

Committee Minutes

The City of Edinburgh Council

Year 2008/2009

Meeting 6 – Thursday 16 October 2008

Edinburgh, 16 October 2008 – At a meeting of The City of Edinburgh Council.

Present:-

LORD PROVOST

The Right Honourable George Grubb

COUNCILLORS

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

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

1 Nelson Mandela 90th Birthday – Children’s Painting Competition – Presentation of Award

The Leader referred to the high standard of entries to the children’s painting competition which had been organised to mark the occasion of Nelson Mandela’s 90th birthday. The winner of the competition was Lily Fitzgerald, an S2 pupil at James Gillespies High School. Her painting would be displayed in the Mandela Room in the City Chambers. The Lord Provost presented a gift to Lily Fitzgerald.

2 Deputations

(a) Fairer Scotland Fund - Edinburgh Community Representatives’ Network (see item 2 below)

The deputation expressed concern at the report on the final proposals for the investment of the Fairer Scotland Fund to be considered later on the agenda. The Council and the Edinburgh Partnership had driven the process without having any meaningful community engagement; this demonstrated a complete lack of commitment. The criteria which had been agreed were too narrow and were impossible to apply. Disadvantaged communities would suffer which was ironic as the underlying principle behind the so called “new” fund was to tackle deprivation.

Local expectations and aspirations were not being met through the process to allocate funds at a neighbourhood level. The deputation asked that a further extension of transitional funding be granted until such time as the implications of the allocation had been fully assessed.

(References – e-mail dated 13 October 2008 and leaflet from the deputation, submitted.)

(b) Wave 3 Schools Project – PFANS (Portobello for a New School) (see item 3 below)

The deputation referred to the report to be considered later on the agenda on the Wave 3 Schools Project and expressed concern at a number of factors which would affect the building of a new Portobello High School. Their concerns related to:

- the lack of progress on the Common Good status of the land at Portobello Park and the delay this would cause.
- the lack of consultation on the criteria proposed for phasing the Wave 3 schools.

The City of Edinburgh Council
16 October 2008

- the delay in resolving the Common Good issue would affect the phasing for Portobello High School.
- the fact that designs for the school had been prepared before the Common Good issue had been resolved.
- funding for the project.

They asked the Council to progress urgently the Common Good issue and to seek a commitment on funding from the Scottish Government.

(Reference – email dated 14 October 2008, submitted.)

(c) Haymarket War Memorial – McCrae’s Battalion Trust (see item 25 below)

Jack Alexander referred to the motions later on the agenda on the location of the Heart of Midlothian War Memorial at Haymarket once tram work had been completed. He detailed the background to the Memorial and why it was important to both the citizens of Edinburgh and Heart of Midlothian Football Club. He urged the Council to agree to the memorial being returned to its original site and integrated into the transport hub at Haymarket where it had stood for 86 years.

(Reference – e-mail dated 14 October 2008, submitted.)

3 Fairer Scotland Fund Progress

The Policy and Strategy Committee had referred recommendations to the Council, in terms of Standing Order 53, on the Fairer Scotland Fund investment strategy.

The Council had heard a deputation on the matter from the Edinburgh Community Representatives’ Network (see item 1(a) above).

Motion

- 1) To note the progress made in implementing the Fairer Scotland Fund investment strategy and the associated decisions of the Edinburgh Partnership Board.
- 2) To refer the report by the Director of Services for Communities to all Neighbourhood Partnerships for information.

- moved by Councillor Dawe, seconded by Councillor Buchanan.

The City of Edinburgh Council
16 October 2008

Amendment 1

- 1) To condemn the lack of transparency and consultation with Neighbourhood Partnerships on the introduction of a commissioning process for new activities to be supported by the Fairer Scotland Fund.
- 2) To delay the introduction of the commissioning process for one month until the Neighbourhood Partnerships had been consulted about this change.
- 3) In view of the ongoing delay with the introduction of the Fairer Scotland Fund, to ask the Edinburgh Partnership to authorise an extension of payments to existing projects in all wards in receipt of transitional Fairer Scotland Fund support until March 2009.

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

Amendment 2

- 1) To regret that a proposed programme for reform of the Edinburgh Partnership had yet to be presented.
- 2) To call for a review of decisions taken with respect to the Fairer Scotland Fund that ensured an element of much needed democratic accountability, this to be achieved through a dialogue between the Edinburgh Partnership Board and the Policy and Strategy Committee.

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

The mover of amendment 1, with the consent of her seconder and the mover and seconder of amendment 2, accepted amendment 2 as an addendum to amendment 1.

Voting

The voting was as follows:

For the motion	-	29 votes
For the composite of amendments 1 and 2	-	28 votes

Decision

To approve the motion by Councillor Dawe.

(References – Acts of Council No 22 of 26 June and No 14 of 21 August 2008; report no CEC/084/08-09/PS by the Policy and Strategy Committee, submitted.)

4 Wave 3 Schools Project Update

Progress on the Wave 3 Schools' project was detailed and approval was sought for the approach to project phasing.

The Council Solicitor was heard on the legal position of Common Good land at Portobello Park which had been proposed as the site of the new Portobello High School.

The Council had heard a deputation on the matter from Portobello for a New School (PFANS) (see item 1(b) above).

Motion

- 1) To note the content of the report by the Director of Children and Families.
- 2) To approve the approach to project phasing as detailed in the Director's report.
- 4) To note that further progress would be reported to the Council meeting in December.
- 3) To note that a written Counsel opinion was expected shortly updating the Council on its best option with regard to the Common Good issue and that the opinion would be shared with the Council at the earliest opportunity.

- moved by Councillor MacLaren, seconded by Councillor Beckett.

Amendment 1

- 1) To note the contents of the report by the Director of Children and Families and in particular confirmation that:
 - (a) Progress continued to be slow regarding the delivery of the Wave 3 Schools Project. Several strands of work were continuing and further progress on these would be reported to the Council meeting in December.
 - (b) It was now 22 months since the Council unanimously agreed that Portobello Park was to be the site of the new Portobello High School and that definitive legal advice on the Common Good status of the site was yet to be obtained.
 - (c) The total cost to the Council of the Wave 3 Schools would be between £162m and £182m and would take 14 years to deliver and that the Scottish Futures Trust was not yet in a position to provide any practical or financial support.

The City of Edinburgh Council
16 October 2008

- (d) The five schools affected had yet to confirm their support for the phasing strategy or the communications and consultation strategy.
- 2) In view of the above, to regret the lack of financial support from the Scottish Government for the school building programme. This was in stark contrast to the previous Holyrood Administration whose support assisted in delivering 34 new or refurbished schools in Edinburgh.
 - 3) Not to agree the proposed approach to project phasing as outlined in the Director's report at this stage and to instruct the Director to continue to consult with the five schools and to include their views on the proposals in the December report.
 - 4) To instruct the Director also to include in the report a final strategy for dealing with and resolving the Common Good status of the Portobello site.

- moved by Councillor Henderson, seconded by Councillor Child (on behalf of the Labour Group).

Amendment 2

- 1) To note that the decision of Council on 26 June 2008 instructed 'officers to explore every avenue for future funding'.
- 2) To note, with disappointment, that the report by the Director of Children and Families dealt only with avenues of funding that were already under consideration.
- 3) To recognise that since May last year, there had been no commitment from the SNP Administration at Holyrood for funding to build schools.
- 4) To call for a report to Council within two cycles outlining what progress had been made in exploring other areas of future funding and outlining a way forward.
- 5) To call for a cross-party group to meet with the Cabinet Secretary for Finance to see when resources would become available.

- moved by Councillor Balfour, seconded by Councillor Buchan (on behalf of the Conservative Group).

The mover of amendment 1, with the consent of his seconder and the mover and seconder of amendment 2, accepted amendment 2 as an addendum to amendment 1.

The City of Edinburgh Council
16 October 2008

Voting

The voting was as follows:

For the motion	-	32 votes
For the composite of amendments 1 and 2	-	25 votes

Decision

To approve the motion by Councillor MacLaren.

(References – Act of Council No 5 of 26 June 2008; report no CEC/093/08-09/C&F by the Director of Children and Families, submitted.)

5 Questions

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

6 Minutes

Decision

To approve the minute of the meeting of the Council of 18 September 2008, as submitted, as a correct record.

7 Placing in Schools Appeal Committee – Appointments

Decision

To appoint to the Placing in Schools Appeal Committee:

- 1) Mary Clason to Panel 3.
- 2) Lesley McGoohan and Dr Julie-Ann Sime to Panel 2.

(Reference – report no CEC/081/08-09/CS Director of Corporate Services, submitted.)

8 Appointments to Outside Bodies

Decision

To nominate:

- 1) Councillor Keir to EDI Ltd in place of Councillor Cardownie.
- 2) Councillor Work to Lifecare Edinburgh (formerly Edinburgh and Leith Age Concern) in place of Councillor Brock.
- 3) Councillor Work to Lothian Homes Trust in place of Councillor Beckett.

(References – reports no CEC/082/08-09/CS and CEC/098/08-09/CS by the Director of Corporate Services, submitted.)

Declaration of Interests

Councillors Balfour, Hart, McKay and Wilson declared a non-financial interest in the above item as Directors of EDI Ltd.

9 Leader's Report

The Leader presented her report to the Council. The Leader commented on the following:

- the Nelson Mandela birthday greetings book;
- help for Leith Walk traders over the Christmas and New Year period – likely cessation of tram works;
- the effects of the financial crisis on the Council and the city;
- Evening News Council reporter Alan Roden.

The following issues were raised on the report:

- | | |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Councillor Burns | <ul style="list-style-type: none"> - Proposed closure of Citizens' Advice Bureaux - Coalition leadership – need for clarity and consistency - Education service – funding of free school meals |
| Councillor Hart | <ul style="list-style-type: none"> - Financial crisis – intervention of the Prime Minister and the Chancellor - "Arc of prosperity" countries |

The City of Edinburgh Council
16 October 2008

- | | |
|---------------------------|-------------------------------------------------------------------------------------------|
| Councillor Ewan Aitken | - Concordat with Scottish Government
- resources for free school meals |
| Councillor Milligan | - Financial crisis – New York Times article on
Prime Minister’s handling of the crisis |
| Councillor Perry | - City centre traffic management –
responsibility |
| Councillor Whyte | - Forth by-election – SLD leaflet “Focus on
Pilton” |
| Councillor Blacklock | - Tram works in Leith Walk – suspension for
Christmas period |
| Councillor Buchan | - HBOS/Lloyds TSB merger
- Street cleanliness in suburban Edinburgh |
| Councillor Kate MacKenzie | - Community planning – comparison with
other local authorities |
| Councillor Mowat | - Tram works – pedestrian facilities on
George Street |
| Councillor Hinds | - Forth ward by-election – SLD canvassing |
| Councillor Jackson | - Cushman & Wakefield annual perception
survey |

(Reference – report no CEC/095/08-09/L by the Leader, submitted.)

10 Appointment to Post of Head of Revenues and Benefits – Department of Finance

Decision

To appoint Danny Gallacher to the post of Head of Revenues and Benefits in the Department of Finance, subject to any necessary pre-employment checks.

