

# Council Questions and Answers

## City of Edinburgh Council

10.00 am Thursday, 10th February, 2022

Virtual Meeting - via Microsoft Teams

### Questions and Answers

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## Item no 10.1

### QUESTION NO 1

**By Councillor Osler for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

With recent changes to the Highway Code giving pedestrians and cyclists a higher priority at junctions:

**Question** (1) What has the Council done to advertise these changes and inform residents about their effects for the road network?

**Answer** (1) The UK Government (Department for Transport) is responsible for the changes to the Highway Code and has advised the Council that they will be running a campaign to promote the changes widely.

However, the Council has also undertaken the following:

- Scheduled a series social media posts on Twitter, Facebook and LinkedIn, as well as sharing Police Scotland, Which? and Road Safety Scotland social media posts, and linked to UK Government online news items;
- Circulated a Managers' news article, asking them raise awareness of the changes in team meetings, particularly with colleagues who drive as part of their role;
- Prepared an Internal news article outlining the main changes;
- Placed 'adverts' on main council website e.g. on the roads, walking/cycling etc page
- Provided an Edinburgh-wide post on Nextdoor.co.uk (62,000 members across 135 neighbourhoods).

The changes have also been widely reported in UK-wide newspapers and TV news broadcasts.

In the future, the Council will also:

- Continue to share the UK Government's campaign as it is rolled out on our communication channels; and
- Ensure relevant messages are embedded active travel campaigns and communications activity e.g. changes which make it safer for people to cycle, wheel, etc.

**Question** (2) Will signage and road markings be introduced to inform all road users?

**Answer** (2) If there is a legal requirement to reflect the Highway Code changes on signage and road markings, then this will be undertaken.

**If yes:**

**Question** (3) What measures are proposed?

**Answer** (3) There are no measures currently proposed.

**Question** (4) Where across the City's road network will they be introduced?

**Answer** (4) N/A

**Question** (5) When will implementation of such measures be completed?

**Answer** (5) N/A

## Item no 10.2

### QUESTION NO 2

**By Councillor Johnston for answer  
by the Leader of the Council at a  
meeting of the Council on 10  
February 2022**

**Question** (1) The Council Leader may remember making a statement in the May 2019 Corporate Policy & Strategy Committee that 2037 was a hard limit (not a target) to achieve net zero carbon, adding that 2037 would be the year “by which time everyone in the City should be fully compliant.”

In light of his hard limit, how disappointed was the Leader to see that the Officer recommendation 1.1.2 in the Housing Revenue Account (HRA) Budget Strategy (2022-32) noted the outcome of the annual review of the Business Plan and based on a 1.8% rent increase in 2022/23 (2% per annum thereafter) that, amongst other things, net zero carbon could only be achieved by 2038 (eight years later than originally planned) for HRA housing estate?

**Answer** (1) Unfortunately, because of the callous incompetence of the Conservative UK Government, Edinburgh residents, particularly those on low incomes are experiencing a cost of living crisis- the worst in decades. On top of the mismanagement of the economy which has pushed inflation to 7.25% by April (according the UK Central Bank). This is driven in part by the disgraceful mismanagement of the energy market which is seeing crippling increases and in part driven by Brexit (according to the IMF).

While these figures would be bad enough, champions like Jack Munro has outlined that the real inflation felt by those on lower incomes is considerably higher than the CPI rate. It is in this context, and acknowledging the disgraceful withdrawal of the Universal Credit uplift which by the Conservative UK Government, that we are acting to help tackle the “Tory cost of living crisis” as best as we can and this is why we are proposing a rent freeze this year.

The 2030 Climate Strategy lays a clear strategic path for the city to reach net zero however, the Council has always

recognised that funding the transition will be challenging and requires organisations to align public spending and to seek new and innovative approaches to resourcing.

The HRA Strategy agreed by the Council provides a strong financial foundation for investing in affordable net-zero homes across the city and work is underway to pilot approaches to retrofitting Council houses. The report referred to in the question noted that officers will continue to work with Scottish Government to maximise grant funding for both the new build programme and the transition to net zero carbon to support delivery of Council's commitments and to keep rents affordable. The Council is also working with Scottish Government to develop innovative business cases that may offer more sustainable financial models for investing in the net zero transition. We will also have to discuss with Council tenants and other stakeholders how any income and investment shortfalls are made up in future years due to the action we have had to take this year to try and deal with the consequences of the Conservatives pushing thousands more of our tenants into poverty.

**Question** (2) Will the Leader be hoping to present a budget to Council later this month with both a rent freeze for 2022/23 and a costed net zero target for our HRA estate to be implemented before 31 December 2037?

**Answer** (2) As explained above, we feel we have to support our tenants in the face of brutal mismanagement, incompetence and callous decisions made by the Conservative UK Government.

As also explained, in answer 1, we will continue to work with the Scottish Government and others to secure as much investment in the programme as possible to improve our housing stock and drive towards a net-zero Edinburgh by 2030.

