of other types of roadworks or building works. For example, St James's had all sorts of knock-on effect in terms of us being able to complete the programme that we have scheduled. There are a number of reasons behind it. I think however if you'd read the report that came to Transport and Environment Committee only in June of this year you would have been able to save yourself asking this particular question.

QUESTION NO 11

By Councillor Doggart for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 22 November 2018

Question (1) Has the Convener written to the Scottish Government requesting additional funding for the Lothian Valuation Joint Board in anticipation of the implementation of the Barclay proposals?

Answer (1) Yes.

Question (2) If the Scottish Government provides additional funding to Councils to mitigate the additional costs arising from Barclay implementation, will the Convener ring-fence the additional funding for the Lothian Valuation Joint Board?

Answer (2) Yes.

Supplementary Question Thank you Lord Provost and thank you to the Convener for your extremely brief answers. My supplementary hopefully will also require a similarly brief answer.

I'm just looking for confirmation from the Convener that the Scottish Government will actually provide the additional funding in full, that he's got that assurance from his correspondence and that the Council will not suffer any financial loss as a result of Scottish Government legislation?

Supplementary Answer I thank Councillor Doggart for his question. No I haven't received any assurances to that effect but it might be of interest to him and the rest of the Chamber to know that I'll be meeting the Minister for Public Finance later today and it's a matter I'll be raising then.

QUESTION NO 12

By Councillor Doggart for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 22 November 2018

Question

Has the Council, or any Council employees, issued communication suggesting who a “Named Person” would be for any specific children?

Answer

No, neither the Council, nor any council employees have issued communication around who the Named Person should be for any specific children.

We do follow Scottish Government Advice which sets out who the Named Person should be in general (e.g. for children of pre-school age it is the Health Visitor and for children/young people of school age, it is the Head Teacher).

Supplementary Question

Thank you Lord Provost, again thanking the Convener for his answer. Could I just get confirmation from the Convener that we have actually implemented a policy of no communication from a named person and that will continue in the future rather than the case of just having no communication issued from named persons?

Supplementary Answer

I thank you very much for your additional question. I think the answer yes, I was expecting you come up with something that said that we had actually communicated, but if you haven't found any communication then I assure you it hasn't happened.

QUESTION NO 13

**By Councillor Jim Campbell for
answer by the Convener of the
Transport and Environment
Committee at a meeting of the
Council on 22 November 2018**

Since the 1st October 2018 and the 18th November 2018
(or the latest date for which data can be gathered), can the
Convener quantify:

- Question** **(1)** How many unique references have been issued to residents
in response to reports of failed waste uplifts
- a) online
 - b) by phone
 - c) any other way
- Answer** **(1)** Reporting timescale: 8 October 2018 to 11 November 2018
- a) Online: 4740
 - b) by phone: 1455
 - c) by email: 1582
 - d) social media 276
 - e) other: 78.
- Question** **(2)** How many unique reference are tracked through to the
completion of a remedial waste uplift?
- Answer** **(2)** All are tracked through to completion (which in the majority
of cases includes a remedial waste uplift).
- Question** **(3)** What analysis has been done on:
- a) the average response time from a unique reference
being generated to a remedial waste uplift taking place
 - b) the proportion of reported failed uplifts that are
reported more than once and result in multiple unique
references being issued

Answer (3) Analysis is undertaken by the department regularly to report on both issues.

Question (4) How many complaints have been recorded relating to alleged failures in our waste service?

Answer (4) Between 8 October 2018 and 11 November 2018 there has been:

906 Stage 1 missed individual bin complaints

191 Stage 2 missed individual bin complaints

It should be noted that Stage 1 figures includes those that have been escalated through the complaints procedure to a Stage 2 complaint.

Supplementary Question Thank you Lord Provost and I thank the Convener for her answer. I'm much reassured that the waste service have done some analysis on the issues around the time it's taking to respond to failed waste up lifts and the possibility of multiple reporting of such. I'm disappointed that the Convener's been unable to share any of that analysis with us in the Chamber today. However my question is, as one of the leading cities in the fifth largest economy in the world, does the Convener think it's acceptable that 192 waste failures have resulted in stage two complaints?

Supplementary Answer Thank you for your supplementary Councillor Campbell. I'm never comfortable when I hear about complaints to do with the waste service but I do however recognise the fact that we're in a transition period and I will keep repeating that until we're out of the transition period. When we've achieved the levels that we were achieving much earlier this year, when we had record low levels of complaints. I fully expect that the waste service which is working extremely hard at the moment to rectify a lot of the situations, will return us to that situation in the relatively near future, so yes, am I comfortable, no of course not, nobody being in this role would be. Am I comfortable that our waste department is working extremely hard to try and rectify the situation and get us to a situation that reflects why we took the decision to move to these new waste systems, yes I am confident that will happen, thank you.

QUESTION NO 14

**By Councillor Jim Campbell for
answer by the Leader of the Council
at a meeting of the Council on 22
November 2018**

Councillors have previously been advised that the use of mygovscot to provide a login for our online functions that require such identification was not a matter of free choice for Council, despite the shortcomings of the mygovscot infrastructure provided by the Improvement Service.

Question (1) Can the Leader confirm if NHS Lothian, one of our Edinburgh Partnership Partners, are making use of mygovscot as the login method for patient eCommunications (eComms) that are presently being rolling out to citizens in Edinburgh?

Answer (1) Our understanding is that NHS Lothian do not use mygovscot login.

Question (2) Can the Leader shed light on what discussions on the benefits of using a common login, as provided by mygovscot, took place at the Integrated Joint Board, prior to the roll out of eComms?

Answer (2) There have been no formal discussions at the IJB regarding eComms.

Supplementary Question Thank you Lord Provost and I thank the Leader for his answer on this issue, and I thank him for making the investigations. Would he agree with me that the mygovscot being a national single sign-in created to facilitate the online access to a wide range of public services would make it desirable that that method was used by organisations such as NHS Lothian with which we are a partner and with whom we deliver many services through the Integrated Joint Board?

**Supplementary
Answer**

Can I thank Councillor Campbell for the question. I don't think I'm able to give a definitive answer because I, like all 63 of us, have to operationally look to every nook and cranny that the NHS are using their system with, so I wouldn't be able to pass judgment about whether the NHS should be using this system or another. In broad-brush principle strokes it would be advantageous for all public sector to be able to feed into one system but I'm not in a position to say that the NHS is in a position, their services are in a position or that the access to those services would be improved or detrimented by going into this, the system that we use, because frankly I haven't done that exploratory work and this is an organisation that hasn't done exploratory work, that's a matter purely for the NHS.

