

## The City of Edinburgh Council

Edinburgh, Thursday 11 December 2014

**Present:-**

### **LORD PROVOST**

**The Right Honourable Donald Wilson**

### **COUNCILLORS**

Elaine Aitken  
Robert C Aldridge  
Norma Austin Hart  
Nigel Bagshaw  
Jeremy R Balfour  
Gavin Barrie  
Angela Blacklock  
Chas Booth  
Mike Bridgman  
Deidre Brock  
Steve Burgess  
Andrew Burns  
Ronald Cairns  
Steve Cardownie  
Maggie Chapman  
Maureen M Child  
Bill Cook  
Nick Cook  
Gavin Corbett  
Cammy Day  
Denis C Dixon  
Karen Doran  
Paul G Edie  
Catherine Fullerton  
Nick Gardner  
Paul Godzik  
Joan Griffiths  
Bill Henderson  
Ricky Henderson

Dominic R C Heslop  
Lesley Hinds  
Sandy Howat  
Allan G Jackson  
Karen Keil  
David Key  
Richard Lewis  
Alex Lunn  
Melanie Main  
Mark McInnes  
Adam McVey  
Eric Milligan  
Joanna Mowat  
Gordon J Munro  
Jim Orr  
Lindsay Paterson  
Ian Perry  
Alasdair Rankin  
Vicki Redpath  
Keith Robson  
Cameron Rose  
Frank Ross  
Jason G Rust  
Alastair Shields  
Stefan Tymkewycz  
David Walker  
Iain Whyte  
Norman Work

## 1. Minutes

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### Decision

To approve the minute of the Council of 20 November 2014 as a correct record.

## 2. Questions

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The question put by a member to this meeting and written answer are contained in Appendix 1 to this minute.

## 3 Leader's Report

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

- Organise to Deliver – Thanks to the Chief Executive and staff involved
- Citizen's Advice Bureau 75<sup>th</sup> Anniversary – January 2015
- Winter weather preparations by the Council
- Tram Investigation
- Ongoing budget consultation
- Update on Sir Walter Scott novel "The Bride of Lammermuir"

The following questions/comments were made:

- |                      |   |
|----------------------|---|
| Lord Provost         | - Best wishes to the Chief Executive for a speedy recovery  |
| Councillor Fullerton | - Scottish Government funding in full for free school meals for P1-3<br>- Scottish Government funding in full for new halls to be built at Towerbank, East Craigs, Cramond and Sciennes Primary Schools |
| Councillor Rose      | - Best wishes to the Chief Executive<br>- Congratulations to the Leader for reaching Page 12 of the Bride of Lammermuir<br>- Organise to Deliver – staffing levels – aims and objectives                |
| Councillor Balfour   | - Revised Member-Officer Protocol – Thanks to staff and Governance, Risk and Best Value Committee<br>- Edinburgh Twins and Multiples Club Christmas Party – Santa Claus                                 |

Councillor Burgess	-	Edinburgh Marine Energy Company – Wind Turbine Manufacturing Plant – Representations to the Scottish Government
Councillor Aldridge	-	Childline Concert – Congratulations Instrumental Music Staff and musicians
	-	Potential bed blocking pressures
Councillor Edie	-	Council’s funding relationship with the North Edinburgh News - Investigation
Councillor Child	-	Community Planning Partnership – 10 year anniversary
Councillor Redpath	-	North Edinburgh Arts – Creative Arts Award
Councillor Cardownie	-	Organise to Deliver – no restrictions on Council to be tied to any particular model
Councillor Day	-	Housing and Regeneration Team – Award - Gracemount
Councillor Lunn	-	Congratulations to Duddingston Primary School – First Co-operative School in Edinburgh

#### 4. Organise to Deliver – Next Steps

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The Council had agreed to a further report outlining the phased implementation and overall approach for change in relation to the Council’s delivery model, to include indicative timescales and arrangements for consultation with elected members, officers and trade unions.

Details were provided on the proposed new delivery model for the organisation together with the Chief Officer posts contained therein.

#### **Motion**

- 1) To thank the Chief Executive for her report.
- 2) To agree the rationale and the key principles for the Council’s proposed revised delivery model.
- 3) To agree the case for delivery of front line services through the proposed locality model.

