

Questions and Answers

City of Edinburgh Council

10.00 am Thursday, 16th March, 2023

Main Council Chamber, City Chambers

Questions and Answers

Contacts

Email: gavin.king@edinburgh.gov.uk

Tel: 0131 529 4239

Nick Smith

Service Director, Legal and Assurance

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Item no 10.1

QUESTION NO 1

**By Councillor Campbell for answer
by the Convener of the Housing,
Homelessness and Fair Work
Committee at a meeting of the
Council on 16 March 2023**

At the council budget meeting in February 2023 the Administration motion to the HRA proposed cutting the number of council houses built over the next ten years from 5k, agreed in 2022, to just 2,400.

Question (1) Can the convener please provide a list of sites where these 2.4k homes will be delivered, alongside the anticipated number of homes on each site?

Answer (1) This year's budget report advised that there is financial capacity to deliver 2,200 council-owned social rent homes based on 2.5% rent increases over 10 years. The 3% increase in Council rents over 10 years increases this capacity to 2,400 homes by 2036 (dependent on grant funding of £214m).

At the request of Housing, Homelessness and Fair Work Committee, officers are currently preparing a briefing note for Councillors on sites in the Council's housebuilding programme that are under construction and in detailed design/pre-construction. It will also include information on the pipeline (which are sites that do not have planning consent and are at early feasibility stage in the design and development process), as well as sites identified in the Local Plan as housing land where the Council has the opportunity to engage with landowners/developers to support the delivery of affordable housing. The capacity, type, mix and proposed sizes of properties can change during the design and development process. The information in the Briefing Note will therefore be subject to change as the programme progresses.

Question (2) Can the convener please provide a list of sites where the 2,600 homes that have been taken out of the programme were going to be delivered, alongside the number of homes that have been removed from each site?

Answer

- (2)** No sites or homes have been taken out of the programme. Officers are continuing to progress the housebuilding programme on the sites already identified and will continue to identify new opportunities as outlined in the Housing Land Strategy Report to the Housing, Homelessness and Fair Work Committee in December 2022.

The HRA Business plan is reviewed annually. The Draft 10 year capital investment plan is indicative and subject to change to take account of inflation, borrowing rates, additional income from grant funding, increasing rents etc.

Question

- (3)** Can the convener please confirm if there has been any reduction in the number of council built homes planned for each site listed below, by providing the planned number of council built affordable homes after the budget was passed in 2022 and any revisions to the planned number of council built affordable homes on each site since the budget in February 2023.

- a) Granton Waterfront (all sites, phases & plots)
- b) Pennywell (all phases & town centre)
- c) Meadowbank
- d) Powderhall
- e) Fountainbridge
- f) Greendykes
- g) Liberton Hospital site

Answer

- (3)** There has been no reduction in the number of Council homes planned for any of the above sites as a result of the budget. The precise number of Council homes that can be delivered on any site will depend upon site capacity, statutory consents and availability of grant funding. Information on the sites listed above, and others within the programme, is included within the briefing note to be circulated to elected members which is based on the figures included in the SHIP.

Item no 10.2

QUESTION NO 2

**By Councillor Campbell for answer
by the Convener of the Housing,
Homelessness and Fair Work
Committee at a meeting of the
Council on 16 March 2023**

At the council budget meeting in February 2023 the HRA budget paper proposed a ten year capital programme of £1.6bn, down from £2.9bn the year before, and based on a rent increase of 2.5%. The council actually agreed a rent increase of 3%.

- Question** (1) Can the convener confirm the new ten year capital programme amount, based on a 3% increase?
- Answer** (1) The 10 year capital investment programme that could be supported by increasing rents by 3% each year for 10 years is £1.7bn.
- Question** (2) Could the convener confirm what the ten year figure would be based on ten years of increases at 4.7%?
- Answer** (2) The 10 year capital investment programme that could be supported by increasing rents by 4.7% each year for 10 years is £2.2bn.