(Reference – report no CEC/099/08-09/RC by the Recruitment Committee, submitted.)

11 Review of Neighbourhood Partnerships

The Policy and Strategy Committee had referred to the Council the outcome of the review of Neighbourhood Partnerships after one year of their operation.

Motion

- 1) To note the progress made in establishing Neighbourhood Partnerships over the past year and to thank all those who had contributed.
- 2) To establish regular meetings of Conveners of Neighbourhood Partnerships, chaired by the Convener of the Economic Development Committee, as described in paragraph 5.2.5 of report no PS/52/08-09/SfC by the Director of Services for Communities.
- 3) To approve the proposals to review the various business management issues detailed in section 5.2 of the Director's report through the Conveners' meetings and to develop a core programme of work across all Neighbourhood Partnerships using the same mechanism as detailed in paragraph 5.3.7 of the report.
- 4) To approve proposals to encourage Neighbourhood Partnerships to seek greater influence over local services using the approach described in section 5.3.6 of the Director's report.
- 5) To note the Review Group's view that boundary changes would not be appropriate at this stage (see section 5.4 of the Director's report).
- 6) To note that a draft Action Plan had been prepared to take forward the recommendations of the Director's report via the Neighbourhood Partnership Conveners' meetings.
- 7) To note that a further report would be submitted to the Policy and Strategy Committee within three cycles, setting out progress and issues relating to neighbourhood management and how integrated local management could assist further in delivering local service priorities.

- moved by Councillor Dawe, seconded by Councillor Buchanan.

Amendment 1

- 1) To note the length of time it had taken to introduce and report on the progress of Neighbourhood Partnerships.
- 2) To note that 54% of those consulted would like Neighbourhood Partnerships to have more powers.

The City of Edinburgh Council
16 October 2008

- 3) To call for a further report which included proposals for how Neighbourhood Partnerships could take decisions on mainstream budgets as well as services.
- 4) To call for a further report to recommend how the Neighbourhood Managers would be accountable for their delegated powers to the Neighbourhood Partnerships.
- 5) To refer the report by the Director of Services for Communities and the further additional reports to the Neighbourhood Partnerships.

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

Amendment 2

- 1) To agree that, after eighteen months of operation, it was clear that Neighbourhood Partnerships were not delivering.
- 2) To note the contribution of many people to the development of Neighbourhood Partnerships but to agree that Neighbourhood Partnerships had demonstrated little by way of positive impact on neighbourhood management and had achieved little in terms of widening community engagement.
- 3) To agree that this was due to fundamental flaws in the Neighbourhood Partnership model which changes to business management arrangements or increasing 'influence' over local service provision would not eradicate.
- 4) Accordingly, to call for a wholesale review of Edinburgh's approach to local community planning with the aim of developing a different model for local community planning that was more effective, efficient and democratically accountable.

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

The mover of the motion, with the consent of her seconder and the mover and seconder of amendment 1, accepted paragraphs 2, 3, 4 and 5 of amendment 1 as an addendum to her motion, subject to the adjustment of paragraph 3 as follows:

- 3) To call for a further report which included proposals for how Neighbourhood Partnerships could influence devolved mainstream budgets as well as services.

The City of Edinburgh Council
16 October 2008

Voting

The voting was as follows:

For the motion (as adjusted)	-	46 votes
For amendment 2	-	11 votes

Decision

To approve the motion by Councillor Dawe (as adjusted).

(Reference – report no CEC/083/08-09/PS by the Policy and Strategy Committee, submitted.)

12 Cross Party Forum for the Evaluation of the Children and Families Estate – Complaint Against Councillor MacLaren

An update was provided on the current position of the Chief Executive's ongoing investigations into alleged leaks to the press from members of the Cross Party Forum for the Evaluation of the Children and Families Estate.

Decision

- 1) To note the report by the Chief Executive.
- 2) To ask the Chief Executive to report further on the outcome of the investigation by the Chief Investigating Officer, Standards Commission for Scotland.

(Reference – report no CEC/096/08-09/CE by the Chief Executive, submitted.)

13 Comprehensive Review of Funding to Third Parties – First Phase

The outcomes of the first phase of the comprehensive review of funding to third parties were detailed. Recommendations were made for future funding arrangements which would provide for:

- a simplified approach to funding including a phased reduction in the number of funding streams and a move to an outcome based approach for future funding;
- revised funding arrangements until 2010/11;
- improved management arrangements covering standards, self-assessment, monitoring and management information and disinvestment, and;

The City of Edinburgh Council
16 October 2008

- further investigations into potential areas of duplication and service efficiency.

Motion

- 1) To welcome the report by the Director of Corporate Services and the development of an integrated outcome based approach across all departments.
- 2) To note the general welcome for the Director's report from the Reference Group of the Third Sector organisations. The Edinburgh Compact Strategy *'In Equal Respect : A Shared Vision, Advancing Relations 2008-13'* had committed to improving joint working relations on funding.
- 3) To set up a short term joint officer working group to assist third sector organisations in achieving the transition to an outcomes approach to funding over the next 2 years.
- 4) To rationalise current grant funding streams and to replace the current ring-fenced approach (with the exception of spot purchasing) with outcome based funding agreements.
- 5) To agree that, for the next round of grants funding for 2009/10, agreements should signal the change to outcome funding to occur from 2010/11.
- 6) To adopt the principle of moving to 'block' three year funding from 2011 onwards for those organisations that met Council service outcome demands – reflecting the next Local Government Finance Settlement 2011-2014.
- 7) To note that the proposal to raise the level of officer delegation could raise additional concerns amongst third sector organisations and to approve this proposal subject to development of a protocol for applicant organisations setting out clearly the application procedure, clear timelines for decision making and a process for resolving any disputes that might arise, consistent with the principles of the Edinburgh Compact.
- 8) To approve the proposals for the second review phase to cover outstanding financial, service duplication and other issues.
- 9) To note that the proposals in the Director's report would inform preparations for the next Council funding to third parties settlement in 2009/10 onwards.
- 10) To implement the various corporate management and efficiency measures described within the Council's Achieving Excellence Programme.

The City of Edinburgh Council
16 October 2008

- 11) In view of the financial difficulties facing the Council, to review, as a matter of urgency, grants to third parties as part of the 2009/10 budget process and in particular to bring forward the results of the work stream identified at the latter part of paragraph 3.8 of the Director's report by the end of November.

- moved by Councillor Edie, seconded by Councillor Work.

Amendment

- 1) To note the extensive work that had gone into this review and to thank all those involved.
- 2) To welcome the principle of moving to longer-term models to help provide stability in the third sector.
- 3) To express concern:
 - (a) that it would not be until 2010/11 before the above would begin to be achieved and to request a report on how this process could be speeded up.
 - (b) that the principle of "commissioning services" and the Single Outcome Agreement would become the driving force behind the relationship between the Council and the third sector – rather than space being created for the third sector to be supported for its own agenda, shaped by the communities it served – and to agree that this issue be the subject of further discussion through the Compact.
 - (c) that the "full cost recovery model" had been ignored as a method of providing real equality and stability for the Compact partners and to request a report on the implications of using that methodology in Edinburgh.
 - (d) at the removal of more democratic accountability by the increase of thresholds for grants delegated to officers outlined in paragraph 3.17 of the report by the Director of Corporate Services and to request a report on how transparency and accountability could be maintained for these decisions.
- 6) To draw up a clear methodology for measuring outcomes.
- 7) To give consideration to the ways in which contracts were bundled and the effects this had on potential bidders.
- 8) To draw up a process to negotiate contracts with potential bidders before they went to tender.

The City of Edinburgh Council
16 October 2008

- 9) To give a commitment to include in contracts (from 2009/10) a requirement that frontline staff had the same wages and conditions regardless of the organisation providing the service, as agreed by SCVO, STUC and Community Care Providers Scotland (CCPS) in their Fairer Funding Statement.
- 10) To cease the process of automatic retendering if quality targets were met or exceeded.
- 11) To ensure that all commissioning officers attended the training on public sector procurement provided by the Scottish Government through the third sector division.

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

Voting

The voting was as follows:

For the motion - 39 votes
For the amendment - 17 votes

Decision

To approve the motion by Councillor Edie.

(References – Act of Council No 4 of 13 March 2008; report no CEC/085/08-09/CS by the Director of Corporate Services, submitted.)

Declaration of Interests

Councillor Aldridge declared a financial interest in the above item as Chief Executive of a Council grant funded voluntary organisation and left the Chamber during the debate on the matter.

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

Councillor Ewan Aitken	Board member of 3 voluntary organisations in receipt of a Council grant
Councillor Balfour	Director of a charity in receipt of third party funding
Councillor Wilson	Director of a voluntary organisation

14 Cities Growth Fund Final Report 2007/08

Progress was detailed on projects supported by round two of the Cities Growth Fund and those from round one which had continued into 2007/08. Approval was sought for the final report on the Fund for 2006-2008 which had been prepared in accordance with Scottish Government grant conditions.

Decision

- 1) To note the progress made in delivering projects approved as part of Edinburgh's City Vision.
- 2) To approve the Cities Growth Fund Annual Report 2007/08.
- 3) To transfer £0.078m from the Easter Interceptor sewer project to the Usher Hall to provide partial funding of the additional revenue costs associated with preparations for staging the Edinburgh International Festival 2008.

(References – Acts of Council No 15 of 28 June 2007 and No 11 of 18 September 2008; report no CEC/086/08-09/CS by the Director of Corporate Services, submitted.)

15 Economic Resilience Action Plan

As an initial response to the instructions of the Policy and Strategy Committee, an action plan to address the economic challenges facing the Council, the city and the wider region as a result of changing economic conditions was provided. The plan offered an initial strategy that would be further developed to incorporate the views of members, departments and partner organisations and indicative costings.

A cross party working group, established by the Committee to lead the city through the present difficulties in global financial markets, had held its first meeting.

Decision

- 1) To note the report by the Director of City Development.
- 2) To note that the cross party group, established by the Policy and Strategy Committee, had held its initial meeting.

(References – Policy and Strategy Committee 30 September 2008 (item 2); report no CEC/100/08-09/CD by the Director of City Development, submitted.)

16 Electoral Ward No 4 Forth – By-Election Arrangements

Arrangements to hold a by-election on Thursday 6 November 2008 for Ward 4 Forth, following the death of Councillor Maginnis, were detailed.

Decision

- 1) To note the date of poll.
- 2) To note the poll and count arrangements.
- 3) To approve the fees proposed for staff.

(Reference – report no CEC/089/08-09/CS by the Director of Corporate Services, submitted.)

17 Increasing Voter Registration and Promoting Participation

Initial feedback from consultation with Neighbourhood Partnerships on ideas to improve voter registration was provided. Current initiatives to improve voter registration and broad proposals for further development to increase engagement and participation in the democratic process were detailed.

