

## Transport and Environment Committee

10.00 am Tuesday 28 October 2014

### Present:

Councillors Hinds (Convener), McVey (Vice-Convener), Aldridge, Bagshaw, Barrie, Booth, Brock, Day (substituting for Councillor Perry), Doran, Gardner, Heslop (substituting for Councillor McInnes), Jackson, Keil, Lunn and Mowat

### 1. Deputation: Fairmilehead Community Council – Junction of Buckstone Terrace and Waterfield Road

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#### Decision

To note that the deputation request from Fairmilehead Community Council had been withdrawn.

### 2. Deputation: Friends of the Earth Edinburgh – Resilient Edinburgh – Climate Change Framework

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The Committee agreed to hear a deputation from Dr Aaron Thierry, Friends of the Earth, Edinburgh.

Dr Thierry stated that climate change was a planetary emergence and needed to be treated as such. Dr Thierry believed that it was imperative that the Council did not lose sight of the importance of mitigating against future global warming. The science referenced to in the report was described as out of date and that this could contribute to maladaptation or under provision within the framework. Concerns were also raised in regards to the perceived parochial nature of the report and the lack of consideration given to social justice.

#### Decision

The Convener thanked the deputation for their presentation and invited them to remain for the Committee's consideration of the report by the Director of Corporate Governance at item 8 below.

### 3. Deputation: Moray Feu Residents – Charlotte Square – Public Realm Traffic Regulation and Redetermination Order

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The Committee considered a deputation request from Alistair MacIntosh, on behalf of the Moray Feu Residents, in relation to a report by the Acting Director of Services for Communities on two traffic regulation orders and a redetermination order in support of the approved Charlotte Square public realm improvements.

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

#### **Decision**

- 1) To agree not to hear the deputation.
- 2) To invite the deputation to remain for the Committee's consideration of the Acting Director of Services for Communities report at item 12 below.

### **4. Minutes**

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#### **Decision**

To approve the minute of the Transport and Environment Committee of 26 August 2014 as a correct record.

### **5. Key Decisions Forward Plan**

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

#### **Decision**

To note the Key Decisions Forward Plan for January 2015 to March 2015.

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

### **6. Rolling Actions Log**

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

The Transport and Environment Committee Rolling Actions Log updated to 28 October 2014 was presented.

#### **Decision**

- 1) To note that future actions agreed by the Committee calling for further reports or information would be added to the Rolling Actions Log.
- 2) To agree to close actions 8, 13, 16 and 22.

(References – Act of Council No 12 of 24 October 2013; Rolling Actions Log 28 October 2014, submitted)

### **7. Business Bulletin**

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The Transport and Environment Committee Business Bulletin for 28 October 2014 was presented.

#### **Decision**

To note the Business Bulletin.

(Reference – Business Bulletin, submitted)

## **8. Resilient Edinburgh – Climate Change Framework**

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Approval was sought for Resilient Edinburgh Climate Change Adaptation Framework 2014-2020. The Framework set out the City of Edinburgh Council's strategic approach to building resilience to the impacts of climate change.

### **Motion**

- 1) To approve the draft adaptation framework and evidence base.
  - 2) To note an action plan would be developed and presented to Committee for consideration in Winter 2015.
  - 3) To note a further report would be submitted to the next Transport and Environment Committee meeting on the potential benefits of signing up to the 'Mayors Adapt' initiative for consideration.
  - 4) To refer the report to the Corporate Policy and Strategy Committee for information.
  - 5) To agree that the action plan should facilitate and enhance the crucial task of the reduction of green house gas emissions.
  - 6) To agree that the action plan be based on the latest and continually updated science.
  - 7) To agree that the action plan be designed to be implemented in a socially just way.
- moved by Councillor Hinds, seconded by Councillor McVey

### **Amendment**

- 1) To approve the draft adaptation framework and evidence base.
- 2) To note an action plan would be developed and presented to Committee for consideration in Winter 2015.
- 3) To note a further report would be submitted to the next Transport and Environment Committee meeting on the potential benefits of signing up to the 'Mayors Adapt' initiative for consideration.
- 4) To refer the report to the Corporate Policy and Strategy Committee for information.
- 5) To agree that the action plan should facilitate and enhance the crucial task of the reduction of green house gas emissions
- 6) To agree that the action plan be based on the latest and continually updated science.
- 7) To agree that the action plan account for reducing our exposure to the global impacts of climate change.

- 8) To agree that the action plan be designed to be implemented in a socially just way.