Item no 10.3

QUESTION NO 3

**By Councillor McFarlane for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 16 March 2023**

Question (1) With Camden Council serving notices for removal of 19 phone boxes on one road alone, can he confirm whether Edinburgh Council have any powers or ability to instruct removal of ancillary phone boxes, and if not, if he is happy to proactively engage with BT to put maximum pressure on the timely removal of their ancillary phone boxes?

Answer (1) Officers have been in contact with BT regarding phone boxes in the city. While this has been discussed with them, there is no obligation for them to be removed and the Council has no powers or ability to instruct their removal.

Officers will speak to colleagues in other authorities, including the Camden Council, to identify best practice and will adopt processes which could successfully put maximum pressure on BT for the removal of redundant phone boxes.

Question (2) Can he further confirm the expected date for the two red phone boxes in Hunter Square following BTs agreement to remove them after mounting pressure from ward councillors and the local police as they had become a hub for anti-social behaviour.

Answer (2) There is no confirmed date for the works to commence. Officers are working with BT to coordinate the works.

Item no 10.4

QUESTION NO 4

**By Councillor McFarlane for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 16 March 2023**

Question (1) Can he confirm whether there are scheduled works for the recobbling or reconstruction in 2023/24 of the setted streets along Lawnmarket and Victoria Street?

Answer (1) The setts on the Lawnmarket are currently programmed to be renewed in 2023/24.

The renewal of the setts in Victoria Street is currently on the draft programme for 2025/26. This is still subject to change.

Question (2) If not, can he confirm when these streets may be scheduled for repair?

Answer (2) See answer 1.

Question (3) If maintenance works are planned, what measures in the reinstatement will the administration take to ensure those who cycle or push prams and buggies can do so safely. Is there an ambition to introduce sections of small smooth strips with flat-topped cobbles, for example?

Answer (3) Due to the historical significance of the Lawnmarket within the World Heritage Site, like-for-like replacement is proposed. This will maintain as many original features as possible.

Proposals have still to be developed for Victoria Street.

Item no 10.5

QUESTION NO 5

**By Councillor McFarlane for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 16 March 2023**

Question

With the Trams to Newhaven project approaching completion, can he confirm what plans the City of Edinburgh Council have to ensure remedial works are undertaken to reconstruct the heavily damaged roads allocated by CEC as diversions for the duration of the works, such as East London Street.

Answer

As a member of the Transport & Environment Committee you will be aware that as Convener I inherited a situation whereby road and footpath maintenance across the city is underfunded. Like me, however, I am sure you welcome the additional £11M of funding allocated to road and footpath maintenance as part of the 2023/24 budget. This funding, however, must be prioritised due to the scale of the challenge we face.

The Council surveys the road network at least every two years, prioritising remedial works in accordance with the policy agreed by Transport and Environment Committee. There are currently no plans to carry out remedial works on the diversion routes, but any deterioration which requires action will be considered as part of the on-going surveys and associated investment plans.

Item no 10.6

QUESTION NO 6

By Councillor Dobbin for answer by the Convener of the Housing, Homelessness and Fair Work Committee at a meeting of the Council on 16 March 2023

The windows replacement programme has been delayed due to non-compliant tenders by several months, resulting in significant delays for council tenants who, over the winter, have had to put up with cold homes or extra costs of heating. Can the convener confirm:

Question (1) What went wrong with the tendering process?

Answer (1) In October 2020, Finances and Resources Committee approved a Capital Framework. However the Lot associated with windows was removed as there was no market interest in this Lot.

The Council needs robust, safe, secure and good quality windows installed within all homes and have specifications to make sure this is the case and therefore, in December 2021, a Windows Framework was approved by Finance and Resources Committee to provide a route to market for windows.

Utilising the Framework, contractors are asked to price for windows to be manufactured and installed on behalf of the Council. If officers are not satisfied that a window tender meets the Council's requirements, there is a duty to discuss this with the contractor and make a decision on whether to award the work or not. This has led to two failed procurements for UPVC windows.