Decision

- 1) To note the proposals to improve voter registration and to support work to develop a longer-term programme to promote participation and engagement in the democratic process.
- 2) To note that future reporting about efforts to increase voter registration would be made by the Electoral Registration Officer to the Lothian Valuation Joint Board under existing reporting procedures.
- 3) To note the draft Election Awareness Communications Plan 2008/09 and 2009/10 attached as Appendix 2 to the Acting Chief Executive and Depute Returning Officer's report.
- 4) To ask Directors to consider how their departments could further support efforts to improve voter registration and identify staff with expertise in communications, engagement and participation issues to provide assistance during future planning phases.

The City of Edinburgh Council
16 October 2008

- 5) To ask Directors to take into account the work done in this area by Student Associations and Universities across the city.

(References – Act of Council No 13(b) of 20 December 2007; report no CEC/087/08-09/CE/RO by the Acting Chief Executive and Depute Returning Officer, submitted.)

18 Membership of the Joint Board of Governance

Approval was sought for a revision to the Council's membership of the Joint Board of Governance. The Board provided a strategic oversight of the joint Department of Health and Social Care. The Board had equal representation from NHS Lothian and the Council.

Decision

- 1) To appoint the following five members to the Joint Board of Governance:

Councillor Edie (SLD) (Co-Chair)
Councillor Work (SNP)
Councillor Hinds (Labour)
Councillor Kate MacKenzie (Conservative)
Councillor Chapman (Green)

- 2) To note that NHS Lothian approval would also be sought to the revised membership.

(References – Acts of Council Nos 12 of 13 October 2005 and 2 of 24 May 2007; report no CEC/092/08-09/HSC by the Director of Health and Social Care, submitted.)

19 Review of Legal Services – Update

Information was provided on progress in implementing the findings of the review of the Legal Services Division.

Decision

- 1) To note the content of the report by the Director of Corporate Services and the ongoing initiatives to address matters raised by members at the Council meeting on 29 May 2008.
- 2) To note the lack of any detail in relation to the “well advanced” work to advance these outstanding matters.

The City of Edinburgh Council
16 October 2008

- 3) To note with disappointment that the review, originally called for in February 2007, had still to be completed.
- 4) To instruct the Director of Corporate Services to submit the final report on the review to the Council meeting on 5 February 2009; the report to include:
 - (a) details of proposed changes to the structure of Legal Services as a consequence of the reorganisation of the Council Secretary's Division; and
 - (b) an assessment of ongoing service satisfaction levels and an identification of progress with respect to the implementation of the actions identified in the Director's reports to this meeting and to the Council meeting (report no CEC/033/08-09/CS) on 29 May 2008.

(References – Act of Council No 12 of 29 May 2008; report no CEC/094/08-09/CS by the Director of Corporate Services, submitted.)

20 Licensing (Scotland) Act 2005 – Re-appointment of the City of Edinburgh Licensing Forum and Constitution and Remit

Approval was sought to appoint the members of the City of Edinburgh Licensing Forum and for its constitution and remit.

Decision

- 1) To appoint the members of the City of Edinburgh Licensing Forum as detailed in Appendix 2 to the report by the Director of Corporate Services.
- 2) To approve the Forum's constitution and remit as detailed in Appendix 3 to the Director's report.
- 3) To delegate authority to the Director of Corporate Services to fill any vacancies in membership that might arise during the life of the Forum.
- 4) To delegate authority to the Director of Corporate Services to fill the remaining vacancy for a representative for young persons.

(References – Act of Council No 22 of 28 June 2007; report no CEC/088/08-09/CS by the Director of Corporate Services, submitted.)

21 Audited Financial Statements 2007/08

Decision

- 1) To note the audited accounts of the Council for the 2007/08 financial year.
- 2) To note that the auditor's report for 2007/08 would be submitted to a future meeting of the Council.
- 3) To refer the audited accounts to a future meeting of the Audit Committee to consider in conjunction with the auditor's annual report.

(Reference – report no CEC/090/08-09/F by the Director of Finance, submitted.)

22 Treasury Management: Annual Report 2007/08 and Update on 2008/09

Details were given on the performance of the Council's Treasury function.

Decision

- 1) To note the Annual Report on Treasury Management for 2007/08.
- 2) To note the progress with the 2008/09 Strategy.
- 3) To approve the amendments to the Council's Treasury Policy Statement as outlined in paragraph 3.13 of the report by the Director of Finance.
- 4) To remit the report to the Finance and Resources Committee for its interest.

(Reference – report no CEC/091/08-09/F by the Director of Finance, submitted.)

23 Progress Towards a New War Memorial for Edinburgh

Progress made on the development of a new war memorial for Edinburgh was detailed.

Decision

- 1) To note the good progress that had been made to date on the project.

The City of Edinburgh Council
16 October 2008

- 2) To make a formal announcement of progress with the project in connection with Armistice Day 2008.

(References – Act of Council No 1 of 1 May 2008; report no CEC/097/08-09/CS by the Director of Corporate Services, submitted.)

24 Citizens Advice Edinburgh – Motion by Councillor Whyte

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

“Council notes with concern the proposal by Citizens Advice Edinburgh to close four of its advice centres at a time when the availability of independent money advice is critical given the worldwide economic slowdown.

Council notes that Citizens Advice Edinburgh blame the closures on a lack of funds and that grant from this Council to Citizens Advice Edinburgh amounts to only £150,000 per year.

Council notes with concern that the grant funding for Citizens Advice Edinburgh equates to 33p per capita and that this compares very badly with equivalent figures of £1.01 per capita in Wales and £1.11 per capita in England.

Council condemns the policy of previous administrations for concentrating advice funding on in house services and setting up competing urban aid (and successor funds) funded services to the detriment of the independent Citizens Advice service.

Council calls for an urgent report from the Director of Corporate Services detailing a review of advice funding supported by the Council with a view to increasing support to Citizens Advice Edinburgh in order to maintain its branch network.”

The Lord Provost ruled that the motion was incompetent in terms of Standing Order 22. A decision on this issue had been taken by the Health, Social Care and Housing Committee on 7 October 2008.

(Reference – Health, Social Care and Housing Committee 7 October 2008 (item 2).)

25 Scotland's Commissioner for Children and Young People – Motion by Councillor Beckett

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

“Council applauds the great work done by Kathleen Marshall, Scotland's first Commissioner for Children and Young People, in promoting and safeguarding the rights of children and young people. Council offers its thanks to Professor Marshall for the dedication and passion that she has brought to the role in campaigning on issues as varied as banning the mosquito device and condemning dawn raids. Council wishes the next commissioner equal success in building on the positive actions and outcomes achieved by Professor Marshall.”

Motion

To approve the motion.

- moved by Councillor Beckett, seconded by Councillor Coleman.

Amendment

To take no action on the matter.

- moved by Councillor Mowat, seconded by Councillor Rust (on behalf of the Conservative Group).

Voting

The voting was as follows:

For the motion - 46 votes
For the amendment - 11 votes

Decision

To approve the motion by Councillor Beckett.

26 Heart of Midlothian Memorial, Haymarket – Motions by Councillors Buchanan and Henderson

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

“This Council recognises the contribution made by those who lost their lives in the 1st World War and who are commemorated at the Heart of Midlothian Memorial at Haymarket.

Council instructs officers to ensure that following the completion of the required tram works, the Memorial is returned to its original location, gifted to the Heart of Midlothian Football Club by the City of Edinburgh Council.”

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

“Council acknowledges the historical and international significance of the Haymarket War Memorial and associated annual remembrance service to the city of Edinburgh.

Council notes the need to temporarily move the Memorial while tram construction works are carried out at Haymarket.

Council rejects any proposals to relocate the Haymarket Memorial to Atholl Crescent or Coates Crescent.

Council further –

- 1) agrees that the appropriate permanent location for the Memorial is its traditional home, at Haymarket.
- 2) instructs the Chief Executive to ensure that discussions are held with all interested parties, including Heart of Midlothian Football Club, McCrae’s Battalion Trust, and the various supporters organisations of Heart of Midlothian Football Club, including The Federation, to identify and implement a mutually agreed solution for both a temporary arrangement during tram construction works and for a permanent location with particular reference to the previous Council and **the** idea that highlighted the original (1922) site of the Memorial close to "Ryries Bar".
- 3) requests an urgent report to deal with the removal of the Memorial after this year’s service in November and presenting options for having it replaced or relocated in time for the Remembrance Day service in November 2009."

The City of Edinburgh Council
16 October 2008

The Council had heard a deputation on the matter from the McCrae's Battalion Trust (see item 1(c) above).

Decision

To approve the motions by Councillors Buchanan and Henderson.

Declaration of Interests

Councillor Murray declared a non-financial interest in the above item as a Trustee of the McCrae's Battalion Trust.

Councillors Buchanan, Jackson, Gordon MacKenzie, Perry and Wheeler declared a non-financial interest in the item as non-Executive Directors of **tie**.

27 Edinburgh Parent Councils Network – Motion by Councillor Johnstone

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

“That the Council applauds the initiative taken by School Parent Councils in Edinburgh in forming the Edinburgh Parent Councils Network, a parent-led project to encourage Parent Councils to share information and good practice; endorses the support given by the staff in the Parental Involvement Unit of the Children and Families Department for the Network to date; and instructs the Director of Children and Families to ensure that ongoing support is given to the Edinburgh Parent Councils Network in implementing the Department's parental involvement strategy.”

Decision

- 1) To applaud the initiative taken by School Parent Councils in Edinburgh in forming the Edinburgh Parent Councils Network, a parent-led project to encourage Parent Councils to share information and good practice.
- 2) To endorse the support given by the staff in the Parental Involvement Unit of the Children and Families Department for the Network to date.
- 3) To ask the Department to continue to work with the Network and to provide support as appropriate, taking account of staff capacity and budget constraints.

28 Lothian Cycle Campaign – Motion by Councillor Burgess

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

“That the Council:

- 1) Welcomes the proposal from Spokes, The Lothian Cycle Campaign, for City of Edinburgh Council to design a cycle-friendly corridor from the Meadows/Bruntsfield to the city centre and including Lothian Road.
- 2) Recognises the various reasons that make this corridor suitable for implementation of such a scheme, including that this is a major corridor linking dense residential areas with the city centre, at distances ideal for walking and cycling.
- 3) Notes that Spokes traffic counts show that, despite the existing adverse cycling conditions, this major and unavoidable desire-line already attracts large numbers of cyclists.
- 4) Further recognises that the Council's map of city centre accidents involving cyclists shows the greatest concentration to be along Lothian Road, between Fountainbridge and the West End. However that this is an area with no cycle lanes, and with advance stop lines missing at several junction approaches.
- 5) Notes the Spokes proposal that the Council calls in a Danish or Dutch traffic expert to work with the Council to redesign the area so that it caters far better in particular for cycling, but also for walking and for public transport.
- 6) Notes the goal that design and consultation should take place over the next 12 months, aiming to complete the work well before the end of the term of the current Council.
- 7) Recognises that increasing cycle use is embedded in Edinburgh's Local Transport Strategy and is now recognised throughout the Council's Single Outcome Agreement with the Scottish Government and therefore calls for a report on the Spokes proposal, including identifying possible funding streams to implement the scheme.”

Decision

To approve the motion by Councillor Burgess and to ask the Director of City Development to report on the matter to the Transport, Infrastructure and Environment Committee.