QUESTION NO 15

**By Councillor Jim Campbell for
answer by the Convener of the
Transport and Environment
Committee at a meeting of the
Council on 22 November 2018**

- Question** **(1)** Following the introduction of the new waste collection rounds at the beginning of October, can the Convener confirm:
- a) That residents of West Harbour Road should have been entitled to expect their waste collection would continue
 - b) The collection days and collection route references for West Harbour Road
 - c) The date of the first report that no waste had been uplifted from West Harbour Road
 - d) The date of the first waste collection was made from West Harbour Road
- Answer** **(1)** This is a ward-specific, indeed road-specific, series of questions which I am happy to answer separately from Council Questions.
- Question** **(2)** What quality assurance process was used to ensure that no streets were omitted when designing the new waste collection routes?
- Answer** **(2)** The new waste collection systems were designed on the basis of property rather than by street. Although great care was taken to ensure that the information transferred correctly, following implementation a small percentage of properties/streets were identified as being omitted. This meant that residents at these locations did not receive updated calendars and collections were not scheduled. As soon as these locations were identified, collections were arranged and routes amended to include these locations.

**Comments by
Councillor Jim
Campbell**

I thank you Lord Provost. I'm disappointed that the Convener has not shown any accountability in the answer to the first part of my question but I have no further questions.

QUESTION NO 16

**By Councillor Rust for answer by the
Leader of the Council at a meeting of
the Council on 22 November 2018**

Question

Can the Council Leader please detail all extant working groups/task force/fora as follows:

- Name of Working Group/task force/fora
- Parent Committee
- Political / Other composition
- Duration e.g. Short-term/Fixed Period etc

Answer

Please see the attached list of existing working groups

**Comments by
Councillor
Rust**

Thank you Lord Provost and I thank the Council Leader for his response. I think maybe simply by way of explanation our business manager had on our behalf tried to get this information and there was some difficulty in obtaining it, so I think it is useful for all of us just to see as a record, thank you.

Name of Group	Appointing Committee	Membership	Duration
Redford Barracks Working Group	Corporate Policy and Strategy	2 SNP, 2 Conservative, 1 Labour, 1 Green, 1 SLD	Long Life
All Party Oversight Group on Edinburgh Waterfront	Corporate Policy and Strategy	Convener or Vice-Convener of Housing & Economy Convener or Vice-Convener of Transport & Environment Convener or Vice-Convener of Culture & Communities Convener of Planning Convener or Vice-Convener of Education, Children & Families Convener or Vice-Convener of North East Locality Convener or Vice-Convener of North West Locality Granton Regeneration Locality Group A representative from Conservative, Green and Liberal Democrat Group (if not included in the representation above)	Long Life
All Party Oversight Group on West Edinburgh	Corporate Policy and Strategy	Convener or Vice-Convener of Housing & Economy Convener or Vice-Convener of Transport & Environment Convener of Planning Convener or Vice-Convener of Education, Children & Families Convener or Vice-Convener of South West Locality Convener or Vice-Convener of North West Locality	Long Life
Welfare Reform Working Group	Corporate Policy and Strategy	2 SNP, 2 Con, 1 Lab, 1 Green, 1 SLD	Long Life
Equalities Working Group	Corporate Policy and Strategy	1 SNP, 1 Lab, 1 Cons, 1 Green, 1 SLD	Long Life
Brexit Working Group	Corporate Policy and Strategy	2 SNP, 2 Con, 1 Lab, 1 Green, 1 SLD	Long Life
Edinburgh Extension Act 1920	Council/Lord Provost	2 SNP, 1 Con, 1 Lab, 1 Green, 1 SLD	Short Life

Meadowbank Sports Centre and Stadium Working Group	Culture and Communities	1 Lab, 1 SNP, 1 Lib Dem, 1 Green, 1 Cons - Councillors Wilson (Chair), McNeese-Mechan, Osler, Staniforth, Brown	Short Life
Music is Audible Working Group	Culture and Communities	1 SNP, 1 Lab, 1 Lib Dem, 1 Green, 1 Cons - Councillors McNeese-Mechan (Chair), Wilson, Osler, Staniforth, Mitchell	Short Life
Tourism and Communities Working Group	Culture and Communities	6 members (2 each from Housing and Economy Committee, Transport and Environment Committee and Culture and Communities Committee): Councillors Wilson (Chair), McNeese-Mechan	Short Life
CCTV Working Group	Culture and Communities	1 SNP, 1 Lab, 1 Cons, 1 Green - Councillors McNeese-Mechan (Chair), Brown, Staniforth, Wilson	Short Life
Graffiti Working Group	Culture and Communities	3 Coalition and 3 Opposition - Councillors McNeese-Mechan (Chair), Mitchell, Osler, Rae, Wilson, 1 Coalition vacancy	Short Life
Consultative Committee with Parents	Education, Children and Families	Convener & Vice-Convener of the Education, Children and Families Committee and 2 Cons, 1 SNP, 1 Green, 1 SLD	Long Life
Duncan Place Working Group	Education, Children and Families	Elected Members from Leith Ward	Long Life
Gaelic Implementation Steering Group	Education, Children and Families	Vice-Convener & Gaelic Champion (as Convener), 1 Lab, 1 Cons, 1 Green, 1 SLD	Long Life
Wester Hailes Working Group	Education, Children and Families	Convener & Vice-Convener of the Education, Children and Families Committee and 1 Cons, 1 Green, 1 SLD	Short Life
Towerbank Primary - On Site Cooking of School Meals Working Group	Education, Children and Families	1 SNP, 1 Lab, 1 Cons, 1 Green, 1 SLD (or Local Ward Member)	Short Life
Corporate Parenting of Looked After Children Member/Officer Group	Education, Children and Families	Convener & Vice-Convener of the Education, Children and Families Committee and 2 Cons, 1 SNP, 1 Lab, 1 Green, 1 SLD & 1	Long Life