There are no issues with the tendering process itself, but contractors have not demonstrated compliance that Council officers can accept.

Question (2) Why were all tenders non compliant?

Answer (2) All tenders, as confirmed by an independent Chartered Building Surveyor, were non-compliant because they did not meet the performance-based specification required by the Council to ensure we install robust, safe, secure and good quality windows.

- Question** (3) What lessons have been learned for future tenders to prevent non compliant tenders coming forward?
- Answer** (3) The tender documents are being reviewed to make sure all essential criteria is clearly defined. This will be reviewed by an independent Chartered Building Surveyor.
- A meeting with all relevant contractors will be convened prior to the tender being re-published on Public Contract Scotland to make sure the Council's requirements are clear before any tenders are submitted.
- Checklists for contractors have also been introduced to make clear the supporting information required prior to tenders being submitted.
- Question** (4) What is the new timeframe for getting contracts in place?
- Answer** (4) Summer 2023.
- Question** (5) What is the overall delay to the programme?
- Answer** (5) 24 months.
- Question** (6) Would the Convener commit to circulating a briefing note on this?
- Answer** (6) Yes, I have asked officers to prepare a briefing note on this for Councillors.

Item no 10.7

QUESTION NO 7

**By Councillor McFarlane for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 16 March 2023**

Scheduled later on this month, Haymarket Terrace will be closed for 8 months to all eastbound traffic and there will therefore be a significant sustained diversion through Magdala Crescent.

Residents have reported concerns about the poor quality of the road not being improved ahead of this diversion to accommodate the displaced traffic.

Can he confirm:

- | | |
|-----------------|--|
| Question | (1) When was the last time the north end of Magdala Crescent |
| | (1) was resurfaced? |
| Answer | (2) There is no record held on the last resurfacing of Magdala Crescent. |
| Question | (2) What preparatory works to resurface the road to make it safer for vehicles and cyclists will be undertaken ahead of the diversion? |
| Answer | (2) At present, no resurfacing works are planned to take place ahead of the diversion commencing. |
| Question | (3) Has he or the CCWEL team considered proposals to make Douglas Crescents east end junction a No Entry to Douglas Gardens / Palmerston Place to reduce the number of eastbound vehicles with westbound traffic entering Douglas Crescent as normal? |

Answer

- (3)** A suggestion was received from the local community to consider additional traffic restrictions to limit use of Douglas Crescent.

This was considered at the project's Traffic Management Review Panel on 2 March. It was decided that, in light of the numerous road works affecting the west of the city centre throughout this period, that this further restriction should not be introduced as the additional pressure that this would apply to the surrounding network could exacerbate existing issues with network management and flexibility.

Item no 10.8

QUESTION NO 8

By Councillor Beal for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

Given the poor state of Edinburgh's Road and Pavements and the extra £11m in the budget to improve them:

- Question** (1) What is his plan to improvement the surface of roads & pavements?
- Answer** (1) The additional £11m investment will be added to the existing budget for carriageways and footways. The prioritisation procedures have previously been approved by Transport and Environment Committee. The plan is currently being refreshed to reflect the additional investment and will be reported to Transport and Environment Committee on 20 April 2023 for approval.
- Question** (2) How will he let members know the progress?
- Answer** (2) As noted above, the report on Transport Infrastructure Investment – Capital Delivery Priorities for 2023/24 will be presented to Transport and Environment Committee on 20 April 2023.

Item no 10.9

QUESTION NO 9

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

Question

Further to the answers provided to question 10.1 at the June 2022 meeting of the Council on the Davidson's Mains roundabout, can the Convener confirm the current status of the redetermination order required to deliver the proposed changes?

Answer

The plans for the Redetermination Order are finalised and will be advertised as soon as possible.

I will ensure officers provide an update to ward councillors at each stage of the order.