- 4) To agree the case for change to a proposed Business and Customer Services model that would drive efficiency, create a strong spine for the organisation and drive service delivery.
- 5) To agree the alignment of the proposed delivery model with the BOLD portfolio of change.
- 6) To agree the proposed delivery model illustrated in Appendix 1b to the report by the Chief Executive.
- 7) To agree the proposed directorate portfolios, illustrated in Appendix 1b to the report, and the proposed process for appointments to the Chief Officer posts in the proposed revised arrangements.
- 8) To note that consultation would begin with employees, Trades Unions and relevant partners on the proposed new structure.
- 9) To note that the consultation with employees and Trades Unions on the proposed new structure would include discussions on an enhanced voluntary redundancy scheme.
- 10) To note that the business cases for the BOLD transformation projects would be reported to the Finance and Resources Committee on 15 January 2015.
- 11) To note that all of these proposals were subject to Trades Unions and employee consultation which might point to the need for refining and reconsidering some of the proposals set out. Council would have the opportunity to approve the final position on these matters following such consultation.
- 12) To note that there would now therefore be formal consultation and a further report to the Corporate Policy and Strategy Committee, in the first quarter of next year on the next stage of implementation of the proposals, which would reflect on feedback from that consultation and would inform future recommendations.
- 13) To finally agree, given the wide scope of the proposed revised delivery model, to establish a 'CheckPoint Group' of key stakeholders which would oversee the process of implementation. This Group to include:
  - Council Leader (as Chair) + 2 other Labour Group Elected Members
  - Council Deputy-Leader + 2 other SNP Group Elected Members
  - 3 further Elected Members, 1 Councillor from each of the Opposition Groups

- Trade Union representatives X 2
- Voluntary Sector representatives X 2
- Business Sector representatives X 2
- Other sector/partner representatives, as required

The 'CheckPoint Group' would be Chaired by the Council Leader, and would attempt to meet once prior to the Christmas-recess, and at least monthly thereafter.

The Group to receive further, substantive detail on the proposed revised delivery model; all as part of ongoing dialogue and consultation.

The Group's deliberations would be advisory, and would form part of any update reports that go to Council, Committee and Elected Members as the process of implementation was taken forward.

- 14) To agree to a further report looking into the role Neighbourhood Partnerships would play within the new structure.

- moved by Councillor Burns, seconded by Councillor Cardownie

#### **Amendment 1**

To note the contents of the Report Organise to Deliver: Next Steps and agree to defer consideration of this report until the business cases as detailed in paragraph 3.5 of the report had been delivered and to consider this report in conjunction with the business cases; and that both reports should be considered together at a future meeting of the City of Edinburgh Council after scrutiny at the Finance and Resources Committee on 15<sup>th</sup> January 2015.

- moved by Councillor Mowat, seconded by Councillor Rose

#### **Amendment 2**

- 1) To recognise the increasing demands on the Council budget at a time of restricted finances and the threat to front-line services from year-on-year budget cuts.
- 2) To agree that the purpose of the organisational structure should be to improve service delivery by facilitating more responsive and holistic decision-making on behalf of service-users and improving staff job-satisfaction, while reducing costs; at the same time opening up new opportunities for innovative partnerships with community groups, third sector organisations and social enterprises.
- 3) To note that the report by the Chief Executive and recommendations proposed a very significant re-organisation of the Council based on limited

evidence that the proposed model would improve services and reduce costs and further note that there would be little possibility to reconsider this course once there was agreement to go ahead.

- 4) To therefore agree to receive a further report to the next meeting of the Council on the proposed re-organisation including:
  - Evidence that the proposed delivery model had worked in practice in other organisations;
  - A risk analysis of the proposed delivery model versus business-as-usual;
  - How the quality of front-line services would be protected and improved from the service-user perspective;
  - An estimate of cost implications in moving to the proposed delivery model;
  - A schedule for implementation of the proposed re-organisation;
  - Comparison of the benefits of the delivery model options 1a, 1b and 1c;
  - The proposed mechanism for setting budgets for the proposed four localities given their different demographic make-up;
  - Details of the proposed enhanced redundancy policy.
- 5) To agree in the meantime to begin consultation with employees and the Trades Unions on the proposed outline new structure.