## Item no 10.3

### QUESTION NO 3

**By Councillor Hutchison for answer  
by the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 10 February 2022**

The introduction of a Workplace Parking Levy (WPL) is included in the City Mobility Plan 2021 – 2030.

**Question** (1) Can the Convener confirm if this proposed levy will apply to all Workplace Parking within the City of Edinburgh?

**Answer** (1) Progressing the local decision to implement workplace parking licensing in Edinburgh can only take place upon parliamentary approval of the regulations that will need to be followed locally.

This regulation was laid before the Scottish Parliament in January 2022 and will come into force in March 2022.

There are no plans to progress the WPL business case this side of the election and timelines for further consideration of the WPL will need to be agreed with the new administration.

As such, an answer cannot yet be provided in respect of a potential scope of application.

**Question** (2) Can the Convener list all exceptions she would support being excluded from a WPL, should there be any?

**Answer** (2) Any exceptions would have to be decided upon during the building of the business case for a WPL, as outlined above, and agreed by committee. It would be inappropriate and premature for me to comment at this stage.

It is however worth pointing out that any proposed WPL would be imposed on employers, not employees.

It is also worth noting that the revenue from any WPL would be used to support further transport infrastructure and a general movement towards increased sustainability and greater options for the individual as we progress towards net zero carbon in Edinburgh.

Scottish Government, “A WPL would see employers pay an annual levy to the council for every parking space they provide for employees, with the revenue raised supporting the local transport strategy, for example to encourage walking, cycling and public transport.” June 2021

Transport Minister, Graeme Day, “It has never been more important to take decisive action to tackle climate change - and Scotland is leading the way by committing to reduce the number of kilometres travelled by car by 20% by 2030.”

“Workplace parking licensing has the potential to be a key tool for local authorities to help us reach this ambitious goal, by encouraging the use of more sustainable travel modes, reducing congestion and tackling harmful emissions.

“As the net revenue generated must be committed to support policies in local transport strategies, this policy is also intended to finance improvements in public or active transport, making it more attractive and thus encouraging individuals to leave their cars at home.

“Providing local authorities with discretionary powers to implement a WPL scheme supports the vision and priorities set out in our National Transport Strategy, to create a fairer, greener transport system for everyone in Scotland to share and benefit from.” June 2021.

NB: City of Edinburgh Council has voted in committee for an augmented target of 30% reduction in car kms, reflecting the greater opportunity that a city like ours can make to an overall national target.



## Item no 10.4

### QUESTION NO 4

**By Councillor Hutchison for answer  
by the Depute Leader at a meeting of  
the Council on 10 February 2022**

The introduction of a Workplace Parking Levy (WPL) is included in the City Mobility Plan 2021 – 2030 and has been publicly supported by the Depute Leader.

**Question** (1) Given the announcement by his party nationally that Scottish Labour is opposed to a WPL, does the Depute Leader remain supportive of the introduction of a WPL in Edinburgh during the next Council term in contradiction to his party's stance?

**Answer** (1) I remain supportive of the WPL as agreed in our Manifesto.

**Question** (2) For transparency, is this the stance of the Labour Group on the Council?

**Answer** (2) WPL was in our last manifesto and will be considered for inclusion in the manifesto for the forthcoming council elections.

### QUESTION NO 5

**By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

In the "Potential retention of Spaces for People measures" report to Transport and Environment Committee on 24 June 2021, it stated the following:

*4.64 The Road Traffic Regulation Act 1984 provides that the roads authority can make temporary orders (TTROs) to introduce restrictions or prohibitions on a road if the roads authority is satisfied that there is a likelihood of danger to the public. The SfP TTROs were made on the basis that the incidence and transmission of COVID-19 presented a likelihood of danger to the public; this was in line with the Transport Scotland guidance; Coronavirus (COVID-19) Guidance on Temporary Traffic Regulation Orders and Notices (April 2020).*

The justification of the Lanark Road and Longstone scheme when it was installed a year ago was *"to provide a safe, protected cycling route as an alternative to the canal towpath and Water of Leith shared use path."*

- |                 |  |
|-----------------|--|
| <b>Question</b> | (1) Please can the Convener confirm the "likelihood of danger to the public" this scheme is currently addressing?  |
| <b>Answer</b>   | (1) The advice issued by the Scottish Government in April 2020 is still in place. This advice currently justifies the use of TTROs to introduce restrictions or prohibitions associated with current measures. |

In the Lanark Road and Longstone scheme, council data on dates chosen by the council, has shown declines in cycling both actual and real terms when seasonality is taken into account, combined with simultaneous increase in cycling on the Water of Leith of 65%. No signage was ever placed on the Water of Leith or Canal towpath asking cyclists to divert to the on-road scheme to facilitate social distancing in these locations.