		Religious Rep	
Health and Safety Consultation Working Forum	Finance and Resources	Vice-Convenor of the Finance and Resources Committee	Long Life
Elected Members ICT and Digital Sounding Board	Finance and Resources	2 SNP, 2 Cons, 2 Labour, 1 Green and 1 SLD	Long Life
Joint Consultative Group	Finance and Resources	2 SNP, 2 Cons, 1 Labour, 1 Green and 1 SLD	Long Life
Edinburgh Shared Repairs Service and Legacy Programme Board	Finance and Resources	Officer only	Long Life
Edinburgh Affordable Homes	Housing and Economy	Convener & Vice-Convenor (as Chair) of Housing & Economy Committee and 3 Cons, 2 SNP, 1 Lab, 2 Green, 1SLD	Long Life
Edinburgh Homelessness Forum	Housing and Economy	Convener of Housing & Economy Committee (as Chair) and 1 SNP, 1 Lab, 2 Cons, 1 Green, 1 SLD	Long Life
Homelessness Task Force	Housing and Economy	Convener of Housing & Economy Committee (as Chair) and 1 Lab, 1 Cons, 1 Green, 1 SLD	Short Life
Short Term Lets Working Group	Housing and Economy	3 SNP, 2 Lab, 2 Cons, 2 Green, 1 SLD	Long Life
Multi Storey Working Group	Housing and Economy	Officer Only	
City Centre Vision Member Officer Group	Planning		Long Life
Civic Forum	Planning	Officer Only	Long Life
Edinburgh Development Forum	Planning	Officer Only	Long Life

Active Travel Forum	Transport and Environment	Convener of the Transport and Environment Committee	Long Life
Local Access Forum	Transport and Environment	Convener of the Transport and Environment Committee	Long-Life
Member/Officer Working Group on Carbon, Climate and Sustainability	Transport and Environment	Convener and Vice-Convener of the Transport and Environment Committee, 1 Conservative, 1 Green and 1 SLD.	Long-Life
Tram All Party Oversight Group	Transport and Environment	Leader and Deputy Leader of the Council, Convener and Vice-Convener of the Transport and Environment Committee, Opposition Group Leaders, Opposition Transport Spokespersons.	Long-Life
Tram Operations Group	Transport and Environment		Short Life
Transport Forum	Transport and Environment	Councillors Macinnes, Booth, Burgess, Cook and Gloyer.	Long-Life
Water of Leith Phase 2	Transport and Environment		
Tram Extension and Leith Programme Board	Transport and Environment	Officer Only	Long-Life
Single Use Plastics Working Group	Transport and Environment	Councillors Doran (Convener), Bird Burgess, Cook and Gloyer.	Short-Life
Cammo Estate Advorsort Committee	Transport and Environment	Councillors Hutchison and Work.	Long-Life
Central Edinburgh Development Working Group	Transport and Environment	Convener and Vice-Conveners of the Transport and Environment Committee and the Housing and Economy Committee, Convener of the Planning Committee, 2 Conservative, 1 Green and 1 SLD.	Long-Life
Zero Waste Cross Party Group	Transport and Environment	1 SNP, 1 Labour, 1 Conservative, 1 Green, 1 SLD.	Long-Life
NW Waterfront Working Group	North West Locality Committee	Elected Members from Almond and Forth Wards	Short-Life

QUESTION NO 17

**By Councillor Neil Ross for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

Question (1) As the Convener will be aware, there have been numerous instances where residents who have paid the Garden Tax have not received their bin sticker.

Can the Convener please explain what are the principal reasons for the non-issue of bin stickers?

Answer (1) The principal reasons for the non-issue of bins stickers are:

- Registrations not being logged onto the system;
- Mailing issues (e.g. customers not receiving the letter, letters not being delivered and letters being destroyed or disposed of by the resident); and
- Eligibility issues (e.g. commercial properties registering for the service and registrations from outwith the Edinburgh boundary).

Question (2) One reason given to residents is that the address on the Council's database is incorrect and problems appear to arise with correcting the address, for example if it involves a number and a letter, such as 8C.

Can the Convener confirm that this is correct and, if so, explain what is being done to ensure that the system is amended to resolve this issue so that it will not recur in future, in particular, during the next registration window in February?

Answer (2) There have been issues with addresses not being correctly registered on the system. For the February registration period the online form will be updated to include a validation check on any addresses. There is also a confirmation field being added that will ensure citizens confirm that the address they have added is correct for the property for the collection and for the sticker to be issued to.

**Supplementary
Question**

Thank you Lord Provost and I thank the Convener for her answers to my questions. I note that one of the principal reasons for the non issue of bin stickers is that registrations have not been logged onto the system, so by way of supplementary question, is this issue also being addressed and if so how?

**Supplementary
Answer**

Thank you Councillor Ross for your supplementary. It is being addressed, it's unfortunate but you'll see this is only one of three reasons why this has occurred, the other two are slightly less under our control. You also see from Answer 2 exactly what's being done to try and address some of these issues, I would reflect that in my answer to Councillor Campbell earlier on the waste services working across a number of areas within this to rectify some of these smaller issues that have emerged through the process. I would however just like to address something. In the previous in answer to Councillor Campbell in Question 15, I have in fact addressed your issue. I've said I'd be happy to answer separately given the fact you asked a road specific question, not even a ward specific question. So I think being told that I'm no longer willing to accept accountability, a bit rich.

QUESTION NO 18

By Councillor Corbett for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

Question (1) In the period 1 October 2017 to 30 September 2018 how many complaints were logged about overflowing communal bins or missed pick-ups of communal bins?

Answer (1) 17,751

Question (2) What systems does the council have in place to collect feedback and review capacity or siting of communal bins where there are consistent overflow problems?

Answer (2) Regular reviews of the capacity and siting of communal bins is undertaken and changes are made where appropriate. The process includes reviewing information gathered from complaints, smart sensors, weekly missed bins reports and the schedule for emptying the bins.

Question (3) What plans does the council have to review communal bins?

Answer (3) A project is underway to review the communal bin service in the city and a pilot project has been undertaken in Ward 12 (Leith Walk). The most recent update on the project was presented to Transport and Environment Committee on [9 August 2018](#).

Supplementary Question Thanks to the Convener for the answer and the answer is that over the last year there's been almost 18,000 complaints about overflowing or missed pick-ups of communal bins. I guess there's not a Councillor in the chamber here who won't see that in their own ward almost on a daily basis. So I just want to check with the Convener how confident she is about the systems that we have both for feedback from residents and from staff out doing their day work picking up the bins, how confident we are about those systems for feeding back where those bins are

consistently overflowing and consistently being failed to pick up. How confident we are about those being as good as they can be, and that therefore we should see a fairly large drop in complaints about communal bins in the future.