- moved by Councillor Burgess, seconded by Councillor Chapman

## **Voting**

The voting was as follows:

For the Motion	-	39 votes
For Amendment 1	-	11 votes
For Amendment 2	-	6 votes

## **Decision**

- 1) To approve the motion by Councillor Burns.
- 2) To appoint Councillors Burns, Burgess, Cardownie, Child, Edie, Godzik, Rankin, Rose and Ross to the Checkpoint Group

(References - Act of Council No 7 of 23 October 2014; report by the Chief Executive, submitted)

## 5. Review of Political Management Arrangements

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The Council had reviewed its political management arrangements and agreed to a further report on a review of the petitions process and the frequency of all Committee meetings.

Details were provided on the outcome of consultation on the petitions process, working groups and the frequency of meetings together with proposals on the political management arrangements.

### **Motion**

- 1) To note the consultation undertaken with members of the public, elected members and senior officials.
- 2) To note that comprehensive guidance on working groups had been published on the Orb and best practice training would be provided to elected members in early 2015.
- 3) To agree to further strengthen governance around working groups as set out in paragraph 3.2.5 of the report by the Director of Corporate Governance.
- 4) To agree to retain the Petitions Committee with the change to criteria outlined in paragraphs 3.1.6.3 – 3.1.6.5 and 3.1.8 and the change in approach in paragraph 3.1.11 of the Director's report.
- 5) To agree Option 2 in relation to frequency of meetings of the Corporate Policy and Strategy Committee, ie to retain the Committee on a four week cycle.
- 6) To agree Option 2 in relation to frequency of meetings of the Governance, Risk and Best Value Committee, ie to retain the Committee on a four week cycle.
- 7) To agree the improvements to committee business processes set out in paragraphs 3.4.3 – 3.4.5 of the Director's report.

- moved by Councillor Burns, seconded by Councillor Cardownie

### **Amendment 1**

- 1) To note the consultation undertaken with members of the public, elected members and senior officials.
- 2) To note that comprehensive guidance on working groups had been published on the Orb and best practice training would be provided to elected members in early 2015.

- 3) To agree to further strengthen governance around working groups as set out in paragraph 3.2.5 of the report by the Director of Corporate Governance.
- 4) To accept option three as detailed at paragraph 3.1.12.3 of the report but exclude paragraph 3.1.6.3 from the recommendation.
- 5) To accept the recommendation in paragraph 3.3.7.2 of the report to retain the Corporate Policy and Strategy Committee on a four week cycle.
- 6) To accept the recommendation in paragraph 3.3.8.2 of the report to retain the Governance, Risk and Best Value Committee on a four week cycle.
- 7) To reject the recommendations at paragraphs 3.4.3 and 3.4.4 of the report and accept the principle of paragraph 3.4.5 that complex issues which were considered by multiple Committees were determined and scrutinised by one Committee which undertook the scrutiny and monitoring for the Council. The exception to this was if Council, Corporate Policy and Strategy Committee and Governance Risk and Best Value Committee considered elements of the issue should be scrutinised by their Committee; in line with paragraphs 3.4.3 and 3.4.4 of the report other Committees might receive copies of reports for information.

- moved by Councillor Balfour, seconded by Councillor Mowat

## **Amendment 2**

- 1) To note the consultation undertaken with members of the public, elected members and senior officials.
- 2) To agree at paragraph 3.1.12.2 of the report by the Director of Corporate Governance, Option two: Retain the Petitions Committee with the change to criteria outlined in paragraphs 3.1.6.3 - 3.1.6.5 and 3.1.8 of the report and change in approach in paragraph 3.1.11, **except that as well as extending petitions to 16-17 year olds agrees in principle to an extension to secondary school pupils within a year, subject to development of practical arrangements with Children & Families.**
- 3) To note that comprehensive guidance on working groups had been published on the Orb and best practice training would be provided to elected members in early 2015.
- 4) To agree to further strengthen governance around working groups as set out in paragraph 3.2.5 of the Director's report.



- 5) To agree at paragraph 3.3.7.1 of the report, **Option 2**: Retain the frequency of meetings for the Corporate Policy and Strategy Committee on a four week cycle.
- 6) To agree at paragraph 3.3.8.2 of the report , **Option 2**: Retain the Governance, Risk and Best Value Committee on a four week cycle to ensure the monthly opportunity for scrutiny of Council decisions.
- 7) To **not** agree the changes to the committee business processes as set out in paragraphs 3.4.3 – 3.4.5 of the report but retains the current separation of 'Reports' and 'Routine Decisions' to be included on the Committee agenda.