Should no objections be received when the proposed Order is advertised publicly, construction should begin within the next 12 months. However, any objections that are received will require to be referred to Scottish Ministers for determination.

Item no 10.10

QUESTION NO 10

By Councillor Ross for answer by the Convener of the Planning Committee at a meeting of the Council on 16 March 2023

The Council's Planning Department is responsible for the issue of notification letters to residents living within 20m of the subject address of a planning application. Sometimes notification letters fail to arrive and residents are denied the opportunity to express their views on a planning application. In other cases, notification letters may be overlooked or mistaken for junk mail.

Question (1) In the past twelve months, how many complaints have been received from residents living within planning notification range saying they did not receive a notification letter about a planning application

Answer (1) There have been no formal complaints investigated in accordance with the Council's Complaints Procedure in relation to the receipt of Neighbour Notifications within the last 12 months.

Records show that just over 105,000 neighbour notifications were carried out during this time. Where direct contact has been made with case officers advising neighbour notifications have been delayed due to postal strikes, additional time has been added to allow comments to be made.

Question (2) What could be done to address the non-receipt of notification letters

Answer (2) The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 set out the specific requirements of the duty of the Local Authority to issue Neighbour Notifications. Due to the volume of letters issued, the postal system is the most efficient means of delivery of the letters.

Question (3) What could be done to make notification letters more obvious and recognisable

Answer

- (3)** Neighbour Notification letters are printed on specialist paper that makes them stand out from standard correspondence. They are also clearly marked on the outside with a statement advising that the information is not a circular and advises that it relates specifically to a planning application that may affect the recipient.

QUESTION NO 11

**By Councillor Davidson for answer
by the Convener of the Education,
Children and Families Committee at a
meeting of the Council on 16 March
2023**

Question (1) How many full day lets did the council lease to after school clubs during the recent Teacher Strikes?

Answer (1) **3 days as follows:**

- 25th January 2023
- 28th February 2023
- 1st March 2023
-

Question (2) What was the take up for these lets?

Answer (2) **25th January 2023**

- 14 x full day Out of School Care (OOSC)
- 3 x Breakfast Club only
- 11 x After School Club only
- 12 x Breakfast Club and After School Club
- 3 x no delivery

28th February 2023 and 1st March 2023

- 17 x full day OOSC
- 1 x Breakfast Club only
- 12 x After School Club only
- 11 x Breakfast Club and After School Club
- 3 x no delivery

Question (3) Due to lower than expected uptake of these lets and wider impacts of the strikes some of our third sector partners will the council be offering any additional support to these after school clubs?

Answer (3) Clubs and providers were given the opportunity to take their Breakfast Club or After School Clubs lets as well as the option of offer full day provision on strike days. Some did take up these options while chose not to. As there are to be no further strikes, the support offered to Breakfast and After School Club providers will continue as is required.

Item no 10.12

QUESTION NO 12

By Councillor Younie for answer by the Leader of the Council at a meeting of the Council on 16 March 2023

- Question** (1) What, if any, land covered by planning permission 16/01797/PPP is owned by the Council?
- Answer** (1) Planning permission 16/01797/PPP masterplan, an area in Queensberry, is shown on the attached plan. Council ownership within that area is shown on the second attached plan and extends to approximately 0.611 hectares (1.510 acres).
- Question** (2) What, if any, plans are there to use or develop this land in future?
- Answer** (2) As the planning permission is a wider housing led masterplan, negotiations are ongoing with the adjacent land owner, CALA, to investigate the possibility of selling the Council's land to the housebuilder. If terms are agreed, a report will be submitted for consideration by the Finance and Resources Committee.
- Question** (3) What consideration has been given as to whether any council owned land covered in this area could be used for future cemetery provision?
- Answer** (3) None. The site is included as an asset sale (un-ringfenced) in financial year 23/24 as part of the Council's Sustainable Capital Budget Strategy 2023-2033 approved by Council on 23 February 2023. Also please see answer to Q13.