Declaration of Interests

Councillor Buchan declared a financial interest in the above item as a contractor eligible to submit a bid for the works and took no part in the debate on the matter.

Councillor Rose declared a non-financial interest in the above item as a member of Spokes.

29 EU Tendering Legislation – Motion by Councillor Ewan Aitken

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

“Council notes the variety of views across the country on the interpretation of EU legislation on the tendering of services for vulnerable people with significant and with complex support needs.

Council calls for a report in one cycle outlining the legal advice given by council solicitors and any advice given by other external agencies or legal sources that have been used to reach decisions about how many services must be put out to tender.”

Motion

To approve the motion.

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

Amendment

To take no action on the matter.

- moved by Councillor Edie, seconded by Councillor Gordon Mackenzie.

The City of Edinburgh Council
16 October 2008

Voting

The voting was as follows:

For the motion - 28 votes
For the amendment - 29 votes

Decision

To approve the amendment by Councillor Edie.

Declaration of Interests

Councillor Balfour declared a non-financial interest in the above item as a Director of a charity involved in the tendering process.

30 Impact of Road Works – Motion by Councillor Perry

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

“Council acknowledges the adverse impact of planned road works on the timetable for Lothian Buses as well as traffic flow, particularly in the centre of Edinburgh. This, together with the downturn in the economy, has resulted in a significant reduction in the number of bus passengers.

In order to help alleviate this situation, Council undertakes to:

- 1) Meet with all the agencies which are planning to dig up Edinburgh’s roads in the next three years, with a view to rescheduling their programmes to minimise the effect on traffic flow particularly in the centre of Edinburgh.
- 2) Review the Council's own programme of road maintenance with a view to rescheduling all works that will adversely affect traffic flow in the city centre.
- 3) Prioritise pavement maintenance.”

The City of Edinburgh Council
16 October 2008

Motion

To approve the motion, subject to the insertion of the following phrase at the beginning of the second paragraph:

“Council regrets the Administration’s lack of leadership on this issue and”

- moved by Councillor Perry, seconded by Councillor Henderson (on behalf of the Labour Group).

Amendment

- 1) To approve the first paragraph of the motion.
- 2) To note:
 - (a) the record sums allocated by the Administration to tackle the backlog of repairs and maintenance required for the city’s roads and pavements.
 - (b) that the Transport, Infrastructure and Environment Committee would receive regular progress reports on the functioning of the Edinburgh Roadworks Ahead Agreement.
 - (c) that senior officers from City Development and Services for Communities were already reviewing the programme of road works planned by both the Council and utility undertakings for the duration of the tram project.
- 3) To instruct the Director of Services for Communities to report to the next meeting of the Transport, Infrastructure and Environment Committee, and regularly thereafter, on progress with the better co-ordination of scheduled road works both by the Council and by utilities.

- moved by Councillor Wheeler, seconded by Councillor Aldridge.

Voting

The voting was as follows:

For the motion - 28 votes
For the amendment - 29 votes

The City of Edinburgh Council
16 October 2008

Decision

To approve the amendment by Councillor Wheeler.

Declaration of Interests

Councillors Buchanan, Jackson, Gordon Mackenzie, Perry and Wheeler declared a non-financial interest in the above item as non-Executive Directors of **tie**.

31 Tram Works – Motion by Councillor Blacklock

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

“Council is aware of the disruption on Leith Walk caused by the tram works and its effect on business, in particular small businesses.

Council is also aware that the city centre had a cessation of tram works over the Christmas period last year in order to help businesses. This lasted from the last Friday in November to the second Monday in January.

In order to create parity, Council agrees that the traders of Leith Walk will be offered the same cessation this year.”

Decision

To note that following discussions between the Administration and the Chief Executive of **tie**, the **tie** Board was expected to approve a suspension of tram works in Leith Walk for a five week period over the Christmas and New Year season.

Declaration of Interests

Councillors Buchanan, Jackson, Gordon Mackenzie, Perry and Wheeler declared a non-financial interest in the above item as non-Executive Directors of **tie**.

32 Free Insulation for Every Home in Edinburgh – Motion by Councillor Chapman

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

“Council:

- 1) Notes the health and financial benefits associated with warm, dry homes, and the difficulties in achieving this faced by many citizens in Edinburgh due to rising heating bills.
- 2) Notes that a scheme in Kirklees Local Authority has provided free cavity wall insulation to over 11,000 homes in the last two years, and that this scheme has resulted in the reduction of heating costs for the residents of these homes; a reduction in climate change emissions due to less energy being consumed; and the creation of jobs in the insulation industry.
- 3) Notes that this scheme was funded by both energy companies and Kirklees Council, and is an excellent way for energy companies to meet their obligations under the Carbon Emissions Reduction Target (CERT) scheme.
- 4) Believes that by backing such a scheme, this Council could support those facing financial hardship and fuel poverty.
- 5) Calls for a report on how such a scheme could be implemented in Edinburgh, including a range of financial considerations (from part-Council funded to fully-CERT financed), to go to the next meetings of both the Finance and Resources Committee and the Health, Social Care and Housing Committee, so that any decisions can be considered in time for the Budget meeting of February 2009.”

Decision

To approve the motion by Councillor Chapman.

33 Management and Employee Relations – Motion by Councillor Burns

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

“Council notes the value and importance of good working relations between management and employees.

The City of Edinburgh Council
16 October 2008

Therefore Council notes with concern that there are currently at least two collective grievances underway in the Children and Families and Services for Communities Departments.

Council calls for an urgent report to go the Finance and Resources Committee detailing all the ongoing disputes within the Council and seeking assurances that all agreed council procedures are being adhered to.”

Motion

To approve the motion.

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

Amendment

- 1) To approve paragraph 1 of the motion.
- 2) To note that the Joint Consultative Group (JCG) met regularly, in contrast to practice during the previous Administration, to discuss issues relating to management/employee relations.
- 3) To note that minutes of the JCG were referred to the Finance and Resources Committee for information, thereby providing a further opportunity to discuss matters relating to employee relations.
- 4) To agree that these arrangements provided a satisfactory framework for the routine scrutiny of working relations between management and employees and to take no further action at this time.

- moved by Councillor Gordon Mackenzie, seconded by Councillor Elliott-Cannon.

Voting

The voting was as follows:

For the motion	-	17 votes
For the amendment	-	40 votes

Decision

To approve the amendment by Councillor Gordon Mackenzie.

The City of Edinburgh Council
16 October 2008

Appendix

(As referred to in Act of Council No 4 of 16 October 2008)

QUESTION NO 1

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

Question (1) Please could the Convener advise what discussions have been ongoing regarding the provision of a Gaelic medium secondary school for Edinburgh?

Answer (1) The Council is in the process of commissioning work to forecast demand for Gaelic medium education/learning provision in the city. This will provide robust data to inform our Gaelic Language Plan and give direction to the development of both primary and secondary education in Gaelic. The Children and Families Department chairs a Gaelic Development Group which consists of parents of Gaelic medium education children and Children and Families' staff. This group will be the principal forum for discussion about the way forward.

Question (2) Is the Council supportive of moves to create and enhance Gaelic medium education in the city?

Answer (2) Gaelic medium education in Edinburgh is celebrating its 20th anniversary this year. In that twenty years it has grown from a very small unit of less than ten children to a unit of 113 children in primary, 48 children in nursery and over 40 children in secondary school; there are also approximately 300 children receiving Gaelic as a modern language in primary school each year.

Supplementary Question

I was just wondering in relation to answer (2) if the Convener is very supportive of Gaelic medium education. It is just that we have a list of what other Councils have done and I was wondering if the Convener could perhaps give the Council a suggestion of her feelings on the matter as well.

The City of Edinburgh Council
16 October 2008

**Supplementary
Answer**

I have always been supportive certainly of the great work that is done in our primary school and I am very pleased to see that a number of our children have done extremely well at the recent Mod and congratulations to them. I think that is very good news and certainly look forward to working on the Gaelic Language Plan in the future.

The City of Edinburgh Council
16 October 2008

QUESTION NO 2

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

Question

What contact has the Convener or the Director of Children and Families had with Donaldson's School since the move to the site in Linlithgow?

Answer

Neither the Convener nor the Director has had call to visit the school. Officers within the Children and Families Department have continued to maintain the same level of contact with Donaldson's School since their move to Linlithgow.

**Supplementary
Question**

I am slightly disappointed that neither the Convener nor the Director has made time yet to go out and see the new school in Linlithgow. In 29 out of 32 authorities either the Directors or Head of Departments have been out to see the school. The First Minister has been out and I wonder whether she could make a commitment that she or the Director would go out to see the new school and also recommit that, in principle, the Council is in favour of sending children, where appropriate, to the school.

**Supplementary
Answer**

Yes. I am certainly happy to either commit myself and/or the Director to go out and visit Donaldson's. As you will know, I have a lot of primary schools, secondary schools, special schools, CLTs and nurseries and I do try and get out and about as much as possible. I do visit a lot of establishments as indeed does the Director but we will try to get out there soon.

The City of Edinburgh Council
16 October 2008

QUESTION NO 3

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

Question

It was recently reported that Graham Russell is to be appointed by the Council/**tie** as a "champion" for traders and businesses affected by tram works.

It was also reported that the Council is still to "complete a thorough recruitment process".

Please provide the following -

- a) What recruitment process has been used?
- b) Where and when was this job advertised?
- c) How many applications were received?
- d) Where and when did the interview process take place?
- e) When and where will notification of the successful candidate be reported?

Answer

No recruitment process has been agreed. This will be decided in consultation with the Leith and West End Traders.

This Administration is clear that if public funding is to be used, then a fair and transparent recruitment process must be adopted.

The City of Edinburgh Council
16 October 2008

**Supplementary
Question**

Regarding the appointment of Graham Russell as a “champion” for traders, I note that the Convener tells us that no recruitment process for this post has been agreed in spite of the fact that the Head of Economic Development of the Council was quoted in the press saying that the Council has still to complete a further recruitment process which is slightly contradictory. Also in the piece it was reported that, although you are telling me that no recruitment process has been agreed, the City Economic Development Leader, Tom Buchanan, welcomed the appointment saying that it is fairly obvious that Graham is good at championing causes from his work at the FSB (Federation of Small Businesses) and I think both communities benefit from that.

Clearly, somebody in the Administration does not know what is going on. Is it yourself or Councillor Buchanan?

**Supplementary
Answer**

I thank the Councillor for his interesting question. I would reiterate the response I have given in writing that I was not aware of any recruitment process but if my colleague Councillor Buchanan was involved in that so be it.

**Supplementary
Answer by
Councillor
Buchanan**

There will be a recruitment process for this post. The actual comment that I made was that Graham Russell **would** make a good representative for Leith not that he was going to be appointed.

The City of Edinburgh Council
16 October 2008

QUESTION NO 4

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

Question (1) Who commissioned the report from cre8ARCHITECTURE which proposes that the Haymarket War Memorial be permanently relocated to Atholl Crescent?

Answer (1) The report was commissioned by **tie** and was not predicated on the permanent relocation of the Haymarket War Memorial.

Question (2) Who was consulted before the report was commissioned?