- moved by Councillor Burgess, seconded by Councillor Chapman

### **Amendment 3**

- 1) To note the review of political management arrangements.
- 2) To note the consultation undertaken with members of the public, elected members and senior officials.
- 3) To consider the options for the Petitions Committee and petitions process as set out in paragraph 3.1.12 of the report by the Director of Corporate Governance.
- 4) To note that comprehensive guidance on working groups had been published on the Orb and best practice training would be provided to elected members in early 2015.
- 5) To agree to further strengthen governance around working groups as set out in paragraph 3.2.5 of the report.
- 6) To further agree to a four week frequency of the Corporate Policy and Strategy and Governance, Risk and Best Value Committees.
- 7) To further agree to retain the petitions function but reporting directly to the relevant Executive Committees and to dissolve the Petitions Committee as laid out in option 3 in the report.

- moved by Councillor Edie, seconded by Councillor Aldridge

## **Voting**

The voting was as follows:

For the Motion	-	35 votes
For Amendment 1	-	11 votes
For Amendment 2	-	6 votes
For Amendment 3	-	3 votes

## **Decision**

To approve the motion by Councillor Burns.

(References – Act of Council No 9 of 23 October 2014; report by the Director of Corporate Governance, submitted.)

## **6. Review of Scheme of Delegation to Officers**

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Details were provided on the outcome of the latest review of the Scheme of Delegation to Officers together with proposed amendments.

### **Decision**

- 1) To repeal the existing Scheme of Delegation to Officers and approve in its place the draft Scheme set out in the Appendix to the report by the Director of Corporate Governance, such repeal and approval to take effect from today's date.
- 2) To delegate authority to the Director of Corporate Governance to take such actions and make such minor adjustments to the draft Scheme set out in the Appendix to the report as might be necessary in order to implement the decision of Council in relation to the report.

(References – Act of Council No 7 of 29 May 2014; report by the Director of Corporate Governance, submitted.)

## **7. Audit Scotland – Annual Report on the 2013/14 Audit**

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Details were provided on the principal findings arising from the Council's 2013/14 external audit.

### **Decision**

- 1) To note the report by the Director of Corporate Governance and in particular the action plan included as Appendix IV to the report, updates on which would

be provided to the Governance, Risk and Best Value Committee during the year.

- 2) To refer the report to the Governance, Risk and Best Value Committee for more detailed scrutiny as part of its workplan.

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

## **8. Lothian Pension Fund Resourcing Arrangement with Falkirk Council**

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Details were provided on discussions which had taken place with Falkirk Council to agree an arrangement whereby the Council would second certain staff to Falkirk to assist it with discrete aspects of the administration of the Falkirk Pension Fund.

### **Decision**

- 1) To approve the part time secondment of certain staff to Falkirk Council to assist it with discrete aspects of the administration of the Falkirk Pension Fund in line with the agreed 2014/15 service plan for the Lothian Pension Fund.
- 2) To note that the Pensions Committee would continue to oversee all material matters arising from its implementation.

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

## **9 Health and Social Care Integration Scheme: Update on Draft Integration Scheme**

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An update was provided on the Draft Integration Scheme as required by the Public Bodies (Joint Working) (Scotland) Act, which put in place the framework for integrating health and social care in Scotland.

### **Decision**

- 1) To note the current position with the preparation of the Draft Integration Scheme.
- 2) To note the lack of clarity with respect to the most recent Scottish Government guidance.
- 3) To note the matters which could not be progressed without further clarification.

- 4) To delegate authority for the Draft Integration Scheme to be approved for consultation by the Corporate Policy and Strategy Committee at its meeting on 20 January 2015.
- 5) To note that NHS Lothian would consider the Draft Scheme for Integration on 14 January 2015.

(References – Act of Council No 5 of 20 November 2014; report by the Chief Executive, submitted)

### **Declaration of Interests**

Councillor Ricky Henderson declared a financial interest in the above item as a Non-Executive Director of NHS Lothian.

Councillor Edie declared a financial interest in the above item as Chair of the Care Inspectorate and left the meeting during the Council's consideration.