Road cycling levels hit a daily maximum in peak summer working weekdays of 137 journeys at the bottom of Lanark Road, 114 at the top and only 86 on Longstone. In comparison, there are around 12,000 bus seats on each route every day.

It is clear the Spaces for People scheme is not being used as an alternative to off-road paths or buses.

Also, a number of collisions have occurred, some clearly not related to driver behaviour. Some may have "poor driver behaviour" as a contributing factor, but these are types of collision that have never been seen on this road before Spaces for People, when statistically, there will have been poor drivers on this road every day. Three of the collisions did cause injury or had the potential to cause serious injury to pedestrians on pavements or traffic islands, or cyclists in "protected" cycle lanes.

Therefore, the scheme seems to be increasing the number and potential severity of the impacts for cyclists and pedestrians that have been caused by "poor driver behaviour".

**Question** (2) Please can the Convener confirm the legal basis and justification for this scheme currently being in place under a TTRO when the council's own data shows the scheme has had the opposite of its intended effect to provide a safer alternative to buses and off-road paths during the pandemic?

**Answer** (2) The legal basis for the TTRO is noted in the opening statement above, which is to mitigate the "likelihood of danger to the public" during the pandemic.

As noted in the answer to question 1 the advice from the Scottish Government remains in place. The justification of this TTRO is *"to provide a safe, protected cycling route as an alternative to the canal towpath and Water of Leith shared use path"*.

This clearly shows that the justification for the TTRO was to provide an alternative route for people cycling in this area, as opposed to a replacement for the canal towpath and

Water of Leith shared use path. The data included in question 2 shows that there is usage of this cycleway. Looking forward the provision of safe segregated cycle infrastructure on arterial routes has been included in the City Mobility Plan, approved by Members on 19 February 2021.

**Question** (3) Could the council be facing avoidable legal risk, either in relation to this use of a TTRO, or personal injury claims relating to any accidents which may happen while the scheme is in place under this TTRO?

**Answer** (3) A TTRO is a mechanism to introduce restrictions or prohibitions, it is not required to alter the road layout. The Roads Authority has the power to “alter” roads under the context of the Road (Scotland) Act 1984. The Lanark Road scheme has been independently checked and the materials used meet the necessary standards.

**Question** (4) As the council failed to signpost the Spaces for People scheme as an alternative to the Water of Leith walkway or Canal Towpath, is the council at risk of a compensation claim from anyone who believes they caught Covid from lack of social distancing in these locations?

**Answer** (4) I would question the basis of this question. The duty of care in terms of maintaining physical distancing in an external public environment lies with the individual. The Council is not responsible for the actions of individuals on a public path.

Notwithstanding that, the Spaces for People schemes were well publicised nationally and locally around the time of installation, including details about the Lanark Road scheme.

## Item no 10.6

### QUESTION NO 6

**By Councillor by the Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

Please could the Convener clarify the following:

**Question** (1) Is there any limit on the complexity and length of a scheme under a single ETRO?

**Answer** (1) There is no limit on the complexity or area covered by a single Experimental Traffic Regulation Order (ETRO).

**Question** (2) In point 4.72 in the Spaces for People report brought to Transport and Environment committee on 24 June 2021, it stated that for ETRO schemes "*which, following monitoring, are proposed for retention on a permanent basis, a **report on permanent TROs will need to be brought forward at the same time as the six month review of the ETRO to allow time for this to be considered, the appropriate Orders advertised and any objections dealt with, before the time limitation on the ETRO is reached.***

Therefore, can an ETRO be a genuine experiment if a scheme has already been in situ for a year under a TTRO (more than double the length of time it would have been in under an ETRO before a recommendation to retain is made) and data on effectiveness has already been gathered?

**Answer** (2) The rationale for each ETRO was set out in the report approved by the Council on 24 June 2021.

**Question** (3) If a scheme has already been in situ for a year and no data/insufficient data has been gathered on effectiveness in spite of the opportunities to do so, how could an ETRO be justified?

**Answer** (3) The existing schemes are in place under a TTRO which does not require any monitoring to take place, however there has been some monitoring carried out on some schemes.

While the measures were initially introduced in order to mitigate and reduce the risks associated with COVID-19, the purpose of introducing ETROs is to consider the contribution of these measures towards the Councils longer term strategic objectives and also to understand their impact as travel patterns stabilise and evolve towards a 'new normal'.

**Question** (4) If it is clear at the beginning of a proposed ETRO that changes to roads could have a negative impact on certain groups (including those covered by the Equality Act 2010) what will ensure the ETRO is legally proportionate?

**Answer** (4) Impacts on all relevant groups will be considered as part of the ETRO process. As noted in reports to Transport and Environment Committee there has been and will continue to be consultation with affected groups with the aim of minimising adverse effects.

**Question** (5) Can an ETRO be lawfully implemented as a genuine experiment if there are no funds ringfenced /set aside to remove it?