Answer (2) **tie** and Council officials discussed and agreed the commission. Meetings have been held with two of the stakeholders (The Federation of Hearts Supporters Clubs and the McCrae Trust) to discuss the temporary proposals and seek advice on the consultation process.

Question (3) Why was the report commissioned and how much did it cost?

Answer (3) The commission, which included design work, cost £10,000 and was aimed at providing an alternative location for the monument during the tram construction period, which might result in its temporary storage. If stored, it is proposed to provide a symbolic monument at Atholl Crescent Gardens during this period. Following completion of the tram works, the Administration is committed to ensuring that the memorial is permanently sited back at Haymarket.

**Supplementary
Question**

The issue of the Hearts War Memorial was dealt with earlier and I think is going to be resolved in terms of the two motions and I welcome the contributions that have come forward on that.

The City of Edinburgh Council
16 October 2008

However, the question I asked was why the cre8ARCHITECTURE report was commissioned to permanently relocate the Haymarket War Memorial and you have replied by saying that the report was commissioned by **tie** and was not predicated on the permanent relocation of the Haymarket War Memorial.

Can I just establish, first of all, if you have seen the cre8ARCHITECTURE report? No, you have not? Okay, can I just read one sentence from it to you then you can let me know whether you still think your answer is factually correct? The second paragraph of the report says "On 25 April 2008 **tie** commissioned cre8ARCHITECTURE to investigate proposals for the possible permanent relocation of the Hearts Memorial clock from Haymarket to a site in Atholl Crescent Gardens." Clearly, they were commissioned to carry out a piece of work to look at the permanent relocation of the memorial and we are now told that this report cost £10,000 – £10,000 of public money. Do you have any response to that?

**Supplementary
Answer**

I would remind Councillor Henderson that at the time in question he and I were both Directors of **tie** so I am sure that he is also aware or otherwise of the commission being given to the architects back in the spring. Certainly, I am concerned about any suggestion that there would be a permanent re-siting of the memorial. It has to go back where it was before.

**Councillor
Henderson**

I have clarified with Council officers the fact that this work was commissioned and has never been reported to the **tie** Board or anywhere else so I, like you, was in the dark.

The City of Edinburgh Council
16 October 2008

QUESTION NO 5

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

Question

Based on current condition (2008) which Edinburgh school buildings fall into the categories of "good", "satisfactory", "poor" or "bad"?

Answer

There are 128 schools in the school estate and a full analysis of the most current assessment of condition is shown below.

Condition ratings are assessed using Scottish Government Guidelines and this assessment methodology is based on the Royal Institute of Chartered Surveyor's (RICS) conventions. It should be noted that the second category (condition B) under the Scottish Government terminology is described as 'satisfactory' - this is, in fact, the same category as used by RICS with the exception that the description used is 'fair'. Due to funding constraints, the vast majority of the estate has not been surveyed since 2002/03 and only a few schools have had the condition rating changed since then; however, the change made has been based on assumptions and not on a full re-survey. Any new schools constructed during the intervening period, or those where comprehensive refurbishment has been undertaken, have been assumed to be 'good'.

As a consequence, the condition shown for many schools in the listing is probably not reflective of the current condition in 2008 as improvements in the last five years will not have been taken into consideration, nor will any further deterioration.

The only schools where a full re-survey has taken place since 2002/03 are the five Wave 3 schools and the results of the latest condition assessment are currently being reviewed.

The City of Edinburgh Council
16 October 2008

The schools comprise:

GOOD
Bonaly Primary School
Braidburn Special School
Broomhouse Primary School
Canal View Primary School
Castleview Primary School
Craigmount High School
Craigour Park Primary
Craigroyston Primary School
Cramond Primary School
Currie Primary School
Davidson's Mains Primary School
Dean Park Primary School
Drummond Comm High School
East Craigs Primary School
Firrhill High School
Forthview Primary
Gorgie Mills Special School
Gracemount High School
Howdenhall Secure Unit
Niddrie Mill Primary School
Oxgangs Primary School
Pentland Primary School
Pirniehall Primary School
Rowanfield Special School
St David's Primary School
St Francis' Primary School
St Joseph's Primary School
St Peter's Primary School
St Thomas Of Aquin's High School
The Royal High School
Woodlands Special School

FAIR
Abbeyhill Primary School
Balerno Community High School
Balgreen Primary School
Blackhall Primary School
Bonnington Primary School
Broughton High School
Broughton Primary School
Brunstane Primary School
Buckstone Primary School
Burdiehouse Primary School
Carrick Knowe Primary School
Clermiston Primary School
Clovenstone Primary School

The City of Edinburgh Council
16 October 2008

FAIR
Colinton Primary School
Corstorphine Primary School
Craigentiny Primary School
Currie Community High School
Dalmeny Primary School
Dalry Primary School
Drumbrae Primary School
Duddingston Primary School
Echline Primary School
Flora Stevenson Primary
Forrester High School
Fort Primary School
Fox Covert Primary School
Fox Covert RC Primary School
Gilmerton Primary School
Gracemount Primary School
Granton Primary School
Gylemuir Primary School
Hermitage Park Primary School
Holy Cross Primary School
Holy Rood RC High School
James Gillespie's Primary School
Juniper Green Primary School
Kaimes School
Kirkliston Primary School
Leith Academy
Leith Primary School
Leith Walk Primary School
Liberton High School
Liberton Primary School
Lismore Primary School
Longstone Primary School
Lorne Primary School
Nether Currie Primary School
Newcraighall Primary School
Oaklands Special School
Parsons Green
Pilrig Park School
Preston Street Primary School
Prestonfield Primary School
Prospect Bank School
Queensferry Community High School
Queensferry Primary School
Redhall Special School
Roseburn Primary School
Royal Mile Primary School
Sciennes Primary School
South Morningside Primary School
St Augustine's High School

The City of Edinburgh Council
16 October 2008

FAIR
St Catherine's RC Primary School
St John Vianney Primary
St Margaret's RC Primary School
St Mark's Primary School
St Mary's Primary School
St Mary's RC Primary School
St Ninian's Primary School
Stenhouse Primary School
Stockbridge Primary School
The Royal High Primary School
Tollcross Primary School
Towerbank Primary School
Trinity Academy
Trinity Primary School
Victoria Primary School
Wardie Primary School
Westburn Primary School
Wester Hailes Education Centre

POOR
Bruntsfield Primary School
Castlebrae Community High School
Craiglockhart Primary School
Craigroyston Comm High School
Ferryhill Primary School
Hillwood Primary School
Murrayburn Primary School
Ratho Primary School
Royston Primary School
Sighthill Primary School
St Cuthbert's Primary School
Tynecastle High School

WAVE 3 UNDER REVIEW
Boroughmuir High School
James Gillespie's High School
Portobello High School
St Crispin's School
St John's Primary School

		% of Estate by Number
Good	30	24%
Fair	81	63%
Poor	12	9%
Bad	0	0%
Wave 3 Under Review	5	4%
	128	100%

The City of Edinburgh Council
16 October 2008

**Supplementary
Question**

I am very grateful to the Convener for the detailed response. Regarding the Wave 3 schools which have already been discussed today, will the latest survey reports be published on the Wave 3 schools and, if so, when?

**Supplementary
Answer**

My understanding is that they will be and it will be part of the December report.

The City of Edinburgh Council
16 October 2008

QUESTION NO 6

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

Question

With reference to the Scottish Government /
CoSLA Concordat and the following excerpts -

"That local authorities agree to deliver on a specified set of commitments from within the funding envelope provided."

"Free school meals - Providing nutritious free school meals for all P1 to P3 pupils in the pilot areas until the end of the current academic year (ie up to June 2008). The remainder of 2008-09 will be taken up with evaluation of the trials. In 2009-10, provided the evaluation of the trials is positive, legislation will be introduced to allow extension of the nutritious free school meals to all pupils in P1 to P3. Assuming the legislation is passed, local authorities will provide free school meals to all P1 to P3 pupils from August 2010."

- how does the Convener envisage that this commitment will be delivered by City of Edinburgh Council?

Answer

The revenue budget 2008 – 2011 approved on the 21 February 2008 contains provision of £0.16m/£1.44m/£1.60m respectively over the 3 year period to fund the introduction of free school meals for all P1 to P3 pupils in Edinburgh. Following the government announcement regarding the success of the pilot, work is ongoing to quantify the financial implications of introducing free school meals within the time scales envisaged by the Scottish Government.

In the period between now and August 2010 there is a requirement to address the physical capacity of kitchen equipment, school dining facilities and other operational considerations to cater for the uptake in demand likely to arise from the introduction of free school meals and Children and Families will work closely with Edinburgh Catering Services and our PPP partner providers to allow the Council to work towards meeting this very challenging target.

The City of Edinburgh Council
16 October 2008

**Supplementary
Question**

I am grateful for the detail about the budget allocation over the next three financial years. However, given that the Convener and the Leader have been quoted as saying that implementing free school meals will be difficult and challenging, does that mean that both think that the current revenue and capital allocations are inadequate to deliver the promise of free school meals?

**Supplementary
Answer**

There is work ongoing at the moment to try to estimate how much it would cost to offer free school meals to P1, 2 and 3. The difficulty in estimating that, as you will probably realise, is the capital costs and how many schools would need additional kitchens; indeed which schools at the moment would be too squashed in their dining facilities and what assistance they would need, in the way of transportation costs, equipment costs and staff costs. All that will have to be assessed and, as I said, at the moment that work is ongoing and really until I have that report from officials, I cannot say whether or not we will have sufficient money. In my view, my personal view, I suspect there is not sufficient money at the moment in the budget to implement the Scottish Government's policy.

The City of Edinburgh Council
16 October 2008

QUESTION NO 7

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

- Question** (1) Will you now explain to the Council why you failed to get proper verification for your now discredited claim that you had “incontrovertible evidence” that my constituent, Mrs Lynda Flex, leaked information about the discussion of the Forum on Children and Families Estate Rationalisation to the press?
- Question** (2) Given the findings of the independent investigator into the circumstances surrounding your decision to ban my constituent, Lynda Flex, from participating in the Forum on Children and Families Estate Rationalisation, will you explain to the Council on what Standing Order of the Council or decision of the Council or Council Committee or delegated authority to you for another body that you used to ban her from that group without reference to anyone else?
- Question** (3) Given the findings of the independent investigator into the circumstances surrounding your decision to ban my constituent, Lynda Flex, from participating in the Forum on Children and Families Estate Rationalisation, will you explain to the Council on what Standing Order of the Council or decision of the Council or Council Committee or delegated authority to you for another body that you used to ban her from entering the City Chambers even to meet with her own ward Councillor without reference to anyone else?

The City of Edinburgh Council
16 October 2008

Question (4) The findings of the independent investigator into the circumstances surrounding your decision to ban my constituent, Lynda Flex, from participating in the Forum on Children and Families Estate Rationalisation has shown that your action attacked Mrs Flex's integrity and honesty without foundation. Will you now offer her a full, public and unreserved apology in front of the full Council meeting?

Answers The answers to 1, 2 and 4 are contained in the report to the Council tabled today.

