

THE CITY OF EDINBURGH COUNCIL

MEETING 11

14 MARCH 2019

QUESTIONS AND ANSWERS

Item no 5.1

QUESTION NO 1

By Councillor Corbett for answer by the Convener of the Finance and Resources at a meeting of the Council on 14 March 2019

Further to the council meeting of 31 May 2018 and the oral answer given by the Convener to the supplementary question to 5.2

Question (1) What progress has been made on the review of councillors free car parking passes?

Answer (1) There has been no further review since May 2018.

Question (2) Which councillors have passes for

- i) the APCOA parking at Waverley Court?
- ii) George IV Bridge (Central Library)?
- iii) any other parking in the vicinity of the City Chambers?

Answer (2)

Via APCOA Waverley Court Car Parking	
Councillors	
Claire Bridgman	Ind
Norman Work	SNP
Gavin Barrie	Ind
Joan Griffiths	Lab
Jason Rust	Con
Cammy Day	Lab
Ian Perry	Lab
Waverley Court CEC Garage Car Parking	
Councillors	
Lezley Cameron	Lab

George IV Bridge (Central Library)	
Councillors	
Iain Whyte	Con

Item no 5.2

QUESTION NO 2

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 March 2019

At the meeting of November 2018, Council passed a motion agreeing that the Convener 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.

Question (1) On what date did she write to the Cabinet Secretary?

Answer (1) 18th December 2018. The Executive Director of Place and I had a meeting with the Cabinet Secretary on 9th January 2019 and this matter was also raised as part of the wider discussion.

Question (2) Will she publish a copy of her letter?

Answer (2) Appended.

Question (3) What response has she received from the Cabinet Secretary?

Answer (3) Feedback awaited.

Question (4) Will she publish a copy of the response if received?

Answer (4) Yes.

Michael Matheson MSP
Cabinet Secretary for Transport, Infrastructure
and Connectivity
The Scottish Government
St. Andrew's House
Edinburgh
EH1 3DG

Date 18 December 2018

Dear Mr. Matheson

PENALTIES FOR UNDERPERFORMING STATUTORY UNDERTAKERS

I write in response to a motion agreed by the City of Edinburgh Council on 22nd November, which seeks stronger penalties for tackling underperforming statutory undertakers.

The City of Edinburgh Council faces continued poor performance by Statutory Undertakers against their duties, and this is causing significant disruptions to the city's road network. Despite officers using powers under the New Roads and Street Works Act 1991 (as amended), they are regularly proving not to be sufficient in ensuring compliance.

Powers to ensure that statutory undertakers comply with duties through the issue of fixed penalty notices are currently limited. In addition, the maximum fine level of fixed penalty notices are not considered to be high enough to deter potential offenders.

Whilst the City of Edinburgh Council welcomes the introduction to the Scottish Parliament of the Transport (Scotland) Bill in June 2018, we wish to suggest an addition to the Enforcement section of the Transport Bill to help tackle this issue. Specifically, the amendment would be in relation to the level of the penalty imposed for the failure by a statutory undertaker to comply with their duties, and that this should be raised to a sufficiently high level so as to provide a deterrent for future non-compliance.

I look forward to discussing this and other important matters with you at our scheduled meeting on 9th January.

Yours sincerely

Councillor Lesley Macinnes
Transport and Environment Convener

Item no 5.3

QUESTION NO 3

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 March 2019

At the meeting of December 2018, Council passed a motion agreeing that the local authority would write to the Scottish Government making clear the City of Edinburgh Council's support for increasing the default on-the-spot litter fine, including fines for dog fouling and fly tipping, and to request that Ministers implement this change as quickly as possible.

Question (1) On what date was this letter sent?

Answer (1) I issued a letter to the Cabinet Secretary for Environment, Climate Change and Land Reform on 7th March 2019. Discussions with relevant officers in the Place Directorate were required to verify content. In addition, given significant challenges faced around tackling graffiti I wanted to explore any opportunity to seek further powers to tackle this related issue. Discussions as part of the recently established Graffiti Working Group were key to informing this. A meeting with the Convener of Culture and Communities is being re-arranged to continue such discussions.

Question (2) Will she publish a copy of this letter?

Answer (2) Appended.

Question (3) What response has been received from the Scottish Government?

Answer (3) Feedback awaited.

Question (4) Will she publish a copy of the response if received?

Answer (4) Yes.