**Answer** (5) As part of the ETRO process, a decision will be required to be taken by Elected Members as to which schemes remain in place permanently and which schemes have not achieved their aims and objectives. Where schemes are not retained permanently, they will be removed by the Council.

### QUESTION NO 7

**By Councillor by the Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

In a press article on Fri 21 January the Convener was indirectly quoted: "*She said she sympathised with anyone injured as a result of incidents and she understood it could [take] time for people to adjust to new infrastructure.*"

Link:

<https://www.edinburghnews.scotsman.com/news/politics/council/edinburghs-spaces-for-people-roads-generate-more-personal-injury-claims-than-average-3535885>

- |                 |   |
|-----------------|---|
| <b>Question</b> | (1) How long does it take for people to get used to new infrastructure to overcome any new safety issues that are created?  |
| <b>Answer</b>   | (1) This will, of course, differ for each road user, depending on the frequency on which they use a particular road.  |
| <b>Question</b> | (2) Is the Convener informed by any research on this and if so, what?   |
| <b>Answer</b>   | (2) No, as this is a operational matter that I know is considered by officers.  |
| <b>Question</b> | (3) Should we expect personal injury claims relating to Spaces for People infrastructure to drop in the coming months, and if so why?   |
| <b>Answer</b>   | (3) It can be reasonably assumed that the more familiar that road users become with the new infrastructure, the less likelihood there is for personal injuries to occur. I hope that we will also see continued modification of driver behaviour to the conditions in order to reduce the greatest source of risk on our roads. |

### QUESTION NO 8

**By Councillor by the Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

**Question** (1) Given that traffic speeds on Lanark Road exceed the threshold needed to justify a safety camera installation, does the Convener consider the speed of traffic on Lanark Road to be acceptable and safe?\*

\*N.B. To justify a safety camera the 85<sup>th</sup> percentile traffic speeds must exceed the speed limit by 10% +2mph, so for 30mph this must be  $30 + 3 + 2 = 35$ mph. Lanark Road was 37mph in the Council's data (14<sup>th</sup> October report)

<https://www.transport.gov.scot/media/44548/scottish-safety-camera-programme-handbook-march-2019.pdf>

**Answer** (1) On an annual basis, Area Safety Camera Managers must lead a two-stage collaborative process on camera site identification, assessment and prioritisation, with involvement from Roads Authorities and Police Scotland. This will include monitoring performance at identified, existing camera sites; based on the last three years performance, if a site is no longer assessed as a priority for enforcement on the short-list of sites, it must be made dormant.

Education and engineering solutions must be considered prior to proposing camera enforcement at any site; therefore, revisions to the road infrastructure at an existing location will also inform the continuing operation of a Safety Camera.

With the reduction in collisions on Lanark Road and the revision to its infrastructure, the collaborative process directed that Safety Cameras located on Lanark Road should be placed into dormancy, pending their annual review over a three year period.

**Question** (2) Will the Convener agree to write to Safety Camera Scotland in support of the reactivation of the decommissioned speed cameras on Lanark Road?



**Answer**

- (2)** No, as this would be contrary to the established national policy (led by Scottish Government) under which the Council actively contributed to the decision to place these Safety Cameras into dormancy, based upon low casualty numbers.

However, the Council will continue to actively contribute to the Annual Review of Safety Cameras, which will encompass the dormant safety cameras in Lanark Road.

### QUESTION NO 9

**By Councillor by the Jim Campbell  
for answer by the Convener of the  
Transport and Environment  
Committee at a meeting of the  
Council on 10 February 2022**

I thank the Convener for copying me into the answer from Scotrail regarding the emissions profile of their Inter7City fleet.

I have used the reply, and other public sources of data, to construct the table "*Emissions in the Waverley Valley, a Comparison Between Train and Bus between Waverley Station and Haymarket Station*" below.

**Question** (1) Would the convener be surprised to learn that my estimates suggest a single Inter7City train travelling along the Waverley Valley from Waverley Station to Haymarket Station emits up to:

- 200 time more oxides of nitrogen (NOx) & Particulate Matter (PM)
- 50 times more high Hydrocarbons (HC)
- 17 time more Carbon monoxide (CO)

than a Lothian Buses Enviro 400XLB bus making the same journey?

Similarly, on a per seat per hour comparison with a Lothian Enviro 400XLB bus, a Inter7City train emits up to:

- 12 time more CO
- 36 time more HC
- 146 times more NOx
- 147 times more PM.

**Answer** (1) No, I would not be surprised but I am also unclear on the purpose and usefulness of the comparison.

**Question** (2) Would the Convener accept that advances in design, both of legal standards and engine technology, are the most important elements in reducing emissions, as illustrated by the comparison of train design dating back to the 1970's (and an engine standard back to the 2000s) with modern buses from the 2020s?

**Answer** (2) Both the tightening of emission standards and improving engine technology are important elements to reducing emissions.