**Supplementary
Answer**

Thank you Councillor Corbett. Yes, that kind of figure is always worrying when you see it. Of course within that figure there may very well be multiple reports of a similar bin, it does not necessarily mean that we had 17,000 overflowing communal bins across the city. Clearly the complaints assessment is something of a blunt instrument when we're looking at the service. What's been interesting is that within the pilot study that was undertaken, where we are looking at more frequent pick ups etc, complaints dropped dramatically within that, so I'm confident that as we move forward we'll be able to see quite a difference in terms of the levels of service provided and therefore a subsequent drop. In terms of the processes I think we're always looking at ways to improve them, and indeed if you have any suggestions I'd be glad to receive them, but it is something that our waste service is looking out at the moment, thank you.

QUESTION NO 19

**By Councillor Bridgman for answer
by the Conveners of the Finance and
Resources and Transport and
Environment Committees at a
meeting of the Council on 22
November 2018**

With the Consultation for the future of George Street under way, please can the Conveners confirm the following:

- Question** (1) What was the total income from parking meters and parking tickets on George Street in the last full financial year?
- Answer** (1) The total revenue income from parking on George Street for 2017/18 was £1,421,976.10 from pay and display, and £160,214.96 from parking tickets.
- Question** (2) How many weeks of the year (or part weeks) was parking:1: fully restricted and 2 partially restricted (if partially what was the approximate percentage of the street that was not available for parking)?
- Answer** (2) Large scale events on the street accounted for suspension of parking. In the winter period, approximately 59 pay and display parking bays (31.6%) were suspended for 61 days. In summer period, approximately 78 pay and display bays (41.7%) were suspended for 31 days. Each year there are a range of smaller scale suspensions for short or one-off events, or other reasons.
- Question** (3) What is the minimum cost that the Convenor of TEC anticipates for even the simplest changes to be put in place on George Street?
- Answer** (3) Of course, no work has been undertaken to assess any costs at this stage, given that this is a consultation on a CONCEPT only. Once the design is finalised, a cost estimate will be prepared for consideration within the business case.

**Supplementary
Question**

Thank you Lord Provost and thank you Convener and your team for your answers. My question came about as I understand that the previous Convener for Transport was vehemently opposed to any closure of parking on George Street because it has a significant impact on income and seeing that this income equates to almost £1.6m every year I fully understand why that was her view and yes I appreciate that this proposal is a concept in capital letters stage but it seems counterintuitive to me to remove an income stream in our current situation. However hypothetically speaking if the scheme was to proceed what would the Convener envisage this £1.6m per annum shortfall being replaced without cutting essential services or is she aware of a windfall that we are not aware of, thank you.

**Supplementary
Answer (by
Councillor
Macinnes)**

Thank you for your interesting supplementary Councillor Bridgeman, it covers a lot of ground. First thing I would say is that while I share the same first name as our previous Convener, I have a different approach on it because life has moved on. We are looking at how we manage the City as a whole not necessarily just George Street. This is one step in a city centre transformation and of course all of the levers that we bring into play both in terms of reducing the amount of traffic in the city centre and indeed all the consequent negative impact of that, we're also looking at means to balance the loss of income. We are still only at concept stage. To ask me to provide specific answers to meet those specific parts of your supplementary would be I think foolish at this stage because it would be tying us into actions. I want us to be flexible in our approach in this. We're still going through consultation and out of that will emerge a coherent plan. George Street is not alone in this city, we have an enormously large area to consider in this city and will do so in a holistic manner, thank you.

QUESTION NO 20

By Councillor Booth for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

Question (1) What is the cost, including both labour and materials, of replacing broken paving slabs on the footway, in each of the last three years, broken down by ward?

Answer (1) We do not hold this information at this detailed level.

Question (2) What is the method of assessing whether a broken paving slab needs to be replaced?

Answer (2) Individual broken paving slabs will be detected during regular safety inspections and will be categorised for repair depending on the nature of the damage.

In addition, the requirement for larger numbers of replacement paving slabs is also undertaken as part of the visual inspection process for capital application.

Supplementary Question Thank you Lord Provost and I thank the Convener for her answer. In answer to my first question she said that the information isn't provided at this detailed level. If it's not provided, if it's not kept at a ward level, can she clarify at what level it is held and whether that information could be provided to Councillors please, and in answer to my second question can she clarify what the categorisation is that's referred to in the answer to Question 2 please?

Supplementary Answer Thank you Councillor Booth you might regret that question because I can provide you with a categorisation of that, in fact I could read it word for word if you would choose for me to do so. In terms of a briefing around the detailed levels of that I'd be happy to provide that for all Councillors and indeed directly to Councillor Booth. In terms of the category, you're asking about how they're assessed. There are three categories essentially, category 1 are those that require immediate attention because it would represent an immediate an imminent hazard, those are

made safe within two hours and then a permanent rectification of the problem is made within seven days. Category 2 are those that require urgent attention but don't yet pose an imminent hazard and typically this would include rogue apparatus etc that would develop category one status in a very short term. There's a 10 day window there for us to meet permanent repairs to that those categories. Category 3 is a much broader one obviously with much less urgency attached to it and we have a 1 month window in which we can make those repairs. I hope that is sufficient.

**Comments by
Councillor
Booth**

Is it possible to e-mail that information round to Councillors?

**Councillor
Macinnes**

Certainly.