Roseanna Cunningham MSP
Cabinet Secretary for Environment, Climate
Change and Land Reform
The Scottish Government
St. Andrew's House
Edinburgh
EH1 3DG

Date 7 March 2019

Dear Ms Cunningham

INCREASING FIXED PENALTY NOTICES FOR LITTERING, UNAUTHORISED DISPOSAL OF DOMESTIC OR TRADE WASTE, DOG FOULING AND GRAFFITI

I write in response to a motion agreed by the City of Edinburgh Council on 13th December, which seeks increases to on-the-spot fixed penalty notice fines (FPNs) for littering, unauthorised disposal of domestic or trade waste and dog fouling.

The City of Edinburgh Council welcomed the Scottish Government's commitment to increasing fines for littering (from £50 to £80) and the unauthorised disposal of domestic or trade waste (from £50 to £200) in April 2014 in connection with the National Litter Strategy. The increase to fines for dog fouling (from £40 to £80), which came into force in April 2016, was also strongly supported by the Council.

However, despite the increase in FPNs - littering, unauthorised disposal of domestic or trade waste and dog fouling remain a significant challenge and further deterrents are now needed.

The City of Edinburgh Council therefore seeks support from the Scottish Government to review and increase the fines for littering, unauthorised disposal of domestic or trade waste and dog fouling. Increased sanctions would provide the support needed to further tackle this ongoing issue.

In addition to this, the City of Edinburgh Council experiences significant challenges in tackling graffiti. As graffiti is a criminal offense, perpetrators are dealt with directly by Police Scotland who can issue Antisocial Behaviour Penalty Notices. These notices result in a relatively modest fine of £50. The City of Edinburgh Council also therefore seeks support from the Scottish Government to increase the fine for graffiti to act as a further deterrent and support Police Scotland in terms of prevention.

I look forward to hearing from you on this matter as soon as possible.

Yours sincerely

Councillor Lesley Macinnes
Transport and Environment Convener

Item no 5.4

QUESTION NO 4

By Councillor Laidlaw for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 March 2019

Question

Asks the Convener for an update from her meeting with Transport Scotland regarding arterial road maintenance with specific regard to:

- Scope of overall programme for arterial roads across the City of Edinburgh
- Prioritisation of roads
- Timescale for beginning work on the A1

Answer

As you will know from the written answer provided to you at last month's Council meeting it was officers who were meeting with Transport Scotland on Feb 5, along with their Operating Contractor, to discuss opportunities for collaboration, including maintenance of the city's arterial routes. Officers are now discussing these opportunities with the Operating Contractor with a view to establishing a programmed maintenance schedule.

It is intended that this could lead to the trial of a new maintenance arrangement on the A1 and A720 which would be reviewed after 12 months.

The Operating Contractors programme of cyclic works commences in April / May 2019 and it is intended to tie the maintenance for the A1 and A720 into this programme of work.

Item no 5.5

QUESTION NO 5

By Councillor Rose for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 14 March 2019

Could the Convener advise of the following;

- Question** (1) What is the cost to the council per tonne of processing uplifted recyclable waste?
- Answer** (1) This information is commercially sensitive and therefore cannot be included within this response. Publishing this rate per tonne could compromise the Council's ability to make procurement savings in future.
- Question** (2) How much does the Council get paid for processed recycle?
- Answer** (2) As above.
- Question** (3) What is the notional cost per tonne of collecting recyclable waste?
- Answer** (3) The notional cost for the Council's collection of recyclable waste per tonne is approximately £76.
- Question** (4) Where does recycled waste go?
- a) How much goes abroad?
 - b) How much goes beyond Scotland?
 - c) How much goes beyond Edinburgh?

Answer (4) The Council has a number of contracts for reprocessing of recycled waste. Within these contracts the responsibility for the final destination of recycled waste lies with the contractor.

The information provided below shows where the waste is processed.

a) How much goes abroad?

No waste is processed abroad.

b) How much goes beyond Scotland?

20,502 tonnes per annum are processed outside Scotland (Jan – Dec 2018).

c) How much goes beyond Edinburgh?

60,506 tonnes per annum are processed outside Edinburgh (Jan – Dec 2018).

Question (5) Are there types of recyclable waste from which it could be considered more environmentally friendly to extract energy via heat?

Answer (5) It is widely acknowledged that the recycling of waste is more environmentally friendly than recovery of energy from waste

Question (6) Are there types of recyclable waste from which it would be cheaper to extract energy via heat?