The Rail Safety and Standards Board (RSSB) Air Quality Strategic Framework 2020\* vision for the rail industry is: "a rail network with a minimal impact on local air quality." It is understood that through the collective effort of the RSSB, train operating companies and Network Rail taking actions that encompass modelling, retrofitting, idling, monitoring and collaboration, this vision can be achieved.

However, measures to ensure uptake of the cleanest emission standards vehicles are also important, where necessary. For example, the implementation of the proposed Low Emission Zone will encourage a faster uptake of cleaner road vehicles, to realise improvements in local air quality.

NB Table below is supplied by Councillor Jim Campbell and does not form part of the response to questions.

**Emissions in the Waverly Valley, a Comparison Between Train and Bus  
between Waverley Station and Haymarket Station**

	Inter7City Train				Enviro400XLB Bus			
transit time (minutes) <sup>1</sup>	5				10			
passengers (average seats)	286 <sup>2</sup>				100			
power unit	2 x MTU 16V4000R41				Volvo D8K 350			
total power output (Kw)	4,400 <sup>3</sup>				261			
emission standard & date	UIC II; 01/01/2003				EURO VI heavy-duty; 01/01/2013			
	CO	HC	NOx	PM	CO	HC	NOx	PM
permitted emissions (g/kWh)	3	0.8	9.9 <sup>4</sup>	0.25	1.5	0.13	0.4	0.01
emissions per transit (g) <sup>5</sup>	1,100	293	3630	92	65.3	5.7	17.4	0.4
emissions per seat per hour (g) <sup>5</sup>	46	12.3	152	3.8	3.92	0.34	1.04	0.03

Notes: 1 LRT & Scotrail timetables; 2 weighted average 4 and 5 car trains; 3 combined power of both engines; 4 running at or under 1,000 rpm; 5 estimated from data above in table

### QUESTION NO 10

**By Councillor Mowat for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

The Convener may be aware of the story published 30<sup>th</sup> December by the Edinburgh Evening News covering the flooding of Newhaven Road.

**Question** (1) Would she agree this was an extremely stressful incident for residents fearful that their homes be flooded, while also making walking along the pavement a damp affair, cycling along the road impossible and driving a challenge?

**Answer** (1) Yes, of course. Fear of, and experience of, flooding is very distressing for all involved and flooding is clearly a very disruptive event for anybody trying to move around the city, however they choose to travel.

**Question** (2) The story quotes Scottish Water in these terms: "*Our inspector checked the road gullies which appeared to be choked and not allowing any surface water to drain away.*" Can the Convener confirm if the Place Directorate dispute the analysis of Scottish Water?

**Answer** (2) Yes, Council officers dispute this analysis by Scottish Water. Our records show two gullies in the location of the flooding which is referred to in the article (gullies 42755 and 46202). Both of these gullies were attended and logged as Clean and Working on the 18/11/2021 (1 month before the event in question). Further, these gullies get cleansed twice a year as we have identified them as sensitive gullies.

The designation of these gullies as sensitive would indicate that there is a potential capacity issue with the sewer/system. Subsequent CCTV investigation has shown that the gully tails (while starting to show signs of aging) are clean and working back to what we believe to be the main sewer (which is maintained by Scottish Water). However, our investigation indicates that there appears to be a build up of silt in the sewer. Council officers have brought this to the attention of Scottish Water.

**Question** (3) At the time of this flood, there were outstanding cases of flooding gullies within the flooded area dating back to 4 July 2021. Can the Convener explain why no action would seem to have been recorded to clear the “*gullies which appeared to be choked*” between the beginning of July and the end of December 2021, almost 6 months later?

**Answer** (3) The Roads Operations team have confirmed that the gullies either side of the affected area were inspected in November 2021, as part of their schedule of work. These gullies were confirmed as being clear and working at that time.

**Question** (4) Can the Convener confirm how many other cases relating to gully issues remain open as of 21 January 2022?

**Answer** (4) It is not possible to provide details of the number of open gully cases on 21 January 2022. However, on 2 February 2022, there were 2,719 open enquiries (which would equate to 4.8% of the city’s gullies).

Within this, there will be a number of duplicate enquires (where the same location has been reported in more than one enquiry). The service are currently developing an amended webform which allows all reports for the same gully to be combined. This will reduce the number of enquiries outstanding and will improve responsiveness.

**Question** (5) Can the Convener indicate how long it will take to institute a recovery plan to clear any backlog of gully issues, with the resulting increased risk of flooding, as identified by Scottish Water?

**Answer** (5) As requested by Transport and Environment Committee on 27 January 2022 in an amendment to the Progress Report on the ‘Vision for Water Management’ and Operational Management of Roads Drainage Infrastructure, officers are now working on a recovery programme for gullies.  
<https://democracy.edinburgh.gov.uk/documents/s41886/8.1-%20-%20Vision%20for%20Water%20Management.pdf>

## Item no 10.11

### QUESTION NO 11

**By Councillor Mitchell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

**Question** (1) Please could the Convener confirm the policy position and actions that ought to be taken should road markings be found to not match an existing Road Order?