QUESTION NO 21

By Councillor Booth for answer by the Convener of the Culture and Communities Committee at a meeting of the Council on 22 November 2018

For each of the venues which are owned by the Council and operated on our behalf by Edinburgh Leisure, will the Convener please:

Question (1) List the number and type of cycle parking spaces at each venue

Answer (1)

Venue	Total no. of cycle spaces for public*	Type of cycle spaces	City bike scheme in operation in close proximity?
Ainslie Park Leisure Centre	14	1 x commie games legacy rack holds 10 bikes 7 x 'u' shaped racks hold 14 bikes	No
Craiglockhart Tennis & Leisure Centre	34	Leisure Centre has 7 toastracks for 14 bikes Tennis Centre has 10 toastracks for 20 bikes	Closest bike station at Fountainbridge or Bruntsfield
Dalry Swim Centre	Up to 8	U design racks	Closest is at new Boroughmuir High School
Drumbrae Leisure Centre	20	U shaped	Nearest is at The Gyle
Edinburgh International Climbing Arena	30	15 x inverted 'u' bars. Also handrail round reception posts is used for chaining bikes	No
Glenogle Swim Centre	12	U-design racks plus plenty of railings which customer chain bikes to	No
Gracemount Leisure Centre	12	U shaped	Nearest is at Kings Buildings
Jack Kane Centre	Up to 8	2 x Sustrans racks	Nearest is at Fort Kinnaird

Kirkliston Leisure Centre	10	5 x U-shaped	No
Leith Victoria Swim Centre	14	7 x U-shaped racks 3 x U-shaped racks	Nearest one is 0.9km at Victoria Quay
MEGGETLAND	10	5 U-shaped racks	No
TUMBLES @ Portobello	10	10 Commie Games legacy bike rack	Yes <i>(12 Just Eat bikes on promenade)</i>
Portobello Swim Centre	12	Bike racks currently out of use due to maintenance work to frontage of building (6 x u shaped racks)	Nearest at Tumbles (on promenade)
Royal Commonwealth Pool (RCP)	40 for customers	U frames	Yes at RCP frontage, 10 bikes
Warrender Swim Centre	18	3 racks for approx. 12 bikes plus 6 railing type racks and hoops attached to wall for chaining approx. 8	3 nearby stations at Meadows East, Bruntsfield Terrace & the RCP
GOLF	0	No bike racks at any golf venues	

*venues have alternative arrangements in place for staff who cycle to work

- Question** **(2)** Identify whether a travel plan has been produced for each venue, and if so, list:
- a) the date of that travel plan;
 - b) the main recommendations, and
 - c) which of the recommendations have been carried out, and which are outstanding

Answer

- (2) Edinburgh Leisure have confirmed that no travel plans have been produced for their venues. However, as part of the Council's Smarter Choices, Smarter Places activity, sustainable travel advice has been provided to two Edinburgh Leisure facilities for both visitors and employees. A new Travel Plan and Research/Monitoring Officer has recently been appointed by the Council and she will be meeting with Edinburgh Leisure in due course to discuss how the Council might support them in their travel planning.

In addition, school travel planning is carried out on a site by site basis, with support from the Council's road safety team

Supplementary Question

Thank you Lord Provost, I thank the Convener for his answer. Firstly unless my maths is wrong. I'm not 100% sure that the numbers add up, so, for example, Ainslie Park Leisure Centre, the third column suggests there are 24 parking spaces but the second column suggests there are 14, so firstly could we just double check whether the figures are accurate or whether my maths is wrong, which is possible I admit, and secondly on the issue of Edinburgh Leisure venues ensuring that they are accessible to those who are travelling there by active travel, in other words walking and cycling. Does that the Convener agree that an organisation whose mission is making a positive impact on people's health and wellbeing should be at the forefront of promoting active travel and if so how will he encourage Edinburgh Leisure to do that?

Supplementary Answer

I thank Councillor Booth for his question and I would say that, yes I certainly would agree that but in fact I think we're way ahead of you Councillor Booth because we have, as it says in the answer to the question, recently appointed a Travel Plan Research Monitoring Officer who will be actively, indeed is already actively talking to Edinburgh Leisure about how we can do just that and promote active travel plans. I'm more than happy to check statistics of the exact numbers of cycle bays at the various routes but it's worth also saying that in actual fact with the new city bike scheme actively looking for places to put the bike racks, I have already been in touch with Edinburgh Leisure venues and with the Edinburgh Bike Scheme and they are more than willing to roll out a travel plan that covers Edinburgh Leisure venues, so these things are in hand.

QUESTION NO 22

**By Councillor Gloyer for answer by
the Convener of the Finance and
Resources Committee at a meeting
of the Council on 22 November 2018**

Question (1) What assessment was made before the introduction of the garden-waste charge to ensure that Best Value (as identified in the Scottish Public Finance Manual) was achieved?

Answer (1) As is the case with all of our proposed service changes, a Best Value test is applied to ensure that the service change will deliver Best Value for the Council. This included a comparison with other local authorities that have introduced a charge for garden waste and their respective charges, a challenge of the potential risks that may arise from introducing the charge, consultation as part of the budget setting process and an assessment of delivery models.

Question (2) What evaluation is being made to ensure that Best Value is still being achieved?

Answer (2) A review of the service and the garden waste charge will be undertaken after the first year.

Question (3) What are the results of this evaluation to date?

Answer (3) Not applicable.

Supplementary Question Thank you Lord Provost and I thank the Convener for his answers. I briefly would like to ask him to clarify what is meant by assessment of delivery models. Does it mean that you compare the cost of the council delivering the service against what commercial companies would charge and if so were the commercial companies expected to guarantee that Council Garden taxpayers bins would actually be emptied?

Supplementary Answer I thank Councillor Gloyer for her question. The answer is that we have looked, as I think the answer indicates at what other councils have been doing both within Scotland and

further afield and that is the basis on which we have adopted the model that we have at the moment and we expect that despite some initial teething problems it will produce good results.

QUESTION NO 23

By Councillor Young for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

- Question** (1) When will the formal review of the city wide 20mph roll out commence?
- Answer** (1) The monitoring programme for the citywide 20mph rollout is an ongoing process that involves assembling data over a period of several years. Baseline information was captured prior to the commencement of the phased rollout and post implementation information has been gathered at various stages since. A concluding speed survey and a full final public perception survey is planned for early spring 2019, one year after the completion of the network.
- Question** (2) What is the scope and objective of the review, what are the questions to be asked/answered, and what are the expected outcomes/next steps?
- Answer** (2) The scope of the monitoring programme was reported to the Transport and Environment Committee on [17 March 2015](#).
- Question** (3) How long is it expected that the review will take and when will the conclusions be shared with councillors and the wider public?
- Answer** (3) In addition to the Council's own monitoring, we are currently discussing the incorporation of relevant material emerging from a major independent research project by the Scottish Collaboration for Public Health Research and Policy (University of Edinburgh). When the timescales attached to that discussion are properly established then likely publication dates for the 20 mph review will be reported back to the Transport and Environment Committee.
- Question** (4) What are the methods that (a) community councils and (b) the general public can contribute to that review?

Answer (4) The Council has been recording and continues to record all comments received regarding the 20mph implementation and these will form part of the final report on the project.