- moved by Councillor Booth, seconded by Councillor Bagshaw

### **Voting**

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

### **Decision**

- 1) To approve the draft adaptation framework and evidence base.
- 2) To note an action plan would be developed and presented to Committee for consideration in Winter 2015.
- 3) To note a further report would be submitted to the next Transport and Environment Committee meeting on the potential benefits of signing up to the 'Mayors Adapt' initiative for consideration.
- 4) To refer the report to the Corporate Policy and Strategy Committee for information.
- 5) To agree that the action plan should facilitate and enhance the crucial task of the reduction of green house gas emissions
- 6) To agree that the action plan be based on the latest and continually updated science.
- 7) To agree that the action plan be designed to be implemented in a socially just way.

### **Declaration of Interest**

Councillor Gardner declared a non-financial interest in the above item as a Member of Friends of the Earth Scotland.

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

## **9. Water of Leith Flood Protection Scheme Phase 2 Update**

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An update was provided on Phase 2 of the Water of Leith Flood Prevention Scheme, including details of the revised scope for the scheme, funding arrangements and project governance.

### **Decision**

- 1) To approve the revised scope of works for the Water of Leith Flood Prevention Scheme Phase 2.
- 2) To note the realignment and transfer of existing Services for Communities (SfC) capital budgets to fund the shortfall on Phase 2 subject to full Council approval.
- 3) To note the governance arrangements on the project which had been developed taking on board the lessons learned from Phase 1.

- 4) To note the Design and Build procurement route and that further detailed work was now being carried out in conjunction with the City of Edinburgh Council (CEC) Legal and Procurement in developing the contract structure to support this approach.
- 5) To note the outline programme set out in the report by the Acting Director of Services for Communities.
- 6) To note that an order would need to be placed with Scotia Gas Networks before the end of 2014 and that approval to enter into any contract would be sought from the Finance and Resources Committee.
- 7) To instruct the Acting Director of Services for Communities to submit further update reports as appropriate during 2015 as each phase of the project progressed.
- 8) To acknowledge the contributions made by community groups and organisations and key stakeholders as part of the consultation and engagement exercise.

(References – Transport and Environment Committee 4 June 2014 (item 13); Act of Council No 12 of 25 September 2014; report by the Acting Director of Services for Communities, submitted)

## **10. Water of Leith Basin**

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Details were provided on the build up of siltation levels in the Water of Leith Basin. Information was also given on the various parties which had an interest in the basins and how their operations had affected siltation and water levels.

### **Decision**

- 1) To agree that further investigations be undertaken in 2015/16 and the level of flood risk be re-evaluated.
- 2) To note the content of the report in respect of the responsibilities of the various parties, the operation of the docks, flood risk and siltation in relation to the Water of Leith Basin.

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

## **11. Princes Street: Tour and Sightseeing Buses and Coaches**

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Approval was sought to amend the Traffic Regulation Orders (TROs) on Princes Street to alter the eligibility of vehicles permitted to use Princes Street, and to facilitate enforcement of the TROs.

### **Decision**

To commence the statutory procedures to make the variation to TROs as described in the report by the Acting Director of Services for Communities

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

## 12. Charlotte Square – Public realm hearing of Objections to Traffic Regulation and Redetermination Order

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Two Traffic Regulation Orders (TROs) and a Redetermination Order (RSO) had been advertised by the City of Edinburgh Council on 18 May 2012 in support of the approved Charlotte Square public realm improvements. Objections received to the TROs and RSO had been referred to a public hearing and to Scottish Ministers.

The Reporter's recommendations in relation to the TROs and the Scottish Ministers' decision in relation to the RSO were detailed. Approval of the Reporter's recommendations in relation to the TROs was sought.

### Decision

- 1) To accept the Reporter's recommendations, as summarised in the report by the Acting Director of Services for Communities and to make the Traffic Regulation Order (subject to the changes previously approved by Committee on 19 March 2013).
- 2) To note the related, wider-area issues raised by the Reporter, as detailed in the report.
- 3) To note the Scottish Ministers' decision to confirm the Redetermination Order without modification.
- 4) To note that discussions had recommenced with representatives of Fordell Estates Limited on an implementation plan and agreement.
- 5) To note that the proposed terms of this agreement would be reported to Committee for approval in due course.
- 6) To note that proposals for a 20mph speed limit on Charlotte Square and the wider residential area, would form part of a future report to Committee on proposals to roll out 20mph speed limits citywide.

(References – Transport and Environment Committee 19 March 2013 (item 10), report by the Acting Director of Services for Communities, submitted)

## 13. Road and Footway Prioritisation Review 2014

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Approval was sought for amendments to the procedures currently being used to prioritise road and footway resurfacing throughout Edinburgh.