## **10. North West Edinburgh Partnership Centre**

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Details were provided on the NHS Lothian led development of the new £12m North West Edinburgh Partnership Centre where it was proposed to co-locate NHS and Council services. Costs associated with the project were outlined.

### **Decision**

- 1) To approve the Council's contribution to a shared partnership building in North West Edinburgh, to be used by the Council and NHS Lothian.
- 2) To approve prudential borrowing supported by Children and Families, totalling £1.575m towards the capital costs (resulting in loan charge costs of £0.112m per annum) related to collaborative delivery of the North West Edinburgh Partnership Centre.
- 3) To agree to enter into an occupancy agreement with NHS Lothian for floorspace within the North West Edinburgh Partnership Centre to accommodate Children and Families staff based on a charge of £0.106m (subject to annual increases linked to RPI).
- 4) To delegate authority to the Acting Director of Services for Communities to finalise the terms of the occupancy arrangement and enter into the same.

(Reference – report by the Director of Health and Social Care, submitted)

## 11. Proposals for the Location of St John's RC Primary School: Outcomes Arising from the Consultation

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Details were provided on the consultation which had taken place on three options for the future location of St John's RC Primary School which would involve it being built on different parts of the existing combined school site.

### Decision

- 1) To agree that the new St John's RC Primary School should be built on the adjacent site of the existing Portobello High School.
- 2) To approve a provisional budget for the delivery of a new St John's RC Primary School of £11.132m and note that a further report would be brought to Council at an appropriate future point which would provide a project update and seek authority for any required revisions to the funding of the project taking into consideration the prevailing inflation position at that time.
- 3) To approve the proposed next steps set out in the report by the Director of Children and Families to determine the appropriate procurement route for the project.
- 4) To agree that, should a traditional procurement approach be followed and an OJEU process progressed to appoint a multi-disciplinary design team, at the conclusion of that process the decision regarding the appointment of the design team be delegated to the Director of Children and Families. An update on the contract award would then be provided to the next available meeting of the Finance and Resources Committee.

(Reference – report by the Director of Children and Families, submitted)

## 12. Future Investment in Public Transport – Potential Tram Extension

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Details were provided on the context for possible future investment in trams taking account of integration with other major projects including the St James Quarter redevelopment and the Leith Programme.

### Motion

- 1) To note that investment in public transport and active travel was a key enabler in supporting and sustaining the anticipated growth in the capital city, and was a catalyst in driving economic development and employment opportunities in Edinburgh.

- 2) To note against this background and context that it might be appropriate at this time to consider the implications of extensions to the current Edinburgh Tram network and further integration opportunities with other public transport companies, including bus and rail operators.
- 3) To note the expiry dates associated with certain powers as set out in the Edinburgh Tram (Line One) and (Line Two) Acts (2006).
- 4) To acknowledge the requirement for further design work and ground investigation survey work to integrate any future extensions to the tram network with the St James Quarter redevelopment and the Leith Programme projects.
- 5) To authorise officers to prepare a detailed assessment into the financial, business case, procurement and programme implications of extending the tram network and to report back to the Council on these matters in late spring 2015.
- 6) To approve the establishment of an officer-led Project Board, chaired by the Chief Executive, to monitor the assessment process and take into account the lessons learned from the former tram project.
- 7) To delegate authority to the Acting Director of Services for Communities, in consultation with the Future Transport Working Group in its scrutiny role and with the Convener of the Finance and Resources Committee and Convener of the Transport and Environment Committee, to procure consultants as necessary to assist in the preparation of the business plan and design work which would inform the future report to Council.
- 8) To note that the construction costs (including utilities) needed to be updated to a high degree of confidence, and the patronage and revenue estimates updated on the basis that circumstances might have changed since the last major modelling assessment was completed in 2010. This would allow a refreshed transport economic appraisal to be completed, which together with the financing options should give the Council the tools to make informed decisions in late Spring next year.
- 9) To note that the budget allowance was based on the ceiling costs of work required and that these costs would be kept to an absolute minimum.
- 10) To undertake to ensure that any tram extension was funded in such a way that capital costs are justified by future revenue streams, developer contributions and other sources of income based on a sound business case.
- 11) To instruct officers to include in the report information on how:

- (i) any future contracts entered into would protect the Council as fully as possible against risk;
- (ii) tram construction and utility works would be properly coordinated so as to minimise disruption;
- (iii) consistent and regular communication would be maintained with local businesses and residents; and
- (iv) the needs of other sustainable modes of transport would be incorporated fully into future designs.