Any interested stakeholder organisations or individuals can submit comments via the project email address 20mph@edinburgh.gov.uk.

Supplementary Question

Thank you very much Lord Provost and thank you very much to the Convener for her answer. While absolutely welcoming the ongoing monitoring that's taking place at the 20 mile per hour programme I think due to some of the language and terminology that's been used by the Administration there is an expectation that a formal review was going to take place after this year. I think there are many community groups that are waiting for that specific time period to start and after that year's anniversary they'll have an opportunity to feed in formally. So my follow-up question is just to ask if the Convener will agree to write or to have officers write to all Community Councils and similar stakeholders inviting them to provide that feedback and providing those contact details and also timescales to do so.

Supplementary Answer

Thank you I'd be happy to do so. It's a simple enough process and we're always glad to get Community Councils feed-in. We already have had quite a lot about specific roads that people are wanting to have reviewed etc and that's something that we are actively reviewing. I'd also point to the short item coming forward in the business bulletin for 6 December Transport and Environment Committee which covers further information about the timing and the nature of the review that we're having taken place, thank you.

QUESTION NO 24

**By Councillor Booth for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

Question (1) What is the process for removal of a vehicle which is parked in a bay for which it is not designed or approved, for example a City Car Club bay?

Answer (1) A Parking Attendant will observe a vehicle parked incorrectly and will do the required checks for permits/badges. If the vehicle should not be there, a parking ticket is issued and the vehicle is authorised for removal. Removal trucks are then allocated to specific vehicle lifts in accordance with the availability of resources and the Council's [removal priority list](#).

Question (2) How can members of the public, including Car Club members, request removal of a vehicle parked in a City Car Club bay?

Answer (2) They can phone/email the Council or they can phone/email the Car Club who will contact the Council.

Question (3) How many vehicles have been removed from such bays in each of the last 12 months?

Answer**(3)** Please find a table showing the details below

Month	Vehicles removed from car club bay	Vehicles removed from motorcycle bay
Sep-18	10	5
Aug-18	11	1
Jul-18	5	0
Jun-18	5	1
May-18	3	2
Apr-18	6	3
Mar-18	3	6
Feb-18	9	4
Jan-18	8	9
Dec-17	11	1
Nov-17	10	6
Oct-17	11	9

Supplementary Question

Thank you Lord Provost, I thank the Convener for her answer. Could she clarify in answer to my third question how many of those uplifts were due to reports from members of the public or from the City Car Club, and if she isn't able to provide that information at today's meeting can she please e-mail it to me?

Supplementary Answer

I don't have that information directly to hand. As you know, members of the public can report directly to the car clubs so it depends. I'm not quite sure of the value of the origination of the concern but I'll be happy to try and dig that out for you and if so if it's available I'll send it to you.

QUESTION NO 25

**By Councillor Booth for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

Question (1) In what circumstances does the council use “cyclists dismount” signs, either on a temporary and permanent basis?

Answer (1) Cyclists dismount signs would be used at the junction/intersection of an area where cyclists are permitted to cycle and an area where they are not i.e. where a shared use surface meets a pedestrian only surface.

In a temporary traffic management situation, a sign of this nature would only be considered appropriate if it was deemed unsafe for cyclists to continue the route, and should only be accepted as a last option to manage conflict with pedestrians.

Question (2) How many of such signs are currently in place, and does the council have any plans to remove them?

Answer (2) There is no inventory of these signs. If the signs have been correctly placed there would be no intention to remove them.

Supplementary Question Thank you Lord Provost and I thank the Convener for her answer. I'm concerned to hear that there's no inventory of such signs which are strongly discouraged in the Department for Transport's traffic signs manual. Is she aware of the case of Northumberland County Council which was threatened with legal action and agreed to remove over 250 such signs which were inappropriately sited. Will she agree to meet with me and relevant Council officers to discuss how an inventory could be established and wrongly placed signs removed to ensure the Council is not exposed to potential legal action?

**Supplementary
Answer**

Yes I'd be happy to meet with you and with the relevant officers although I'd also like to get some further background on the legal basis of that challenge to Northumberland. It may not be applicable here in Scotland, but I'd certainly be interested in exploring ideas with you. I mean, by their very nature, much of these signs are temporary and that may explain why we talked about the inventory not being immediately available since they will be changing from week to week depending on roadworks, but yes happy to meet with you and to go through the further details.

QUESTION NO 26

By Councillor Booth for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

Question (1) What action is the council taking to ensure its own staff drive responsibly, stick to the speed limit and respect vulnerable road users while driving as part of their job?

Answer (1) The Council's Code of Conduct and Disciplinary procedure do set out the responsibilities of employees in undertaking their duties (including driving). A new driver policy is being prepared for consideration by Finance and Resources Committee in December 2018. This reinforces the responsibilities for anyone driving as part of their Council duties.

Question (2) What action is the council taking to encourage its employees to walk or cycle to work?

Answer (2) The Council has incentives in place for staff to walk or cycle to work including the bike to work scheme and secure cycle parking at workplaces.

Using funding from the Scottish Government's 'Smarter Choices, Smarter Places' programme a Travel Plan and Research/Monitoring Officer has very recently been recruited. This work will include developing a travel plan for the Council's staff, promoting existing initiatives (also relating to public transport), making recommendations and putting in place new initiatives to encourage people to walk, cycle and use public transport.

Supplementary Question Thank you Lord Provost and I thank the Convener for her answer. Will she consider offering council employees subscriptions to the Edinburgh Cycle Hire Scheme as an incentive to active travel?

**Supplementary
Answer**

It's a very nice idea and my understanding is that tomorrow for Black Friday, a concept I don't particularly approve of, but in this particular case there is an opportunity for you to take out a subscription to the Bike-Hire Scheme for half the normal price for an annual membership. As it happens I cannot commit to giving those subscriptions to members of staff as I have no idea of what that the level of commitment that would be. I think it's an interesting idea to explore and I'll ask officers to look at it.

QUESTION NO 27

**By Councillor Mowat for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

Question

Given the bringing online of the Millerhill facility could the Convener provide details of where and how the different streams of waste are being treated; food, residual, plastic, card, paper, metal, glass, small electrical and textiles given the significant public concern being expressed about what happens to waste once it is collected?

Answer

Comprehensive information on the recycling of individual waste streams has been provided on the Council website for some time
http://www.edinburgh.gov.uk/info/20001/bins_and_recycling/12/what_happens_to_your_recycling.