7.2 REVISED PROPOSALS: INDICATIVE MASTERPLAN

Gateway feature

←--- Pedestrian/cycle route through pedestrianised area of Builyeon Road



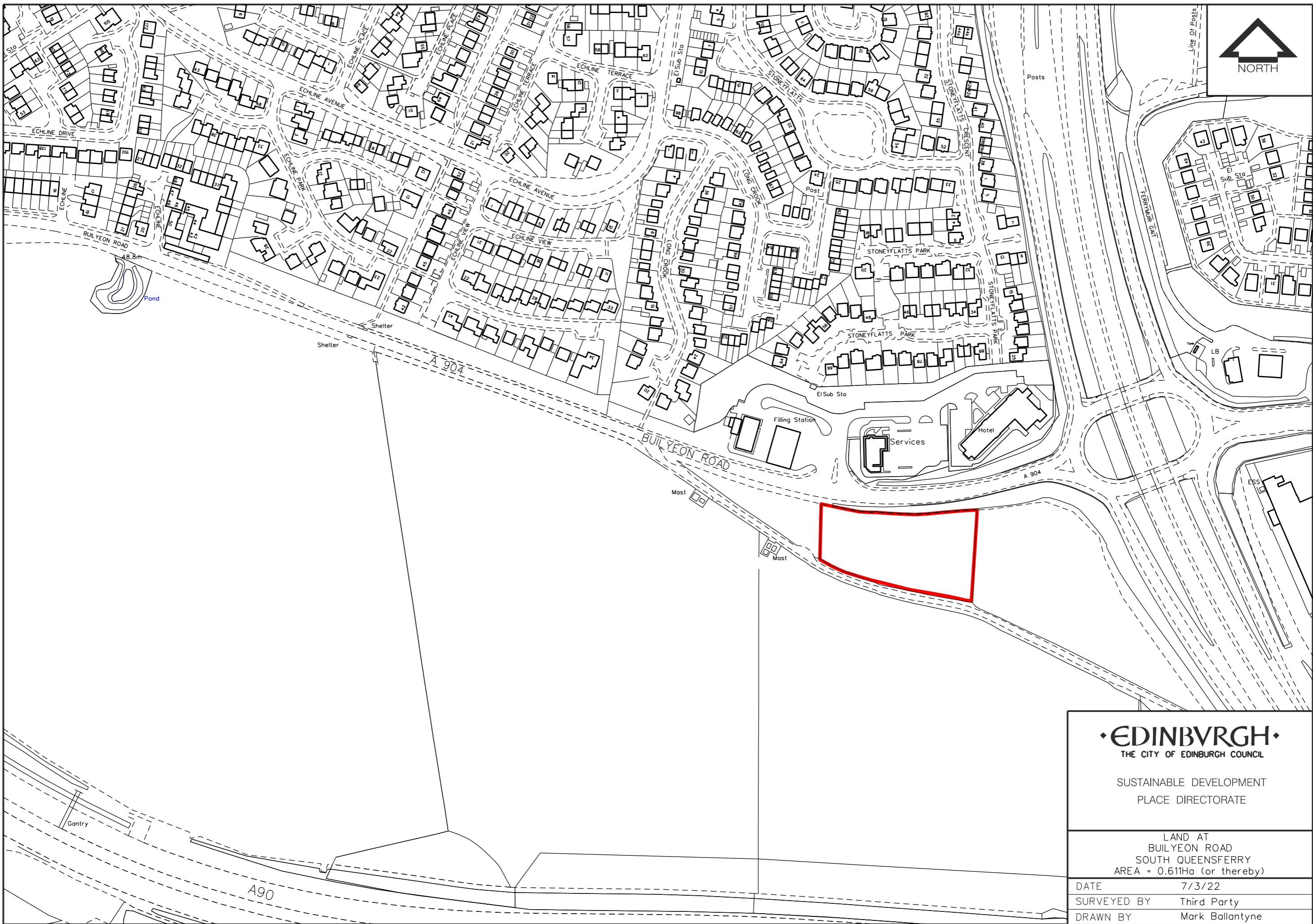
Page 19

0 50 100 200 300 400 500m



Drawing Description: Indicative Masterplan With Pipeline Exclusion Zone

Scale:1:4000



• EDINBURGH •
THE CITY OF EDINBURGH COUNCIL

SUSTAINABLE DEVELOPMENT
PLACE DIRECTORATE

LAND AT
BUIYEON ROAD
SOUTH QUEENSFERRY
AREA = 0.611Ha (or thereby)