The answer to 3 is that Mrs Flex was only asked to leave the Forum meeting and no ban from the City Chambers was imposed.

Supplementary Question I offer an apology to the Lord Provost because I am about to break a convention. It is normally the convention to thank the Convener for the reply but I am not prepared to do that in this case because it would not be true. It wins the brass neck award for disrespecting the Council and the truth is that the Convener could not answer it because she failed miserably to get evidence because there was none. There was no Standing Order to use because she overstepped her powers by some distance and the apology she claimed to have sent to Mrs Flex actually, according to Mrs Flex, contained 300 words referring to the report and only 20 words of anything resembling an apology and it is certainly not something she can accept.

Also, answer (3) is simply not true. I stood with my constituent and tried to get into the Chambers with her as my constituent to go to my office and I was told by both the security officer and the individual behind the desk that they had been given strict instructions not to let Mrs Flex in the building and could give no indication at that point on what basis or how long that ban was to be in place.

Do you recognise that what you have said in that answer is not true?

Supplementary Answer No.

The City of Edinburgh Council
16 October 2008

**Councillor
Ewan Aitken**

I do have a follow up question but given the previous answer, I am not going to ask it because I just won't believe the answer.

The City of Edinburgh Council
16 October 2008

QUESTION NO 8

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

Question

I am told by social work staff that in a number of Children and Families teams there are now no team members, other than managers, who have more than 18 month experience. Can you give the Council the numbers of staff in each Children and Families social work team, the experience levels and the retention levels, using the table below:

Team name

Number of staff with up to one year's experience

Number of staff with between one and two years' experience

Number of staff with between two and three years' experience

Number of staff with more than 3 years experience

Retention levels

Answer

Practice Team	Up to 1 yr	1-2 yrs	2-3 yrs	3+ yrs
Captain's Road SWC	3	2	1	17
Craigentenny SWC	6	2	3	11
Craigmillar SWC	1	1	1	16
Leith SWC	1	2	5	5
Muirhouse SWC	2	1	-	10
Murrayburn Gate SWC	-	3	-	11
Oxgangs Path SWC	2	1	4	6

The City of Edinburgh Council
16 October 2008

Springwell House SWC	-	3	6	6
Victoria Street SWC	2	2	-	4
West Pilton SWC	4	4	4	2
Westfield House SWC	3	1	-	5
Hospital Service (C&F)	-	-	-	15
Emergency SW Services (H&SC)	-	-	-	12

Retention levels - while there is some turnover in staffing levels, much of which is for positive reasons, eg promoted posts within the service or in other related services, overall, retention levels have been good across the service.

The City of Edinburgh Council
16 October 2008

QUESTION NO 9

**By Councillor Ewan Aitken
answered by the Convener of the
Health, Social Care and Housing
Committee**

Question (1) Can you tell me how many people have applied for direct payments for their care package in the last year?

Answer (1) From October 2007 to date, there have been 128 Direct Payment applications to the Health and Social Care Direct Payment Panel.

Question (2) Can you tell me what the average time is from an application for direct payments to payments being agreed?

Answer (2) 87% of applications are approved within one month.

Question (3) Can you explain the definitions and benchmarks for judging the quality of a service in terms of the contracts being put out to tender for care packages?

Answer (3) All tenders for social care services in the Council are weighted 70% towards quality and 30% towards cost.

The exact definitions and benchmarks used to evaluate quality vary depending on the care service being tendered. The measures that are used to assess quality include:

- service users' quality of life and health;
- attention to equalities issues;
- how service users are involved and included in services;
- staff qualifications and training;
- staff recruitment and retention levels;
- staff care policies and remuneration;
- level and nature of complaints;
- out of hours cover;
- Care Commission inspection report outcomes;
- compatibility with local care models and philosophy of care;

The City of Edinburgh Council
16 October 2008

- provider's experience in the service area;
- local infrastructure to support the service;
- experience in partnership working with Councils or the NHS.

**Supplementary
Question**

I was concerned there is nothing in the answer about the issues around quality that the Convener has identified in relation to the consequences of change – how change will be managed and whether the consequences would be far greater than the apparent benefit for the clients involved – or about the quality of relationships that are the basis of many of the services that are required. I am asking why that is not there.

**Supplementary
Answer**

I am not altogether sure I agree with Councillor Aitken. I think it is well laid out in service users' quality of life and health and there is a whole range of other issues underneath that so, no, I disagree.

The City of Edinburgh Council
16 October 2008

QUESTION NO 10

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

Question

Can you explain what progress has been made regarding the report on alternative proposals for the Number 12 bus service and why local members have not been involved in these discussions despite promises made at the additional Transport, Infrastructure and Environment Committee on 16 September 2008?

Answer

The Director of City Development agreed to report to the meeting of the Transport, Infrastructure and Environment Committee within two committee cycles. This report will address the decision of the Committee in response to Councillor Aitken's motions.

City Development is working in collaboration with Lothian Buses plc to identify potential options for route adaptations and potential locations for a turning circle. Local members will be consulted when options have been identified.

**Supplementary
Question**

Would it not have been better to start with the local Councillors from all parties because they are more likely to know the issues than the officers given that it is about a locality?

**Supplementary
Answer**

As indicated in my answer, this is work in progress. Once there is something to discuss with the local members that will happen.

The City of Edinburgh Council
16 October 2008

QUESTION NO 11

**By Councillor Ewan Aitken
answered by the Leader of the
Council**

Question (1) The recent changes to the Standing Orders mean that most if not all motions raised by local members for the full Council are now remitted to Committees by the Lord Provost in consultation with no-one.

Why are those who raise motions for the full Council not informed directly of the Lord Provost's decision?

Question (2) If the member raising the motion is not a member of the Committee concerned, how do they get to speak to their motion?

Question (3) Do you agree that the suggestion of "subbing" is too ad hoc and will not work if more members from one group have motions at a Committee than there are members of their group on the Committee, especially if the Committee members have concerns to raise about other issues on the agenda?

Answer The new Standing Order was approved by Council on 26 June 2008, in connection with the six months' review of the Council new political management arrangements. Prior to today's meeting, the Lord Provost has used it only once, in the case of your motion on the no 12 bus service to the August Council meeting. Before doing so, he took advice from the Council Secretary and myself.

Preparations for the August Council meeting were hampered by industrial action on the previous day. The Council Secretary has given me an assurance that, when the Lord Provost intends to use this Standing Order in the future, the Councillor submitting the motion will be told.

The City of Edinburgh Council
16 October 2008

Standing Order 47(1) states that, when a motion is referred to a Committee, the proposer of the motion may address the Committee on the motion and at any later consideration by a Committee which directly relates to the motion, unless it is discharged, but will not have a vote. There is no reason why he or she needs to be nominated as a substitute for another member.

**Supplementary
Question**

The Leader's answer is a model of clarity and decisiveness and I wonder why she has not applied this to any other decision so far.

**Supplementary
Answer**

That is not worthy of an answer Councillor Aitken.

The City of Edinburgh Council
16 October 2008

QUESTION NO 12

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

Question (1) Can the Leader inform Council of what steps either herself, the Liberal Democrats or the Administration have taken since last full Council to attempt to save Warrender Park Post Office?

Answer (1) The Council's submission on post office closures in Edinburgh, as agreed by the coalition parties, with support from the Conservative and Green Groups, was lodged with Post Office Ltd on 29 September. As you know, the Labour Group opposed this submission to save post offices.

The Council's position is to oppose all post office closures in the city but the report also highlighted the particular circumstances of Warrender Park Road (WPR), situated in an area with substantial increases in transient populations, including students and young graduate workers. Postwatch Scotland's comments on WPR (as a fairly large branch serving a significant young single and student population) were also included.

The Council's submission also draws attention to the fact that WPR serves a catchment area with a particularly high percentage of households containing 3 or more adults and no children (19.5% compared to the city average of 11.2%). This point reinforced the case for WPR regarding inward migration to the area.

Prior to submission of the Council's response to the consultation, John Barrett MP was the only Edinburgh MP to support the call for a review of closures on 19 March 2008.

I have supported the local Liberal Democrat campaign to try and save the well used WPR Post Office, being one of the 2500 post offices to be closed across Britain as part of the latest batch of closures ordered by the Labour Government.

The City of Edinburgh Council
16 October 2008

Nearly 3000 people have signed the Lib Dem petition to save Post Offices in Edinburgh South and the sub-postmaster has praised our proactive campaign.

Question (2) Would the Leader be able to outline what representations she or her Administration has made to the Scottish Government for subsidy and can the Leader tell us how much or how little of the Essex model has been investigated and either ruled out as a way forward or ruled in as a possibility?

Answer (2) No representations have been made to the Scottish Government for subsidy.

There has been consideration of the Essex model, however, following the approved motion of Council on 1 May 2008.

At its meeting on 26 June the Council considered a detailed report "Post Office Closures: Update on Essex County Council's support for Post Office outlets and its applicability to Edinburgh". It was reported that a full assessment of the Essex model and its viability in Edinburgh had not been possible due to the County Council's non disclosure agreement with Post Office Ltd. Nevertheless, the conclusion drawn from the limited information available was that the approach in rural Essex was not relevant in the city context. However, members of the Council's Cross Party Working Group continue to monitor developments elsewhere.

Since then, with the successful reopening of the Station Way Branch, in Buckhurst Hill, Essex, officers in Corporate Services continue to monitor the situation. The only support given by Essex Council has been in the form of grants to make the modifications to the shop that houses the branch. The terms of the reopening do not allow a subsidy to the business.

The City of Edinburgh Council
16 October 2008

**Supplementary
Question**

The Leader's answer is factually incorrect but would she accept that in reading the answer to question (1), the only thing that she, as Leader, the Administration or the Liberal Democrats have done since the last full Council meeting to save the Post Office network in Edinburgh is to join a campaign, a well run campaign as it says here, by the local Liberal Democrats to try and save the well used post offices. Would she agree that is all that has been done? Would she also please answer why she has not taken up Robin Harper's suggestion to lobby the Scottish Government for subsidy to assist with the saving of these?

The answer to question (2) states that the only support given by Essex Council has been in the form of grants to make modifications to the Post Office to allow it to be re-opened but I have a letter here from the Director of City Development to say that the Council would not supply that in this case to Warrender Park.

Finally, I did distribute, to be helpful, a little postcard from Essex which says that there is a conference about Post Offices at Essex County Council in October. Will the Leader or any member of her Administration be attending that conference to see what lessons could be learned in the saving of Warrender Park Post Office?

**Supplementary
Answer**

You are supposed to ask one question. I can't remember the detail of all of them.

The information in the given answers I think answers your questions very fully. Robin Harper has not approached me about anything and do not forget which party it was that actually called for these Post Office closures.

The City of Edinburgh Council
16 October 2008

QUESTION NO 13

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

Question

Following the Community Learning and Development (CLD) review can the Convener tell the Council why the Community Centres of Goodtrees and the Inch in my ward are still without a dedicated CLD worker and can she indicate the timescale for the appointment of a new worker for these Centres?

Answer

The allocation of staff to Community Centres has recently been completed as part of the organisational review of CLD.

A dedicated CLD worker has been allocated for Goodtrees and Inch Community Centres.