- moved by Councillor Hinds, seconded by Councillor McVey

### **Amendment**

That no action be taken on the matter.

- moved by Councillor Mowat, seconded by Councillor Rose

### **Voting**

The voting was as follows:

For the motion	-	44 votes
For the amendment	-	11 votes

### **Decision**

To approve the motion by Councillor Hinds.

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

## **13. Revised Member-Officer Protocol – referral from the Governance, Risk and Best Value Committee**

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The Governance, Risk and Best Value Committee had referred a report on proposed revisions to the Member-Officer Protocol. The revisions clarified the rights of elected members to access information and documentation and outlined the required principles on how officers should carry out their roles. The Council were asked to approve the revised protocol.

### **Decision**

To approve the revised Member-Officer Protocol as detailed in the report by the Director of Corporate Governance..

(Reference – Governance, Risk and Best Value Committee 13 November 21014 (item 9); referral report from the Governance, Risk and Best Value Committee, submitted)

#### **14. Treasury Management – Mid term report 2014/15 – referral from the Finance and Resources Committee**

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The Finance and Resources Committee had referred a report which provided an update on Treasury Management activity in 2014/15. Approval was sought for the continued use of the Council's Investment balances to fund capital expenditure. .

##### **Decision**

- 1) To approve the continued use of the Council's Investment balances to fund capital expenditure.
- 2) To refer the report to the Governance, Risk and Best Value Committee for scrutiny.

(References – Finance and Resources Committee 27 November 2014 (item 10); referral report from the Finance and Resources Committee, submitted)

#### **15. Adult Social Care Budget Pressures - 2014/15 – referral from the Finance and Resources Committee**

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The Finance and Resources Committee had referred a report on significant pressures within the Health and Social Care budget. Details were provided of joint strategic planning with NHS Lothian which had identified an opportunity to reduce the numbers of people waiting in hospital for a care home place. The Council were asked to approve £400,000 of funding from the priorities fund to pay for the lease of the former Pentland Hill Care Home as an interim care facility.

##### **Decision**

- 1) To approve funding of £400,000 from the priorities fund to establish a joint interim care facility with NHS Lothian (Gylemuir house).
- 2) In the spirit of future Health & Social Care integration, to arrange for a senior representative from NHS Lothian to attend the relevant January meeting of the Finance & Resources committee to answer questions concerning the unexpected withdrawal of £1m funding and any implications for future co-funding agreements.
- 3) To receive a further report to the appropriate committee on the impact on service users of the budget control actions identified in paragraph 2.11 of the



report by the Director of Health and Social Care – especially the review of high cost packages and the funding of transport to disability day centres.

(References – Finance and Resources Committee 27 November 2014 (item 6); referral report from the Finance and Resources Committee, submitted)

### **Declaration of Interests**

Councillor Ricky Henderson declared a financial interest in the above item as a Non-Executive Director of NHS Lothian.

Councillor Edie declared a financial interest in the above item as Chair of the Care Inspectorate and left the meeting during the Council's consideration.

## **16. Shared Repairs Services – Development of a New Service – referral from the Finance and Resources Committee**

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The Finance and Resources Committee had referred a report on the establishment of a new shared repairs service. A detailed service blueprint, costed business plan and an implementation plan were provided. The Council were asked to consider the report.

### **Motion**

- 1) To approve the implementation expenditure of up to £500,000 in the current financial year.
- 2) To note the ongoing funding requirement for this service and agree that this be remitted to Council for decision on 12 February 2015 as part of the budget setting process.
- 3) To approve the full implementation of this new service on the basis of the financial information provided in the costed business plan, subject to the budget decision on 12 February 2015.
- 4) To approve the instigation of a formal organisational review for existing Shared Repairs staff and delegate the completion of this review to the Director of Corporate Governance.
- 5) To note that the service would begin to operate in the second quarter of financial year 2015/16.
- 6) To note the risks of this service as outlined in Appendix 1 to the report by the Director of Corporate Governance.