**Answer** (1) Any situation where on street restrictions, indicated by road markings and signage, do not match the existing Traffic Regulation Order (TRO) would be investigated. After investigation and if an issue is identified, either the road markings and signage would be changed on-site or a TRO process would be initiated to introduce enforceable restrictions.

## Item no 10.12

### QUESTION NO 12

**By Councillor Cook for answer by the  
Depute Leader of the Council at a  
meeting of the Council on 10  
February 2022**

**Question** (1) Has the Depute Leader issued an apology for his comments at Council on 23 September 2021?

**Answer** (1) No member was named.

**Question** (2) If so, to whom was the apology issued?

**Answer** (2) See above.

**Question** (3) If no apology has been issued, will the Depute Leader now take this opportunity to do so?

**Answer** (3) See above.

**Question** (4) Would the Depute Leader accept the impact his comment could have in helping to create an intimidating environment?

**Answer** (4) No, Councillor Cook should look a little closer to home in his own group about intimidating environments with members currently reported to Standards Commission.

## Item no 10.13

### QUESTION NO 13

**By Councillor Douglas for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

**Question** (1) Can the Convener confirm when work is due to commence to reinstate the setts at St. John's Cross on the Royal Mile?

**Answer** (1) The original Setted St. John's Cross was removed in June 2020 due to significant deterioration of the setts. A temporary solution was developed, in agreement with St John's, and this was built into the carriageway in June 2020.

Officers are currently looking at the design and positioning on the High Street of a new St John's Cross, with St John Scotland and Edinburgh World Heritage. It is expected that the new St. John's Cross will be completed in 2022, to coincide with the 75<sup>th</sup> anniversary of St. John Scotland.



## Item no 10.14

### QUESTION NO 14

**By Councillor Webber for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 10 February 2022**

#### Question

Delivery of KEY critical services have been impacted by the guidance for individuals with possible coronavirus infection. Can the Convener provide information on the weekly number of absences related to Covid since the emergence of the Omicron variant on 29<sup>th</sup> November 2021.

By department and job category (ie Team Member operational / Team Leader / Manager / Senior Manager) by each week.

A separate table can be provided for each department.

#### Answer

Due to the complexities of the information requested, and after discussion with Councillor Webber it has been agreed that a fuller response to this question will be available for the next meeting of Full Council.

w/c	Department / Service	Job Role	Covid +ve (PCR or LFT)	Close Contact imposed Isolation	1st Absence due to Covid +
29 <sup>th</sup> November 21		TMO			
		TL			
		Man			
		Senior Man			
6 <sup>th</sup> December 21		TMO			
		TL			
		Man			
		Senior Man			
13 <sup>th</sup> December 21		TMO			
		TL			
		Man			
		Senior Man			
20 <sup>th</sup> December 21		TMO			
		TL			
		Man			
		Senior Man			

27 <sup>th</sup> December 21		TMO			
		TL			
		Man			
		Senior Man			
3 <sup>rd</sup> January 22		TMO			
		TL			
		Man			
		Senior Man			
10 <sup>th</sup> January 22		TMO			
		TL			
		Man			
		Senior Man			
17 <sup>th</sup> January 22		TMO			
		TL			
		Man			
		Senior Man			
24 <sup>th</sup> January 22		TMO			
		TL			
		Man			
		Senior Man			
31 <sup>st</sup> January 22		TMO			
		TL			
		Man			
		Senior Man			
7 <sup>th</sup> February 22		TMO			
		TL			
		Man			
		Senior Man			

## Item no 10.15

### QUESTION NO 15

**By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022**

Further to the answers provided to question 13.2 on 28 October 2021;

**Question** (1) Can the Convener list the 11 schools where travel surveys were undertaken?

**Answer** (1) The schools where travel surveys have been undertaken are:

- St Francis/ Niddrie Mill Primary School (PS)
- Murrayburn PS
- Bruntsfield PS
- Sciennes PS
- Brunstane PS
- Corstorphine PS
- Parsons Green PS
- Prestonfield PS
- Carrick Knowe PS
- Juniper Green PS
- Gylemuir PS

**Question** (2) Is the data analysis of the school travel surveys complete?

**Answer** (2) No, analysis is still ongoing.

**Question** (3) Which schools have now had draft travel plans published for consultation?

**Answer** (3) The process of preparing school travel plans involves working closely and collaboratively with schools and school communities but the plans are not published for public consultation. At the moment, engagement is ongoing with school communities on collating additional information and preparing the plans and, in finalising the plans, officers work in collaboration with the school and school communities. While the plans are not published for consultation, the finalised plans will be published on the [Streets Ahead Edinburgh](#) website.

**Question** (4) When does she expect the remaining draft school travel plans to be published for consultation?

**Answer** (4) The process of completing the review of school travel plans for every school cluster in the city is expected to take approximately 24 months.