**Comment by
Councillor
Mowat**

Thank you for the helpful response, if only the Council's website was so easy to navigate.

QUESTION NO 28

By Councillor Doggart for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

Question

Will the Convener in her capacity as Chair of Transport for Edinburgh request that tram and bus services in the City of Edinburgh mark the silence on Armistice Day, Remembrance Sunday, and any other official declared silences?

Answer

Both Lothian Buses and Edinburgh Trams report they halt at 11.00am on Armistice Day and Remembrance Sunday, when the two do not fall on the same day. The Control Rooms remind drivers ahead of 11.00am that they should prepare to “go static” when it is safe to do so and call the start and end of the silence. Arrangements for any other official declared silences are made by both organisations as appropriate.

Supplementary Question

Thank you Lord Provost and thank you Convener for your answer. I think just to emphasise that the nature of the request was that the commemoration at Haymarket which is obviously such an important commemoration for the city in particular, was interrupted by the sound of the bell from the trams and I was just looking for confirmation from the Convener that she would be willing to reinforce our view that such an important commemoration for Edinburgh should not be interrupted by an unnecessary noise from a tram?

Supplementary Answer

Thank you Councillor Doggart. I'm very happy to confirm that that is the case. These occasions as you said, you've gone on to mention other ones beyond what happened at Haymarket recently, they are incredibly important to the life of a city, they touch all parts of our community and it's important that we give them the respect that they are due. I wasn't aware of a specific issue at Haymarket, Edinburgh. Tram drivers are instructed to stop so it was most unfortunate that that didn't happen. I'll talk about it in a specific manner to Edinburgh Transport Management because clearly it's an operational issue and there's a limit to how much I can get involved in it, but I'll do so.

QUESTION NO 29

By Councillor Whyte for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

Since the change to schedules and routes for the waste collection service which no longer deploys collections on Mondays:

Question (1) Can the Convener detail how many teams have been tasked with Monday collections?

Answer (1) Since 8 October 2018, there have been five Mondays and on each there have been crews operating to catch-up on collections. There has been a maximum of five crews across various waste streams on any one of these Mondays.

Question (2) What are the payment rates for working these routes on a Monday?

Answer (2) Overtime payments are paid at time and a half for these shifts.

Question (3) What, if any are the additional costs to the Council budget?

Answer (3) Overtime is paid a month in arrears so we unable to provide details of additional costs at this time.

Supplementary Question Thank you Lord Provost. Given that the answer seems to suggest that the Convener is unwilling to say, or her officers don't know what the cost, the rough cost of a day at time and a half for a bin crew is, how does she know that all the mitigating actions over additional waste collections from the bins crisis can be contained in budget and can she assure us that the full additional costs of sorting these problems will be submitted to Committee?

Supplementary Answer Thank you Councillor Whyte. This is very strictly an operational issue and I'll be discussing the matter with the Head of Service. If there is a requirement to bring it back to Committee I will do so.

QUESTION NO 30

By Councillor Mowat for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

In the Post Tram Construction – Review of Traffic Management and Interfaces report to Transport and Environment Committee 18th March 2014 recommendation 3.1.14 was agreed which read “agrees to allow a period of 12 months after commencement of tram passenger operations to monitor traffic movements around the city centre in order to identify emerging issues after this period and that a further report be submitted to Committee which assesses the situation and brings forward proposals as appropriate”; and in the Post Tram City centre Review – West End report of 26th August 2014 noted the recommendation at 1.1.6 “the ongoing monitoring of traffic operations in the broader city centre area in line with the recommendations of the report presented to the Transport and environment Committee on 18 March 2014” which was expected to report in 2015/16 – the only subsequent report that can be found is one relating to the Review of Infrastructure at the West End of Princes street on 5th October 2017 which does not report on the city centre monitoring. Could the Convenor detail:

Question (1) Where the results of the monitoring have been reported and what actions have been proposed as a result of this monitoring?

Answer The report in [March 2014](#) set out a series of recommendations on changes proposed, including monitoring of issues following implementation.

In [August 2014](#), a follow up report was considered which addressed the issues raised to date and proposed changes for implementation.

In [January 2015](#) a report was considered to make permanent the changes agreed in August 2014 on Hope Street.

- Question** (2) If this has not been reported to Committee who took the decision not to continue with this work?
- Answer** (2) Following Council Transformation in 2016, this activity was incorporated into Council's on-going routine management of the road network and associated issues have been responded to as they have arisen.
- Supplementary Question** Thank you Lord Provost I thank the Convener for her answer. I will speak fairly quickly in the hope that she doesn't take the opportunity to make another prepared speech on the back of one of my questions and perhaps this time I will get a right of reply if she does.
- The June 2014 report which I reference in my question is then re referenced in the answer, agrees a recommendation of 12 months monitoring City Wide post tram introduction to see if there were any problems on the road network. The next report was in August 2014, five months after the March report, so I repeat my question which was not answered, was the 12 months monitoring carried out and where has this been reported given that there are still a number of roads with issues which have not been dealt with as a result of the introduction of Tram?
- Supplementary Answer** Thank you for your question Councillor Mowat. I mean, clearly you were around throughout this process, in a way that I was not, with an avowedly keen interest in what's going on there. I will get back to you with the content that you're requesting. My understanding was that we had in fact answered your questions in here, but if there are further questions I'd be glad to receive them in writing and I'll talk them through with officials and we'll get back to you.

QUESTION NO 31

By Councillor Cook for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 November 2018

Question (1) How many TROs, TTROs and ETROs have been subject to a delay in the start of their respective legal processes due to the switch to a map based system, (please break down by type)?

Answer

(1)

Year	Total Number of TROs	Total Number of TROs delayed due to switch to map based system
2017	101	8
2018	102	12

The switch to map-based traffic orders has had no impact on the processing of TTROs or Experimental Traffic Orders received by the TRO team.

Question (2) What measures are being undertaken to ensure that staff are now equipped with the resources to tackle any backlog in a timely manner?

Answer (2) Now that the switch to map-based traffic orders is complete, the TRO team have had training in the use of the new system and are fully equipped to process any and all traffic orders received from other sections, as well as those generated within the Parking function.

Supplementary Question Thanks Convener, I thank the Convener for her somewhat cantankerous performance so far. I'd like to request some specific

Lord Provost Was that your question Councillor Cook?