QUESTION NO 14

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

Question (1) Edinburgh Local Plan - Portobello High School

With regard to the Inquiry into the Edinburgh Local Plan, what is the Council doing to address the concerns of the National Playing Fields Association (now called Fields in Trust) and **sportscotland** in order to mitigate any opposition by them to the planned use of Portobello Park as the site of the new school?

Answer (1) In terms of the Edinburgh City Local Plan, neither Fields in Trust nor SportScotland have objected to the Portobello Park High School proposal as identified in the Plan as Proposal SCH 4. Other parties have objected to this element of the Plan and inquiry time has been scheduled to deal with those objections.

Question (2) Have Council officials met these groups to discuss their concerns?

Answer (2) Council planning staff have not met with Fields in Trust or Sport Scotland regarding Proposal SCH 4, as they are not objectors to that element of the Plan. The Wave 3 Project Team would expect to enter into a dialogue with SportScotland and other interested parties as part of the design process, prior to submission of a planning application, when the principle of whether the site is acceptable for the school would be determined. It would be at this juncture that the extent of the proposals and a view on how the sports facilities would be managed and operated for both the school and wider community would allow full discussions to take place.

Question (3) What steps is the Council taking to ensure that it can put the strongest case in defence of the proposed Edinburgh City Plan?

The City of Edinburgh Council
16 October 2008

- Answer** (3) The Council's statement of case regarding Proposal SCH 4 has been prepared by experienced professional planners working in the local plan team. At the relevant inquiry hearing, it is anticipated that the planning representation will be joined by an appropriate representative from Children and Families.
- Question** (4) Specifically, when does the council plan to conduct an audit of green space including public open space in the catchment area to evidence there is currently a surplus (eg that it currently exceeds 6 acres of open space for every 1000 residents)?
- Answer** (4) Work has already been carried out on a quantitative audit of open space citywide; however, the purpose of that work is to inform the preparation of an open space strategy, not to evidence a specific surplus in a specific area.
- Question** (5) What concrete work is the council doing to identify replacement green space to evidence there are equivalent facilities within a 10 minute walk for any green space that may be "lost"?
- Answer** (5) To date it has not been possible to identify any alternative green space which meets the cited criteria.
- It is also too early to identify exactly what land take will be required for the replacement school. This level of detail would emerge once detailed designs are pursued for the school.
- Question** (6) Is the Council prepared to consider a MUGA (multi-use games area) for example on the largely derelict, Council owned depot behind the golf club adjacent to the railway line? Fields in Trust confirmed this would, in principle, address their objection.
- Answer** (6) The Edinburgh Building Services Depot at Stanley Street has been declared surplus to requirements as part of a wider Depots Review. The suitability of the site for use as a multi use games area (MUGA) is unclear at the moment and would require further research as to demand, impact on residents and capital and revenue costs.

The City of Edinburgh Council
16 October 2008

QUESTION NO 15

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

Question (1) Can the Convener provide a list of the road works which have occurred over the last 12 months and are on-going for the Forth, Leith Walk and Inverleith wards?

Answer (1) The roadworks that have occurred over the last 12 months in Forth, Leith Links, and Inverleith wards, with their notification dates, are on the list below:

Scheme Name	Treatment Type	Date of Councillor Notification
Fraser Gardens/Grove	Footway Asphalt	12/05/2008
Wardie Square	Footway Other	07/05/2008
Boswall Drive	Footway Asphalt	22/10/2007
Boswall Gardens	Footway Asphalt	18/02/2008
Boswall Green	Footway Asphalt	30/05/2008
Boswall Terrace Ph2	Footway Asphalt	18/02/2008
Boswall Terrace Ph1	Footway Asphalt	18/02/2008
Craighall Road	Bus Priority Scheme	09/05/2008
Crewe Place	Footway Asphalt	11/09/2007
Crewe Road North	Footway Asphalt	14/02/2008
East Trinity Road	Carriageway	06/10/2008
Ferry Road (Dudley Av - Madeira St)	Carriageway	14/02/2008
Ferry Road (Dudley Av - Gosford Pl)	Carriageway	14/02/2008
Ferry Road (Inverleith)	Footway Asphalt	23/06/2008
Ferry Road (W Drylaw)	Footway Asphalt	07/03/2008
Ferry Road @ East Fettes Avenue	Carriageway	18/01/2008
Ferry Road (Newhaven Rd - S Fort St)	Streetscape Improvements	12/12/2007
Ferry Road at North Fort Street	Puffin Crossing Upgrade	12/12/2007
Ferry Road near Ferry Road Place	Puffin Crossing Upgrade	12/09/2008

The City of Edinburgh Council
16 October 2008

Scheme Name	Treatment Type	Date of Councillor Notification
Granton Medway	Carriageway	28/07/2008
Grierson Avenue	Footway Asphalt	30/05/2008
Newhaven Road	Bus Priority Scheme	09/05/2008
Royston Mains Road	Carriageway	11/09/2007
Royston Mains Road	Footway Asphalt	11/09/2007
Russell Place	Footway Asphalt	08/01/2008
Stanley Road	Bus Priority Scheme	09/05/2008
Trinity	Part Time 20mph	24/08/2007
Trinity Crescent	Carriageway	06/03/2008

Question (2) Can the Convener provide detail of the notice which was given:

- a) to the Councillors of these wards and
- b) to the relevant Neighbourhood Partnerships?

Answer (2) a) Councillor notification is sent out at the same time as to all adjoining residents and businesses, approximately 2 weeks prior to starting work on site.

- b) The Roads Capital Programme is consulted on through sub-groups of the Neighbourhood Partnerships as part of the Neighbourhood Environmental Programme. Although the formal notification letter for specific works is not currently sent to the Neighbourhood Partnerships, this could be easily facilitated by sending to nominated email contacts as desired.

Supplementary Question (1) I am sure the Convener is aware that there is a great deal of concern over the amount of road works being carried out in the city. My first question is with regard to the answer in the paragraph preceding the information. It refers to the wards Forth, Leith Links and Inverleith. Leith Links ward does not actually exist. It was Leith Walk ward I was asking about and that is obviously a typo from your side. So I wonder if I have actually been given any information about Leith Walk at all in the answer.

The City of Edinburgh Council
16 October 2008

- Supplementary Answer by Councillor Aldridge** (1) I am sure the Department will be happy to give any further information and you are at any time welcome to contact members of the Department to get that detailed information.
- Supplementary Question** (2) I only got sight of the questions this morning so I did not have time. My question is it would be helpful if as many people as possible could be informed about where the road works are going to be and why they are necessary. Could you therefore confirm that you are committed to notifying Neighbourhood Partnerships regarding road works that happen across the city?
- Supplementary Answer by Councillor Aldridge** (2) It is in the answer to the final question.

The City of Edinburgh Council
16 October 2008

QUESTION NO 16

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

Question

To ask the Transport Convener to outline:

- (i) the meetings you have attended with regards to the traffic problems in Edinburgh city centre;
- (ii) the public comment you have made on this issue;
- (iii) any other leadership actions you have taken to address the on-going situation.

Answer

- (i) The formal meetings I have attended to discuss these problems have been the one called by the Council Leader on Monday morning, 6 October, and the **tie** Limited board on Wednesday, 8 October. Apart from these formal meetings, I was involved in continuous dialogue with all relevant parties.
- (ii) On Thursday afternoon, 2 October, I made a public apology at the start of an interview for STV. I also spoke to the Evening News.
- (iii) Throughout the crisis, I kept in touch with developments by email and telephone calls to and from various persons at CEC and **tie** Limited. In addition, I instructed the Head of Transport to arrange for the parking wardens to concentrate on keeping bus lanes and Greenways clear. I have requested and continue to receive regular update briefings from relevant senior officers at both CEC and **tie**.

**Supplementary
Question**

I am just wondering if in hindsight the Convener thought it would have been better to have responded to what happened at the Mound quicker in order to squash the scurrilous rumours that were circulating in the press.

**Supplementary
Answer**

Hindsight is a wonderful tool is it not?

The City of Edinburgh Council
16 October 2008

QUESTION NO 17

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

Question

In August 2007, your Administration called for a report on the re-introduction of ceremonial robes for elected Councillors:

- has that report ever been produced?
- if not, can you point me to any subsequent decision of the Council to abandon the request for such a report?
- if not, can you explain why an 'outstanding decision' of the Council has been ignored?

Answer

A report has been prepared on this matter. Due to an administrative oversight it has not yet been submitted to Council for consideration. The intention is to take it to November Council. I would like to thank Councillor Burns for bringing this matter to my attention.

**Supplementary
Question**

Given that a report has apparently been prepared on this matter, does the Council Leader support the introduction of ceremonial robes, yes or no?

**Supplementary
Answer**

This will be discussed when the report comes up at the next meeting.

QUESTION NO 18

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

Question

In September 2007, after the schools closure programme collapsed, you made it clear that a new Administration 'dispute resolution' procedure was in place:

- was that dispute resolution' procedure invoked earlier in the month when the Council's Deputy Leader called for the resignation of the Executive Chairman of **tie**?
- if yes, what was the outcome?
- if no, is such a procedure worth the paper it is written on?

Answer

Whether or what dispute resolution is in place, or invoked, is an internal matter for the coalition Administration parties.

**Supplementary
Question**

I can see the Administration is being ever so helpful this afternoon.

Whilst I am willing to accept the Leader's response that this might be an internal matter for the coalition, does she not agree with me that externally continuing episodes like this make the coalition look like a shambles?

**Supplementary
Answer**

No.

The City of Edinburgh Council
16 October 2008

QUESTION NO 19

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

Question

During the September 2008 full Council meeting, the Chief Executive made it clear that he was then in receipt of the Independent Report into the circumstances surrounding Councillor MacLaren's decision to ban Lynda Flex from participating in the Forum on Children and Families Estate Evaluation:

- can you confirm exactly when the Chief Executive received this Independent Report?
- can you confirm that this Independent Report is entirely separate from any investigation currently being undertaken by the Standards Commission for Scotland?

Answer

I understand that the report was provided to the Chief Executive on 8 September.

I can confirm that this report is entirely separate from any investigation currently being undertaken by the Ethical Standards in Public Life body. However, the Chief Executive informed the Ethical Standards in Public Life body that he had commissioned this independent investigation and their investigating officer agreed to delay his own investigation pending its outcome. The report on the investigation that the Chief Executive commissioned has now been submitted to the Ethical Standards in Public Life body to assist them in their consideration of the complaint made to them by Mrs Flex.

**Supplementary
Question**

Is the Council Leader happy that a Standards Commission report has been delayed by several months at the request of senior Council officers? Do you think that such a delay is acceptable?

The City of Edinburgh Council
16 October 2008

**Supplementary
Answer**

I do not believe it was at the request of our officers. I understand that the investigating officer was away on holiday and the investigating officer also felt that it would be useful to have the report that had been commissioned by the Chief Executive to feed into their findings. So therefore, I do not believe that there is a delay for the reason you are suggesting.