- 7) To note the proposal for continued use of the City of Edinburgh District Council Order Confirmation Act 1991 as the best means of recovery of some cost from owners for work undertaken but that this was not the best legislative solution to drive the required culture change necessary to encourage owners to take responsibility for their own shared repairs.
- 8) To call for a further report investigating new methods of providing information and advice to owners on legal and other mechanisms:-
  - a) to achieve property repairs;
  - b) safeguarding their rights and responsibilities using third sector partners and surveying and building advice professional services

- moved by Councillor Rankin, seconded by Councillor Bill Cook

### **Amendment**

- 1) To note the report by the Director of Corporate Governance.
- 2) To note with concern the risks highlighted in the report relating to delivery and financial matters and that these mirrored the areas identified as failings of the former shared repairs service.
- 3) To note that the service was unfunded and that the proposal would place a financial cost on the general taxpayer that was solely of benefit to individual private property owners.
- 4) To note the proposal for continued use of the City of Edinburgh District Council Order Confirmation Act 1991 as the best means of recovery of some cost from owners for work undertaken but that this was not the best legislative solution to drive the required culture change necessary to encourage owners to take responsibility for their own shared repairs.
- 5) To agree:
  - i) to take no action on the implementation of a new shared repairs service;
  - ii) to continue only with the emergency repairs service currently in place;
  - iii) to call for a further report investigating new methods of providing information and advice to owners on legal and other mechanisms:-
    - a) to achieve property repairs;

- b) safeguarding their rights and responsibilities using third sector partners and surveying and building advice professional to achieve property repairs,

- moved by Councillor Whyte, seconded by Councillor Balfour

### **Voting**

The voting was as follows:

For the motion	-	44 votes
For the amendment	-	11 votes

### **Decision**

To approve the motion by Councillor Rankin.

(Reference – Finance and Resources Committee 27 November 2014 (item 35); referral report from the Finance and Resources Committee, submitted)

## **17. Tax Dodging – Motion by Councillor Burgess**

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

“This Council:

- Recognises the national campaign by Action Aid to end corporate tax dodging which highlights that:
  - The UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year;
  - Developing countries lose three times more to tax dodging than they receive in aid each year – enough to give a basic education to the 57 million children currently missing out;
  - That the UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world’s tax havens in the British Overseas Territories and Crown Dependencies;
  - The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens; Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%;

- Recognises that increased revenue from reducing corporate tax dodging would contribute towards government finances including funding for local authorities specifically and public services generally;
- Agrees that the UK should take a lead role in creating a fairer tax system and combating corporate tax dodging, and urges the UK government to end the injustice of tax dodging particularly by large multinational companies, in developing countries and the UK; and that the Council Leader should write to the UK Government in these terms.”

### **Motion**

To approve the motion

- moved by Councillor Burgess, seconded by Councillor Corbett

### **Amendment**

To take no action on the motion by Councillor Burgess.

- moved by Councillor Whyte, seconded by Councillor Balfour

### **Voting**

The voting was as follows:

For the motion	-	44 votes
For the amendment	-	11 votes

### **Decision**

To approve the motion by Councillor Burgess.

## **Appendix 1**

**(As referred to in Act of Council No 2 of 11 December 2014)**

### **QUESTION NO 1**

**By Councillor Heslop for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 11 December 2014**

#### **Question**

Requests the Convener lists collisions involving trams since operations began with an indication of the causes and impacts, especially in relation to delays and damage, of each collision?

#### **Answer**

A description of the collisions has been compiled using information provided by Edinburgh Trams and is attached.

In summary, there have been 14 incidents involving trams in the period since they started running on 31 May 2014, twelve of which resulted in no injuries.

One collision involved a pedestrian and one involved a cyclist. Nine incidents involved other vehicles and all efforts were made to ensure that delays to trams were kept to a minimum. Through experience gained, we are striving to limit the impact of any incidents on the service.

The collision type is consistent with the definitions used by Police Scotland and the Department for Transport. Damage only has been used if there was no personal injury and slight where the casualty required minor treatment. More detailed explanation can be found at the following link [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/230596/stats20-2011.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/230596/stats20-2011.pdf).