Answer (6) No

Item no 5.6

QUESTION NO 6

By Councillor Webber for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 March 2019

Could the Convener advise of the following;

- Question** (1) Using data from the last 10 years (if that is available) How many potholes have been re-repaired following their initial repair
- a) within 6 to 12months,
 - b) within 2yrs and
 - c) within 5year period?
- Answer** (1) The Council does not hold information which would allow the identification of specific potholes which have been re-repaired.
- Question** (2) And from these RE-repairs how many have had to be carried out more than once?
- Answer** (2) See answer above.
- Question** (3) Are the potholes logged as to the date appeared, time taken to repair, method and material used? Longevity of repair? If not, how are they logged?
- Answer** (3) Potholes are logged at the time they are inspected and identified as a pothole. This may be immediately upon formation of the pothole or some time after and depends on the timings of safety inspections and/or customer reporting. Longevity of repair(s) is not captured. All pothole information including the time to repair it, is captured in the council's Asset Management System (Confirm).
- Question** (4) When looking at the cost of the pothole repairs / re-repairs does the Council include the cost of any road traffic management, if required?
- Answer** (4) Yes.

Item no 5.7

QUESTION NO 7

By Councillor Young for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 March 2019

Question (1) What meetings have taken place between officers and representatives of the Queensferry community, regarding the issues over traffic and parking on the days of the Cruise Liner visits over the last year? (please provide dates).

Answer (1) There have been 12 meetings held, as follows:

Date	Meeting Details
10 May 2018	Site meeting between Queensferry and District Community Council (QDCC) and Port Facilities Security Officer (PFSO)
17 May 2018	Site meeting between QDCC and Port Facilities Security Officer PFSO
22 May 2018	Site meeting between QDCC and Port Facilities Security Officer PFSO
30 May 2018	Site meeting between QDCC and Port Facilities Security Officer PFSO
3 June 2018	Site meeting between QDCC and Port Facilities Security Officer PFSO
8 June 2018	Site meeting between QDCC and Port Facilities Security Officer PFSO
15 June 2018	Site meeting between QDCC and Port Facilities Security Officer PFSO
20 June 2018	QDCC Evening meeting
27 June 2018	Site meeting between QDCC and Port Facilities Security Officer PFSO

3 September 2018	QDCC and Ward Councillor meeting held with the Executive Director of Place
30 January 2019	Informal discussion was held at the Cruise Summit between QDCC and PFSO
20 February 2019	QDCC/PFSO/Locality meeting

Question (2) What options have been discussed on how to mitigate the impact on the community and local businesses from the closure of the parking at the east of the town?

Answer (2) The options discussed include:

- Managed reduction of coach parking during morning and afternoon periods.
- The introduction of a one-way system through the existing car park to increase on-street visitor parking.
- Excursion coach off-site holding areas.
- Changes to Pierhead layout to improve public safety (defined areas for emergency vehicles, taxis, Lothian Buses, private coaches and visitors).
- New layout to keep all pedestrian activity on one side of the road (safer layout for foreign visitors).
- Creation of a defined central pedestrian crossing point.

Question (3) What proposals are now being progressed by officers on changes and improvements to traffic and parking arrangements, and when is it intended that these will be implemented?

Answer (3) Officers will invite excursion operators to attend an urgent meeting to manage the coach morning and afternoon operating areas.

Following the meeting above, if appropriate, a reduced coach parking trial will take place in May 2019.

Taxi parking areas have been relocated to reduce road crossing movements. This public safety improvement will be implemented for the start of the cruise season on 10 May 2019.

Proposed active management of existing unregulated parking spaces in the area to encourage vehicle movement and increase parking availability.

Item no 5.8

QUESTION NO 8

By Councillor Lang for answer by the Convener of the Housing and Economy Committee at a meeting of the Council on 14 March 2019

Question

What action is being taken by the Council to support and assist small retail businesses in the city?

Answer

Small retail businesses in the city are supported in a number of ways, not only by the Council. The Economy Strategy sets out a commitment to ensure that growth benefits all and that the city remains one of the most innovative, entrepreneurial economies in the UK.

As well as the support provided by the Business Gateway service, small retailers receive support and guidance from across the Council (e.g. from Planning, Building Standards and Regulatory Services). Local initiatives such as 'Pop into Porty' and retail developments (as has recently delivered in Pennywell) are also supported by the Council. In addition, the Council works closely with the city's Business Improvement Districts and Scottish Government policy means that most small retailers are not charged business rates.