The City of Edinburgh Council
16 October 2008

QUESTION NO 20

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

The Convener has had a meeting with parents of Stockbridge Primary School who are concerned about the loss of their school cook. Despite having a fully equipped and functional kitchen, meals for the children have been produced from a remote location and transported to the school. I would be grateful for answers to the following:

- Question** (1) In November 2007 the cook at the school left to fill a maternity cover at another school. Is it the case the school were informed that a temporary replacement would be sought? If the answer is yes, why was no replacement found?
- Answer** (1) In November 2007 the kitchen supervisor at Stockbridge Primary School left to take up a position at another school. A potential replacement supervisor was identified but she would have had to travel from Wester Hailes – a journey involving two buses. She was prepared to use her own car but the school was unable to provide a parking space for her. Given the likely journey time and the fact that this post was for only 5.5 hours daily, the individual decided not to consider what would otherwise have been a promotion for her.
- Question** (2) At the end of the cook's maternity cover why was she not sent back to Stockbridge School?
- Answer** (2) At that time the STO Manager had no other trained kitchen supervisor to put into the vacancy at Stockbridge; indeed there was a shortage of supervisors across the service and a small number of kitchens were already being managed directly by Field Supervisors.

Given the circumstances, the decision was taken by Edinburgh Catering Services (after consultation with Children and Families Department) to convert the kitchen to a "dining centre", at least on a temporary basis.

The City of Edinburgh Council
16 October 2008

The cook/Supervisor applied for a permanent post and was successful in her application.

- Question** (3) Why has this post still not been filled?
- Answer** (3) At the time, Stockbridge was actually providing fewer meals daily than all but one of the six primary kitchens that were subsequently “mothballed”.
- Question** (4) How long has Stockbridge Primary School had a cook on site?
- Answer** (4) Approximately 12 years.
- Question** (5) Has the uptake of school meals dropped since the loss of the cook at the school?
- Answer** (5) The average number of meals served daily has fallen from 53 in May 2007 to 45.
- Question** (6) Are the Department and the Convener concerned about the drop in school meals’ uptake in Stockbridge Primary School?
- Answer** (6) The Department is always concerned about the drop in uptake at any school.
- Question** (7) Has Stockbridge been on any list for mothballing of its kitchen in any reports which have been considered by the Council?
- Answer** (7) No. The six “mothballed kitchens” were identified in Policy and Strategy Report, Item No 10, School Catering Update, 5 August 2008. Stockbridge had been “mothballed” prior to the report but was referred to in the main report in item 3.14.
- Question** (8) If the answer is no when will a report be submitted to the Council?
- Answer** (8) Covered in (7) above.

The City of Edinburgh Council
16 October 2008

Supplementary Question (1) I thank the Convener for the answers. Unfortunately I have been trying to get answers to these questions for a number of weeks and that is why I put them to the Council.

I am sure, like me, the Convener is concerned that Stockbridge Primary School, which for 12 years has had a kitchen supervisor, a cook, or whatever you want to call it, and has had meals prepared on site, has now had this taken away. Answer (7) says that this was not one of the “mothballed kitchens” that was reported but could the Convener say whether there has been any consultation with the parents on this kitchen being “mothballed”?

Secondly, the Convener will be aware, since she had a meeting with the parents, that they are very keen to get the food cooked on the premises. If the parents were to commit themselves to increase the number of children attending for school meals, what would that average number be and can you give a commitment that if the parents get that number up they will get their meals cooked on premises as they have done for the last 12 years?

Supplementary Answer (1) There are a number of questions there and I understood that one question only was allowed. So perhaps I could ask Councillor Hinds which question she would like me to answer.

Supplementary Question (2) I am sorry Councillor MacLaren but you have been on this Council almost as long as I have and you will know you try to put the questions you ask into one following on but if you want to have one question then I am happy to do that. You maybe find it difficult to write it down; I can maybe understand that.

The one question I am asking is that the parents are concerned that for the last 12 years their children have had cooked meals and there has been no consultation regarding this. If the parents were to get the uptake of meals up to a certain number, and perhaps you could give me an indication of what you think that certain number is, will you give an indication of your commitment to the parents to actually bring a cook/supervisor back to Stockbridge Primary School. I think that was all the questions in one if that is okay.

The City of Edinburgh Council
16 October 2008

Supplementary Answer (2) That is fine thank you. As Councillor Hinds knows, the school catering service is run by Edinburgh Catering. It is not run by Education, Children and Families. Therefore, I do not have any direct operational control over this catering service but I have said to the parents of Stockbridge Primary School that if they improve their uptake I am willing to go back to Edinburgh Catering Services and to support the parents in their request for the opening of the kitchen.

QUESTION NO 21

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

Question (1) Is the Administration intending to send household waste to a new incinerator near Dunbar?

Answer (1) No

Question (2) What percentage of household waste does it intend is incinerated?

Answer (2) See 1 above

Question (3) Is the Administration considering any alternatives to incineration such as gasification?

Answer (3) The Council has not ruled out any alternative technologies but I have to stress that no decision has been reached on any preferred option at this stage.

Question (4) How and when does the Administration intend to decide between options for treatment of residual household waste?

Answer (4) The Council is currently discussing, with neighbouring authorities, options for a joint residual waste treatment project.

The City of Edinburgh Council
16 October 2008

**Supplementary
Question**

The Convener's answer says that the Administration are not intending to send Edinburgh's household waste to a new incinerator near Dunbar but can I draw Council's attention to no less a source than the Berwickshire Advertiser which reported on 10 September under the headline "Revised Plans for Viridor Incinerator Discussed" that the proposed plan is now to take waste from Edinburgh, Midlothian and East Lothian. It will also take regional residual commercial and industrial waste from these three areas. It is clear from this report that plans are going ahead for a new incinerator at Dunbar to take Edinburgh's waste and I wonder if we are to believe that Viridor are going ahead without having had some indication from this Council that they will have a customer.

**Supplementary
Answer by
Councillor
Aldridge**

That is correct. As you are aware the Council's position has always been that it is not decided on any particular form of means of disposing of residual waste and it will be up to individual companies to tender for that contract. Having said that, there are ongoing discussions between ourselves and partner authorities about a combined waste strategy but that is another issue.

The City of Edinburgh Council
16 October 2008

QUESTION NO 22

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

Question (1) Will the Administration set interim targets for citywide carbon dioxide reduction, between now and its target for a Zero Carbon City by 2050?

Answer (1) Yes

It is proposed to set a number of interim targets on a city wide basis.

The Council has already prepared a Climate Change Framework which now requires to be updated to reflect the rapidly changing and evolving Climate Change agenda both locally and at a Scottish national level. A key document of relevance to this process is the Climate Change Bill which is expected to complete its passage through the Scottish Parliament early in 2009. Since the Bill when enacted may contain new specific obligations and duties for local authorities, the Council's Climate Change Framework will be revised to reflect these.

The revised Framework will be presented to committee at the earliest opportunity in 2009, following the enactment of the Climate Change Bill. Given the clear urgency of effectively addressing carbon reduction across the city, the Framework will address the 2050 target with a plan of action and propose a number of interim city-wide carbon reduction targets.

Question (2) When will the finance be in place to advertise for the Carbon Management Officer post agreed by Council in May?

Answer (2) Work is still ongoing to try to identify funds for the Carbon Management Officer Post and I have asked that this be progressed as a priority.

The City of Edinburgh Council
16 October 2008

**Supplementary
Question**

In response to this question, the Administration indicated their intention to set a number of interim citywide targets for carbon dioxide reduction between now and 2050. Whilst this would seem like something the Greens would welcome, I am sure we can appreciate that the danger with interim targets is that the responsibility for achieving them can be buck-passed between consecutive political administrations. So rather than interim targets, will the Administration simply agree to a year on year 3-4% reduction that would help achieve the 80% reduction by 2050 that United Nations scientists are advising us is necessary?

**Supplementary
Answer by
Councillor
Aldridge**

We need to see the results of the Climate Change Bill which we hope are going to be very helpful to us and in the light of that to set targets. I am quite relaxed about us setting targets that are on a very short-term basis as well as the longer term targets.

The City of Edinburgh Council
16 October 2008

QUESTION NO 23

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

Question (1) In the three Air Quality Management Areas (AQMA) of the city that are failing to meet EU standards for air pollution what proportion of pollution is caused by (i) buses, (ii) lorries and (iii) cars?

Answer (1) Air quality data is based on the historical position of two AQMAs in Edinburgh. The first is based on a number of city centre hotspots at busy junctions. The second is centred on the junction of St John's Road and Clermiston Road.

The most recent research on source apportionment work for the city centre AQMA indicated that, in approximate terms, buses and articulated HGVs made up 10% of the fleet and contributed 60% of NO_x, rigid HGVs made up 4% of the fleet contributing 12% NO_x and cars made up 50% of the fleet contributing 15% NO_x. It is considered that although the overall numbers may have risen, the proportions are broadly similar.

For St John's Road AQMA, the data available shows the following make up of the fleet - 74% of the fleet is cars, 14.8% is buses and 2.6% HGVs. No source apportionment work has been carried out on the fleet for this data set, but if the same pattern is followed as was observed in city centre AQMA, it is assumed that buses are the largest contributor in terms of percentage NO_x contribution.

Question (2) How many car parking spaces have been approved in and around each AQMA area since the 2003 Air Quality Action Plan was published?

The City of Edinburgh Council
16 October 2008

Answer

- (2)** To respond to this question would require Planning staff to review every planning consent from each area over a considerable period. Given that the numbers of applications involved might run into thousands, it is not possible to provide this figure within the timescale. I suggest that Councillor Burgess discusses the issue with the Director of City Development to agree a mechanism for generating a reliable estimate.

The City of Edinburgh Council
16 October 2008

QUESTION NO 24

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

Question (1) What would the level of a 'living wage' for the City of Edinburgh be?

Question (2) How many Council employees are paid at this rate?

Question (3) How many Council employees are paid below this rate?

Answer

As Councillor Chapman will be aware there has been cross party interest and support for the concept of the 'living wage'. The 'living wage' is based on local living costs and involves the collection and analysis of a wide range of data.

For information a 'living wage' has been calculated for London, however it is important to note that this work is undertaken by a dedicated team at the Greater London Authority. For Edinburgh to undertake a similar task would require significant officer time and given the scale and complexities of the task there are no immediate plans to divert Council resource into this area of work.

The issue of a 'living wage' was however referenced in the recent Scottish Government consultation on Poverty, Deprivation and Inequality and I have asked Council officers to establish how this matter will now be progressed by the Scottish Government. I will update Councillor Chapman when I have this further information.

**Supplementary
Question**

I thank the Convener for his reply to this and for the other bits of information that have passed between us over the last week. I was wondering if he was aware of the Scottish Living Wage Unit in the STUC and, if so, could that be a part of the discussions that officials have?

The City of Edinburgh Council
16 October 2008

**Supplementary
Answer**

I would like to thank Councillor Chapman for the question. I certainly know a lot more about living wage issues as a result of researching this than I did a week ago. But I have to confess I was not aware of the Scottish Living Wage Unit in the STUC. I will have a look into it. We are awaiting a response from the Scottish Government but it seems like a reasonable suggestion. I will have a look at that

W2/CC/CEC161008/CE