### Decision

- 1) To introduce an on-road cycling prioritisation weighting as set out in Appendix B of the report by the Acting Director of Services for Communities.
- 2) To agree a further review of on-road cycle prioritisation as detailed in paragraph 3.6 of the report.
- 3) To agree a review on the policy for renewing setted streets as detailed in paragraphs 3.7 and 3.8 of the report.

(References – Transport and Environment Committee 29 October 2013 (item 15); report by the Acting Director of Services for Communities, submitted)

#### **14. Road and Footway Investment – Capital Programme for 2015/16**

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Approval was sought for the allocation of the Road, Footway and Street Lighting capital budget and programme of works for 2015/16.

##### **Decision**

- 1) To approve the allocation of the capital budget for 2015/16 set out in Appendix A of the report by the Acting Director of Services for Communities.
- 2) To approve the programme of proposed works for 2015/16 as detailed in section 3 of the report and in Appendices B and D.
- 3) To explore the feasibility of allocating a part of the cycling budget to neighbourhood partnerships to fund small cycling projects.
- 4) To note that the scope of the work at Brighton Place would be confirmed following discussion with the local community council on the most effective use of funds for setted carriageway as detailed in Appendix 2 of the report.

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

#### **15. Public Utility Company Performance 2014/15 – Quarter 1**

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Performance information relating to public utility companies for the first quarter of 2014/15 (April to June 2014) was submitted.

##### **Decision**

- 1) To note the report and performance information set out in Appendix A of the report by the Acting Director of Services for Communities including the arrangements for securing an improved performance level from all Public Utilities.
- 2) To note that future quarterly reports provided to this Committee would include information on the progress of the revised Edinburgh Road Works Ahead Agreement (ERWAA).
- 3) To note that future quarterly reports would include progress on the Improvement Plans requested from Public Utilities.

(References – Transport and Environment Committee 15 January 2013 (item 12); report by the Acting Director of Services for Communities, submitted)

#### **16. Service for Communities Financial Monitoring Period 5 2014/15**

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Details were provided of the period 5 revenue monitoring position for Services for Communities together with the outturn positions against its approved revenue and capital budgets for 2014/2015.

## **Decision**

To note the Service for Communities financial position and actions underway to manage pressures.

(References – Transport and Environment Committee 26 August 2014 (item 25); report by the Acting Director of Services for Communities, submitted.)

## **17. Landfill and Recycling**

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An update was provided on performance in reducing the amount of waste being sent to landfill and increasing recycling. The positive trend in performance was continuing with the amount of waste sent to landfill reducing by 3.1% compared with the same period for the previous year.

Information was also provided on complaint numbers. In the first 5 months of financial year 2014/15 (April to August) there had been on average 624 complaints per week.

## **Decision**

To note the update.

(References – Transport and Environment Committee 27 August 2013 (item 25); report by the Acting Director of Services for Communities, submitted)

## **18. Formation of a Future Transport Working Group to Consider Requirements in and Around the Tram Network**

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Approval was sought for the establishment of a Future Transport Working Group to consider the effectiveness of the bus and tram operations and how they connected and interfaced with walking and cycling as well as other road users.

It was proposed that the Convener of the Transport and Environment Committee would chair the Working Group which would also comprise the group spokespersons for Transport and Environment, the Acting Head of Transport and representatives from the Council's Transport Policy and Tram Teams and representatives of the appropriate Neighbourhood Teams.

## **Decision**

- 1) To approve the formation, remit and membership of the Future Transport Working Group.
- 2) To agree that the wider area issues raised by the Reporter in respect of public realm issues at Charlotte Square be considered at the first meeting of the Working Group (item 12 above refers).

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



## 19. Response to Consultation on Draft Scottish Government Good Practice Guide on 20mph Speed Limit

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The Scottish Government had invited the Council to comment on a proposed Good Practice Guide on introducing 20mph Speed Limits. Approval was sought for the draft response which had been submitted to meet the consultation deadline date on 12 September 2014.

### Decision

- 1) To approve the response to the draft Scottish Government Good Practice Guide on 20mph Speed Limits.
- 2) To delegate further negotiation on the matter to the Acting Head of Transport in consultation with the Convener (or their nominated representatives).

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

## 20. Dog Fouling Prevention Initiatives in Edinburgh

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Information was given on proposed dog fouling prevention initiatives which could be implemented to reduce dog fouling in Edinburgh together with an update on the Pride campaign.