The process to review the travel plan for a single cluster is expected to take around 13 weeks. However, this could take longer for some clusters, depending on how quickly the engagement process progresses. For example, officers have agreed to requests from several schools for the period for parents to respond to their travel survey to be extended by several weeks.

As set out in Answer 3, preparation of the plans is progressed in collaboration with the school and school community and the final plans are published online, although not for consultation.

### QUESTION NO 16

**By Councillor Webber for answer by the Convener of the Housing, Homelessness and Fair Work Committee at a meeting of the Council on 10 February 2022**

The aim of housing standards is to improve houses, not to criminalise homeowners. It is right that the new standard for fire alarms should be built into the tolerable standard as improvement to fire safety should be part of the basic requirements on all tenures to improve fire safety. Most homeowners want to make their homes as safe as possible, and compliance will in time form part of any Home Report when they come to sell their home. As this will be a minimum standard for safe houses, local authorities will be able to use their statutory powers to require owners to carry out work on substandard housing. However, as is the case for other elements of the Tolerable Standard, any intervention must be proportionate, rational and reasonable and where owners are unable to meet the standard, it is not a criminal offence. Local authorities have broad statutory responsibility for tackling substandard housing in their area, and for major defects can require homeowners to carry out work, but any intervention will be proportionate, and we do not expect them to go beyond advising homeowners about fire alarms.

**Question** (1) What resource provisions have the Council made in relation to private home enforcement of the new Legislation on interlinked heat and smoke alarms?

**Answer** (1) The Council has responsibility for ensuring that Houses of Multiple Occupation (HMOs) and private landlords comply with the appropriate legislation in relation to fire safety within their properties.

For HMOs, compliance is assessed in conjunction with the Scottish Fire and Rescue Service (SFRS). SFRS also lead on any enforcement action required.

For private landlords, the standards for fire safety have been superseded to match those required in the revised tolerable standard. Where concerns are raised, either as part of the registration process or by tenants), these are investigated by Council officers.

For owner occupiers, the Council will provide advice if requested. However, there are no plans for the Council to undertake any other activities except in the most extreme cases and in line with the powers which have been provided to the Council.

**Question** (2) Can the Convener confirm what proportion of Council homes are now compliant with the new legislation?

**Answer** (2) As of 8 February 2022, LD2 smoke detection systems have been installed in 13,035 Council homes. This equates to around 65% of the Council's total housing stock (which currently stands at 20,146 homes).

## Item no 10.17

### QUESTION NO 17

By Councillor Bruce for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 10 February 2022

**Question** (1) Please list the number of potholes recorded per ward for the last 12 months.

**Answer** (1) Table 1 shows the number of potholes recorded per ward in the last 12 months.

**Question** (2) Please list 10 streets with the most potholes along with the total number of potholes for each of those streets in ascending order.

**Answer** (2) Table 2 shows the 10 streets with the most recorded potholes in ascending order

**Table 1**

Ward	Number of Potholes
1 - ALMOND	3,528
2 - PENTLAND HILLS	3,882
3 - DRUM BRAE/GYLE	1,988
4 - FORTH	1,619
5 - INVERLEITH	1,563
6 - CORSTORPHINE/MURRAYFIELD	1,651
7 - SIGHTHILL/GORGIE	2,071
8 - COLINTON/FAIRMILEHEAD	1,343
9 - FOUNTAINBRIDGE/CRAIGLOCKHART	869
10 - MEADOWS/MORNINGSIDE	1,719
11 - CITY CENTRE	1,360
12 - LEITH WALK	276
13 - LEITH	511
14 - CRAIGENTINNY/DUDDINGSTON	995
15 - SOUTHSIDE/NEWINGTON	1,497
16 - LIBERTON/GILMERTON	1,708
17 - PORTOBELLO/CRAIGMILLAR	1,495

**Table 2:**

Road Name	Number of Potholes	Commentary
Deanpark Avenue	158	Resurfaced late 2021
Glasgow Road	175	Large Length Road
Cockburn Crescent	177	Scheme Planned March 2022
Lanark Road West	186	Large Length Road
Maybury Road	189	Scheme Planned March 2022
Ferry Road	204	Large Length Road
Blinkbonny Road - Currie	211	Currently being reviewed for carriageway re-tread in 22/23
Queensferry Road	215	Large Length Road Section between Clermiston Road North to Davidson's Mains Junction - Planned April 2022.
Ravelrig Road	281	Scheme commencing 14 February 2022
Long Dalmahoy Road	416	Scheme in development for 2022/23

As contextual information, the following repairs were carried out in the same period requested in the question:

WARD NAME	POTHOLES REPAIRED
1 - ALMOND	3,515
2 - PENTLAND HILLS	3,854
3 - DRUM BRAE/GYLE	2,021
4 - FORTH	1,612
5 - INVERLEITH	1,573
6 - CORSTORPHINE/MURRAYFIELD	1,651
7 - SIGHTHILL/GORGIE	2,065
8 - COLINTON/FAIRMILEHEAD	1,343
9 - FOUNTAINBRIDGE/CRAIGLOCKHART	868