Councillor Cook No it was not my question – still remarkably shorter than Councillor Booth’s contribution.

Lord Provost Could you please contain yourself to asking your supplementary question please.

Councillor Cook Rules for some and rules for others it seems.

Can the Convener confirm If she is in a position to furnish me with the details of the TROs that have been delayed due to the switch to map-based orders mentioned in the question?

Supplementary Answer Sorry I couldn't hear properly the question that arose from that. I think you're looking for further details on the 21 that have been delayed. 20 of those have been passed to an officer we're expecting to be able to push those through quite shortly, to being advertised, I can't remember the exact date, within the next couple of months. There's one that's outstanding we were still waiting for information to come forward from the developer to allow us to move forward on that, thank you.

QUESTION NO 32

**By Councillor Whyte for answer by
the Leader of the Council at a
meeting of the Council on 22
November 2018**

Question (1) Given the Council has a policy of formal annual appraisal process (Annual Performance Conversation) for all staff can the Leader outline the appraisal process for Senior Officers?

Answer (1) The process for senior officers, including Executive Directors and Heads of Service, employed by the Council is the same as that outlined for other Council employees, in accordance with the Council's Performance Framework. The Chief Executive's appraisal process differs slightly when compared to that of other officers, given that the Chief Executive is uniquely accountable to the whole Council, in its capacity as employer, through the Leader of the Council.

Question (2) Can the Leader indicate when the Chief Executive was last subject to an appraisal process and had performance objectives set?

Answer (2) The Chief Executive has an ongoing discussion with the Leader of the Council about performance and delivery of objectives. The objectives for the Chief Executive are aligned to the Council's Business Plan and our statutory obligations as a local authority. Objectives for the Chief Executive have therefore been the subject of discussion by the Leader of the Council and the Chief Executive since the Council elections and formation of the Administration last year.

Question (3) Can the Leader inform Council of when this will next take place and indicate how Group Leaders from all political parties on the Council can contribute to the process as has been the case with previous Chief Executives?

Answer

(3) In accordance with the Council's Performance Framework, the annual appraisal for the Chief Executive will occur as follows:

- The forward-looking conversation and objective setting will take place in March 2019.
- The independent 360 feedback process, developed by the Local Government Association will be used and will include all Group Leaders and other appropriate stakeholders and will be undertaken during March 2019.
- The looking back discussion between the Leader of the Council and the Chief Executive, following the 360-degree feedback report being received, will take place in April 2019.

Supplementary Question

Lord Provost, I thank the Leader for his answer but perhaps given the answer, can he please confirm for me that no formal appraisal of any of the last two Chief Executives has taken place for several years and given that he rightly highlights in his answer the importance of the Chief Executive reporting to all Councillors and not just the Leader of the Council, can he say why successive SNP and Labour Administrations have failed to put in place a transparent process for this important part of measuring performance of the Chief Executive and thus its cascade through the Council?

Supplementary Answer

Thank you for that question. The appraisal of the Chief Executive's performance is intrinsically linked to the performance of this Council. In the last few months we've had the report giving a very robust and thorough investigation and update on our services, in education, in waste, in roads in absolutely every service that is put forward and obviously there are two strands to the Chief Executive's performance that I'm particularly interested in as Council Leader that do go through Council. One is the progress towards delivering the Administration,s programme for the city and the other is the report that we had some weeks ago which goes into more detail about the national performance measures, ie things like attainment and road

quality, how fast things are fixed, what price is being put on road defect repairs etc, so these are two things that are intrinsically linked to the Chief Executive's performance.

As Council Leader I'm quite comfortable and I think the Chief Executive is quite comfortable in saying that his performance is essentially those two documents. How we go forward - in terms of managing other performance in terms of things like engagement around the City and things that are not quite captured by the performance of this city and the City Council and its services and also progress towards implementing our full programme as an Administration - that will be done in a formal process and I should say that was done fairly regularly, on a weekly basis of meetings that the Deputy Leader and myself have with the Chief Executive.

Councillor Whyte

Lord Provost, with respect, the written answer tells me of a 360 degree appraisal process approved by the Local Government Association for use presumably for local authorities throughout the UK. I didn't get an answer to either of the points I made in the supplementary question there.

Lord Provost

Whether the content of an answer is acceptable is not necessarily something which is covered by Standing Orders. There are other processes that can be followed for that Councillor Whyte

QUESTION NO 33

**By Councillor Booth for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 November 2018**

Question (1) What time restrictions does the council impose on noise from construction sites?

Answer (1) Construction sites are normally required to restrict any works that create noise to the period 07:00 to 19:00 Monday to Saturday with no noisy activities audible beyond the site boundary outwith these times.

Question (2) What is the legislative basis for those hours?

Answer (2) The Control of Pollution Act 1974 is the legislative basis however it does not specify specific hours.

Question (3) When were those hours last reviewed?

Answer (3) These hours are based upon a recognised British Standard and World Health Organisation (WHO) guidance on the impact of noise pollution. The hours have not changed since 1975. The latest guidance was issued by the WHO in October 2018 and these hours continue to be compliant with it.

Question (4) When was the public last consulted on any changes to those hours?

Answer (4) The Act requires a local authority to consider each case on its merits before deciding to take enforcement action. Any decision to adopt a policy with more stringent hours than the recognised standards is highly unlikely to withstand a legal challenge.

Court decisions under the Act have reinforced this position and have made clear that the local authority must

- a) have regard to any recognised guidance and standards and

- b) not fetter the discretion that the Act provides by adopting a fixed policy on enforcement.

For those reasons a public consultation on any modification to the hours would not be appropriate.

Supplementary Question

Thank you Lord Provost and I thank the Convener for her answer. I am somewhat surprised to hear that she feels that a consultation on changing guidance which has been in place for more than 40 years might open the Council to legal challenge. I wonder if she has sought advice from the Council's legal officers on that and whether she would agree to write to me with the content of that advice please?

Supplementary Answer

Thank you Councillor Booth. Given the time frames between questions and being required to put them forward to Committee Services, no I haven't sought specific legal advice. Happy to do so and will come back and brief you on it. At this point however though I'd also like to say thank you to Councillor Booth for failing to rank my performance today on a scale of socially acceptable MORI's for women, thank you.

Lord Provost

Can I ask that that information is circulated to all Councillors not just Councillor Booth please?