### Decision

- 1) To note the report.
- 2) To discharge the remit from the 18 March 2014 Transport and Environment Committee to receive a further update on other suitable dog fouling initiatives.
- 3) To agree to receive a report in June 2015 on the outcomes of consultation with the Scottish Government on the Control of Dogs Act.
- 4) To agree that the Council approach the Scottish Government to request:
  - i) the introduction of a similar approach to the Control of Dogs Act which would aim to target the long term behaviour of dog fouling offenders; and
  - ii) changes to the Dog Fouling (Scotland) Act 2003 in relation to:
    - a) an increase to the current FPN amount; and
    - b) an increase in the maximum fine of £500.
- 5) To note that Committee would be advised of the outcome of these discussions in the report Committee in June 2015; the report to also set out examples of national or international best practice in tackling the issue of dog fouling which had been gathered through the Scottish Community Warden Network or other networks.

(References – Transport and Environment Committee 18 March 2014 (item12); report by the Acting Director of Services for Communities, submitted)

## **21. Trade Waste – Pilot Evaluation and Policy Recommendations**

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An update was provided on progress on trials which had been carried out regarding timed trade waste collection windows in the following three pilot areas – Rose Street and its lanes, the High Street and Leith Walk. The report assessed the impact of these windows on each area and set out a policy for dealing with the management of trade waste across the city.

### **Decision**

- 1) To note the success of the collection windows in improving the appearance and accessibility of the pilot areas.
- 2) To agree a city-wide policy to minimise trade waste stored or presented for collection on public space.
- 3) To record the Committee's thanks to all the staff, businesses, traders and waste companies or their positive contributions to the pilot schemes.

(References – Transport and Environment Committee 18 March 2014 (item 17); report by the Acting Director of Services for Communities, submitted)

## **22. A71 Dalmahoy Junction - Referral from the Petitions Committee**

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The Petitions Committee had referred a petition entitled “Dalmahoy Traffic Lights Needed” to this Committee for consideration.

Information was given outlining a breakdown of the collision history around the junction and options and costs for improvements.

### **Decision**

- 1) To note the terms of the referral from the Petitions Committee.
- 2) To accept the petition from the Petitions Committee.
- 3) To request a report to the Transport and Environment Committee on 17 March 2015 outlining options and costs for improvements at the

(References – referral report by the Petitions Committee 4 September 2014; report by the Acting Director of Services for Communities, submitted)

## **23. Halting the Planned Decommissioning of Craig Park Play Park Situated in Ratho Village – Referral from the Petitions Committee**

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The Petitions Committee had referred a petition entitled “Halting the Planned Decommissioning of Craig Park Play Park Situated in Ratho Village” to this Committee for consideration.

### **Decision**

- 1) To note the terms of the referral from the Petitions Committee.

- 2) To instruct the Acting Director of Services for Communities to enter into discussions with the local community and report back with options for developing the play park and community space in Ratho Village.
- 3) To instruct the Acting Director of Services for Communities to also explore with the Acting Head of Planning and Building Standards the availability of Section 75 funding (developer contributions) for the project.

(Reference – referral report by the Petitions Committee 4 September 2014, submitted)

## **24. Stair Lighting– Energy Efficiency Proposal – Referral from the Health, Social Care and Housing Committee**

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The Health, Social Care and Housing Committee considered a report on a proposal to introduce new energy efficient lighting systems in 14,000 tenemental blocks of flats across the city. The report was referred to the Transport and Environment Committee for information.

### **Decision**

To note the report.

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

## **25. Delivering the Local Transport Strategy 2014-19 – School Streets – Update on School Selection**

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The Local Transport Strategy 2014-2019 contained a commitment to pilot school streets at up to 5 schools.

Details were submitted of the selection process undertaken to identify the pilot schools together with the rationale behind the proposal to increase the number of schools from 5 to 11.

### **Decision**

- 1) To note the continuing progress made on developing the project.
- 2) To approve the list of pilot schools so that consultation could commence in November 2014.
- 3) That the Acting Director of Services for Communities report on the outcomes of the consultation to the Transport and Environment Committee scheduled for 17 March 2015.

(Reference – Transport and Environment Committee 14 January 2014 (item 12); report by the Acting Director of Services for Communities, submitted)

## **26. Objections to Traffic Regulation Order Leith Walk (Balfour Street to Lorne Street)**

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Details were provided of an objection received during the consultation on a proposed Traffic Regulation Order (TRO) to relocate the pedestrian crossing on Leith Walk between Balfour Street and Lorne Street.

### **Decision**

- 1) To note the objection received to the advertised Traffic Regulation Order, and the Council's comments in response.
- 2) To set aside the objection received, and agree to make the Traffic Regulation Order as advertised.