10 - MEADOWS/MORNINGSIDE	1,711
11 - CITY CENTRE	1,356
12 - LEITH WALK	276
13 - LEITH	511
14 - CRAIGENTINNY/DUDDINGSTON	992
15 - SOUTHSIDE/NEWINGTON	1,507
16 - LIBERTON/GILMERTON	1,708
17 - PORTOBELLO/CRAIGMILLAR	1,495

The repairs are undertaken according to an agreed prioritisation, details of which are below:

Defects are categorised in accordance with CEC's inspection guidance and managed by adopting a risk based approach. Each defect is assessed for likelihood and consequence and the resulting matrix will categorise the defect as Category 1/2/3/4 priority defect (Category 1 being the most serious). Each defect is prioritised based on its response category and there are target times to make safe associated with each category. The approach is based on national guidance issued by Society of Chief Officers of Transportation in Scotland (SCOTS) and agreed by Committee.

Target Response times:

Cat 1 – 24hrs

Cat 2 – 5 working days

Cat 3 – 60 working days

Cat 4 – Programme works (repair or reinspect within 12months)

### QUESTION NO 18

**By Councillor Neil Ross for answer  
by the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 10 February 2022**

At the meeting of the full Council on 28 October 2021, my motion on Engine Idling was passed unamended. This asked the Council to engage with NSL to discuss the potential for vehicle emission enforcement by parking attendants including, in particular:

- i) the issue of appropriately worded leaflets to remind drivers whose engines are idling of their legal obligation to switch off the engine when parked; and
- ii) where a driver refuses to co-operate, the issue a Fixed Penalty Notice of £20; and
- iii) to report on the result of the discussions within two cycles to the Transport and Environment Committee.

**Question** (1) Have any discussions taken place and, if so, when?

**Answer** (1) Discussions on this have formed part of the discussion at contract meetings with NSL in November and December 2021.

**Question** (2) What were the results?

**Answer** (2) NSL will investigate the potential for vehicle emission enforcement and will provide a report on their findings and possible options.

In addition, the report will also set out any associated cost implications (e.g. for updating our existing software and hardware to accommodate a new debt type and to configure our current systems to comply with the relevant statutory requirements).

Any change to the work which the Council asks NSL to do will require a variation to the existing contract and any change to the role of Parking Attendants' will require engagement with staff and trade unions

**Question**

**(3)** When will a report be made to the Transport and Environment Committee?

**Answer**

**(3)** A short update will be added to the Business Bulletin for March Committee.

Once NSL have concluded their investigations and officers have considered its conclusions, including associated financial impacts, a report will be submitted to a future meeting of the Committee. It is currently expected that this report will come to Committee in August 2022.

## Item no 10.19

### QUESTION NO 19

**By Councillor Johnston for answer  
by the Convener of the Finance and  
Resources Committee at a meeting  
of the Council on 10 February 2022**

The Convener will be aware of the recommendation 14 included in the Report into the Review of the Whistleblowing and Organisational Culture of the City of Edinburgh Council by Susanne Tanner QC.

**Question** (1) Can the Convener confirm if an exit interview was offered to Dr Stephen Moir, the departing Executive Director of Corporate Services?

**Answer** (1) An exit interview is arranged for 4pm on 9<sup>th</sup> February and will be conducted by the Chief Executive

**Question** (2) If the offer was made and accepted, can the Convener:

- a) confirm who conducted the Exit Interview?
- b) share the content of that interview with Council?

**Answer** (2) The contents will not be shared with Council as these are management meetings conducted by the Chief Executive and are conducted in trusted environment to maximise the benefit to the Council, our services and the Executive Director departing.

**QUESTION NO 20**

**By Councillor Jim Campbell for  
answer by the Leader of the Council  
at a meeting of the Council on 10  
February 2022**

The Leader will be aware of the recommendation 14 included in the Report into the Review of the Whistleblowing and Organisational Culture of the City of Edinburgh Council by Susanne Tanner QC.

**Question** (1) Would the Leader agree that offering an Exit Interview to any Councillor who demits a Senior Responsibility would set the right example within Council?

**Answer** (1) Group Leaders have a degree of responsibility for and duty towards Councillors in their groups. As Council Leader my door is also open to any Councillor and I note opposition Councillors have taken advantage of this offer throughout my term- even in instances where they felt uncomfortable raising issues with their own groups or Group Leaders.

**Question** (2) Has the Leader offered Councillor Dickie an Exit Interview?

**Answer** (2) See answer 1.

**Question** (3) If so, can the Leader share with Council the content of this interview in so far as it related to the issues covered in Ms Tanner's Review?

**Answer** (3) See answer 1.

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