In addition to the direct and indirect support provided to small retailers, a number of other activities will benefit small retail businesses. These include:

- Strengthening existing town centres
- Investment in public realm and active travel, enabling people to walk around the city more easily
- Improving accessibility of town centres
- Development of a City Mobility Plan
- Planning policy designed to encourage new developments to create local centres/hubs
- Developing a strong and vibrant economy

Item no 5.9

QUESTION NO 9

By Councillor Young for answer by the Convener of the Regulatory Committee at a meeting of the Council on 14 March 2019

Community Councils and elected members receive weekly lists of all planning applications in their ward area - both applications and decisions. Members are also notified about certain license applications - such as public entertainment or trading licenses. This helps to ensure awareness and transparency. A similar notification process for license applications such as HMOs which would be equally valuable.

- Question** (1) What options currently exist, to allow a similar notification process to that used by planning, for the categories of license application covered by the Regulatory Committee and its Licensing Sub-Committee?
- Answer** (1) There is an established work stream to improve accessibility and transparency of information for all permissions and licences types, which seeks to take a holistic approach to all applications.
- Questions** (2) What limitations exist at present that have prevented this process being set up to date?
- Answer** (2) At present there is huge variance in the density of HMO licenced in the city. This would result in elected members and Community Councils in areas such as the City Centre and Southside receiving lists with many hundreds of applications whereas other areas would have weekly lists often with no applications. Previous arrangements of providing paper lists of applications were discontinued following feedback from elected members and others about their usefulness.
- Question** (3) What practical options can be taken forward to look at implementing license weekly lists and what are the likely timescales?

Answer

- (3) At present a register of all licence applications, including HMOs is published on the Council website - http://www.edinburgh.gov.uk/info/20023/licences_and_permits/902/licensing_registers. Notwithstanding the piece of work outlined in (1) above, elected members or community councils can request to be notified of applications.

Item no 5.10

QUESTION NO 10

**By Councillor Johnston for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 14 March 2019**

Given the Tram Extension Business Case highlights that March 2021 is the expiry date for 'Powers to Commence Construction under Section 74' in relation to Line 1;

Question (1) Has the Council commissioned and/ or received legal advice advising them of the process should they fail to meet this deadline?

Answer (1) No.

Question (2) If so can it be provided?

Answer (2) Not applicable.

Question (3) Is it the Council's understanding that failure to meet this deadline would require petitioning the Scottish Government for an extension?

Answer (3) Yes.

Question (4) Is the Council in receipt of formal legal advice that they have already met this deadline by virtue of works thus far undertaken, and if so can it be provided?

Answer (4) Yes. This can be provided confidentially to councillors, if requested.

Item no 5.11

QUESTION NO 11

By Councillor Cook for answer by the Convener of the Housing and Economy Committee at a meeting of the Council on 14 March 2019

Question

Can the Convener confirm how many times, since coming to post, they have had meetings with each of the following organisations:

- a) Essential Edinburgh
- b) The Federation of Small Businesses
- c) Marketing Edinburgh
- d) Edinburgh Hotels Association
- e) Edinburgh Taxi Association
- f) Lothian Buses

Answer

I meet with many organisations in my role as Housing & Economy Convener, as do other Conveners, Vice-Conveners, the Leader and Deputy Leader. If there are organisations that any member feels it would be useful for me to meet in my role, I'd be happy to take on board suggestions.

Item no 5.12

QUESTION NO 12

By Councillor Cook for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 March 2019

Question

Can the Convener confirm how many times, since coming to post, they have had meetings with each of the following organisations:

- a) Essential Edinburgh
- b) The Federation of Small Businesses
- c) Marketing Edinburgh
- d) Edinburgh Hotels Association
- e) Edinburgh Taxi Association
- f) Lothian Buses

Answer

I meet with many organisations in my role as Transport & Environment Convener, as do other Conveners, Vice-Conveners, the Leader and Deputy Leader. If there are organisations that any member feels it would be useful for me to meet in my role, I'd be happy to take on board suggestions.

Item no 5.13

QUESTION NO 13

By Councillor Burgess for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 March 2019

Question

When will the Council Re-use Cabins at Household Waste Recycling Centres be re-opened to allow residents to present household items such as furniture for re-use?

Answer

There are currently no plans to re-open the Re-use cabins at Household Waste Recycling Centres. However, information on how residents can dispose of re-usable household items can be found on the [Council's website](#).

Item no 5.14

QUESTION NO 14

By Councillor Burgess for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 March 2019

Question

What progress is being made on improving the provision of council allotments and growing spaces for residents?

Answer

A progress report on allotment and food provision will be considered by the Culture and Communities Committee on 26 March 2019.

The report is expected to note the measures undertaken to date to increase allotment provision and support, expand the network and the number of community gardens and food growing initiatives.