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

## **27. Objections to Traffic Regulation Orders and Road Redetermination Order – TRO/13/46 and RSO/1310 – Main Street Ratho**

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Details were provided of objections received during the consultation on a proposed Traffic Regulation Order (TRO) and Road Redetermination Order (RSO) to introduce waiting and loading restrictions on Main Street, Ratho.

### **Decision**

- 1) To make an amended Traffic Regulation Order for double yellow lines in accordance with the plan appended to the report by the Acting Director of Services for Communities.
- 2) To note that the Road Redetermination Order would not be made.
- 3) To note that the statutory procedures to introduce a single yellow line prohibiting waiting (Monday–Friday 8am-6pm) and loading (Monday-Friday 8-9.15am and 4.30–6pm) and an additional section of double yellow line were to be progressed and would be subject to further consultation.

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

## **28. Objections to TRO/13/22b – Junction of Buckstone Terrace and Waterfield Road**

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Details were provided of an objection received during the consultation on a proposed Traffic Regulation Order (TRO) to introduce double yellow lines at the junction of Buckstone Terrace and Waterfield Road.

### **Decision**

- 1) To set aside the objection received.
- 2) To make the Traffic Regulation Order as advertised.

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

## **29. Objections to Proposed Removal of Share Use Parking Places and Introduction of Loading Bay - Logie Green Road**

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Details were provided of objections received during the consultation on a proposed Traffic Regulation Order (TRO) to set aside an area of carriageway to facilitate the introduction of the loading bay at 11 Logie Green Road.

### **Decision**

- 1) To set aside the objection received.
- 2) To make the Traffic Regulation Order as advertised.

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

## **30. Objections to Proposed Waiting Restrictions - Frogston Road West at Queen Margaret Close**

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Details were provided of objections received during the consultation on a proposed Traffic Regulation Order (TRO) to introduce waiting and loading restrictions on a section of Frogston Road West.

### **Decision**

To set aside the remaining objections and make the Traffic Regulation Order, as amended .

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

## **31. Objections to Proposed Waiting Restrictions - Longstone Road**

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Details were provided of an objection received during the consultation on a proposed Traffic Regulation Order (TRO) to introduce waiting and loading restrictions on a section of Longstone Road at the junctions of Longstone Terrace and Longstone Gardens.

### **Decision**

To set aside the remaining objection and make the Traffic Regulation Order as advertised.

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

## **32. Objections to Proposed Waiting Restrictions - Pentland Terrace**

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Details were provided of objections received during the consultation on a proposed Traffic Regulation Order (TRO) to introduce waiting and loading restrictions on a section of Pentland Terrace.

### **Decision**

To set aside the remaining objection and make the Traffic Regulation Order, as amended.

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

### **33. Objections to Proposed Waiting Restrictions - High Buckstone**

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Details were provided of an objection received during the consultation on a proposed Traffic Regulation Order (TRO) to introduce waiting and loading restrictions on a section of High Buckstone, while amending the extent of existing restrictions previously introduced. In light of the objection, the plans were revisited and amended and the objection was subsequently rescinded.

#### **Decision**

To approve the Traffic Regulation Order, as amended.

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

### **34. Objections to Proposed Reduction of Speed Limit - Freelands Road**

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Details were provided of objections received during the consultation on a proposed Traffic Regulation Order (TRO) to reduce the speed limit to 30 mph on a section of Freelands Road.

#### **Decision**

To set aside the remaining objection and agree to implement the Traffic Regulation Order, as set out in the report.

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

### **35. Illegal Parking – Motion by Councillor Bagshaw**

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The following motion by Councillor Bagshaw was submitted in terms of Standing Order 16.1.

- “1. Recognises that illegal parking (on double and single red and yellow lines) poses a significant problem in that it:
  - obstructs those with limited mobility, people with buggies and the disabled
  - increases risks to the safety of pedestrians, and in particular children, by forcing them into the road;
  - impedes and endangers cyclists;
  - impedes the flow of public transport; and
  - causes expensive damage to footways.
2. Further recognises that despite the action currently taken the problem persists.
3. Acknowledges that City of Edinburgh Council does have the powers to enforce the regulations concerning this kind of illegal parking.
4. Therefore instructs officers to produce a report, within two cycles, to establish why this type of illegal parking continues to exist in the city and to investigate what measures and incentives can be adopted to ensure better enforcement of existing regulations.”

## **Decision**

- 1) To approve the motion.
- 2) To ask the Acting Director of Services for Communities to report back to Committee within 2 cycles.