<b>Date</b>	<b>Location</b>	<b>Description of Incident</b>	<b>Service Restrictions</b>	<b>Service Resumed After Delay of</b>	<b>Injuries</b>	<b>Collision Type</b>
04/06/14 16:21	South St Andrew Street at Princes Street junction	Tram heading southwards on South St Andrew Street approaching Princes Street junction when a collision occurred with a pedestrian.	No restrictions	14 Minutes	Pedestrian Declined Medical Attention at scene	Slight
13/07/14 08:41	Coates Place at Manor Place junction	Tram proceeding east towards City Centre in offside lane. Coach also travelling east in the inside lane and collision occurred.	Short Running from Edinburgh Airport to Murrayfield	95 Minutes	None	Damage only
29/07/14 12:50	West Maitland Street at Palmerston Place junction	Tram heading east on West Maitland Street through Palmerston Place junction when a collision occurred with a vehicle turning right into Torphichen Place.	No restrictions	16 Minutes	None	Damage only

<b>Date</b>	<b>Location</b>	<b>Description of Incident</b>	<b>Service Restrictions</b>	<b>Service Resumed After Delay of</b>	<b>Injuries</b>	<b>Collision Type</b>
07/08/14 11:13	Coates Place, between Manor Place and Palmerston Place junctions	Tram proceeding westwards in offside lane. Bus also travelling westbound when a collision occurred.	No restrictions	0 Minutes	None	Damage only
27/08/14 18:12	Gogar Castle Road at tram rail crossing	Tram proceeding airport bound when a collision occurred with a vehicle heading southwards over Gogar Castle Road rail crossing.	No restrictions	20 Minutes	None	Damage only
29/08/14 07:38	Coates Place, between Manor Place and Palmerston Place junctions	Tram proceeding east towards City Centre in offside lane. Coach also travelling east on the inside lane and collision occurred.	Short Running from Edinburgh Airport to Murrayfield	180 Minutes	None	Damage only
31/08/14 07:55	Edinburgh Airport Tram Stop	Tram entering Airport Tram Stop when a collision occurred with the vehicles arrestor.	No restrictions	0 Minutes	None	Damage only
02/09/14 10:57	Edinburgh Airport Tram Stop	Tram entering Airport Tram Stop when a collision occurred with the vehicles arrestor.	No restrictions	0 Minutes	None	Damage only

<b>Date</b>	<b>Location</b>	<b>Description of Incident</b>	<b>Service Restrictions</b>	<b>Service Resumed After Delay of</b>	<b>Injuries</b>	<b>Collision Type</b>
06/09/14 00:06	Off-street Tramway between Bankhead and Edinburgh Park Station Tram Stops	Tram heading westwards on off-street section of the route between Bankhead and Edinburgh Park Station Tram Stops when it collided with an object which was lying across the rails.	Temporary Speed Restriction implemented through this location	0 Minutes	None	Damage only
07/09/14 20:17	West Maitland Street at Palmerston Place junction	Tram heading east on West Maitland Street through Palmerston Place junction when a collision occurred with a vehicle turning right into Torphichen Place.	Short Running from Edinburgh Airport to Murrayfield	49 Minutes	None	Damage only
22/10/14 14:35	Coates Place, between Manor Place and Palmerston Place junctions	Tram proceeding east towards City Centre in offside lane. Coach also travelling east in the inside lane and a collision occurred.	No restrictions	16 Minutes	None	Damage only
24/10/14 16:17	Coates Place at Manor Place junction	Tram proceeding westwards in offside lane. Taxi also travelling west in the inside lane and a collision occurred.	No restrictions	14 Minutes	None	Damage only



<b>Date</b>	<b>Location</b>	<b>Description of Incident</b>	<b>Service Restrictions</b>	<b>Service Resumed After Delay of</b>	<b>Injuries</b>	<b>Collision Type</b>
27/11/14 17:30	Edinburgh Park rail crossing near Lochside Place	Tram heading Airport bound through Edinburgh Park Business Centre when a collision occurred with a cyclist on a rail crossing.	Short Running between York Place and Edinburgh Park and Airport to Gyle	80 Minutes	Cyclist Injured	Slight
28/11/14 09:58	Coates Place, between Manor Place and Palmerston Place junctions	Tram proceeding east towards City Centre in offside lane. Coach also travelling east in the inside lane and collision occurred.	Trams temporarily held at tramstops	51 Minutes	None	Damage only