DATE	7/3/22
SURVEYED BY	Third Party
DRAWN BY	Mark Ballantyne
SCALE	1:2500 @ A3 SIZE
NEG. NO.	A3/2428

SITE PLAN SCALE 1:2500

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Item no 10.13

QUESTION NO 13

By Councillor Work for answer by the Convener of the Culture and Communities Committee at a meeting of the Council on 16 March 2023

- Question** (1) What is The City of Edinburgh Councils strategy for future proofing burial grounds provision across the city?
- Answer** (1) The current Cemetery Strategy was approved by Culture and Communities Committee in [November 2021](#).
- Question** (2) Can the Convener confirm what discussions have taken place about new cemetery provision for Queensferry?
- Answer** (2) Officers have responded to enquiries from Elected Members and others but there have been no discussions about new cemetery provision in Queensferry.
- Question** (3) Have any sites been identified for future cemetery provision in Queensferry?
- Answer** (3) In 2006, the Council commissioned Craigmillar Castle Park for future cemetery provision. Since then, officers have not become aware of any further sites for future cemetery provision.
- Question** (4) Will the convener and the relevant council officers meet with Queensferry & District Community Council and the Friends of Queensferry Cemetery to discuss the future of cemetery provision in Queensferry?
- Answer** (4) Council officers have regularly met with the Friends of Queensferry Cemetery. The Convenor and officers are happy to meet both the Community Council and Friends of Queensferry Cemetery.

QUESTION NO 14

By Councillor Booth for answer by the Leader of the Council at a meeting of the Council on 16 March 2023

Please can the council leader outline, in relation to the council's Corporate Gaelic Development Officer (CGDO) post:

Question

- (1) a) What proportion of this post is currently externally funded?
- b) Which organisations/funders contribute, and what proportion?
- c) For how many years has this funding been forthcoming in each case?

Answer

- (1) a) NB the post is the Capital Gaelic Development Officer – the Corporate Gaelic Development Officer post ended in 2021.

External funding covers 100% of direct salary costs for the post. The Council's contribution to the post includes:

- Managerial and policy infrastructure including line management, progress reporting, project implementation and key stakeholder engagement
- Support for funding applications and connections to associated policy work including through Education and Policy and Insight teams
- Hosting of the post and provision of ICT, HR, communications support

b) For 2022-23: Scottish Government (29% via Education Children and Families grant), Bord Na Gàidhlig (57%), National Library of Scotland (7%), Commun Na Gàidhlig (7%)

c) The Scottish Government, Bord Na Gaidhlig and NLS have contributed since the start of Capital Gaelic in 2021-22; Commun Na Gàidhlig contributed to the second year of the project

- Question** (2) What external organisations/funders have been identified that might contribute funding to this post in future?
- Answer** (2) In addition to existing contributors, we are approaching the National Galleries and National Museums; discussions are pending with Ionad Gàidhlig Dhùn Èideann.
- Question** (3) Do any of the organisations identified in 2) fund 100% of the cost of a post, and would any of those organisations provide funding if the council does not contribute towards the cost of the post?
- Answer** (3) No – none of these organisations fund 100% of the post; as above, the Council provides substantial support for the post that is critical to the success of project implementation.
- Question** (4) Do any of the organisations identified in 2) have any other restrictions on funding, for example that they will fund a maximum number of years?
- If so, what are those restrictions?
- Answer** (4) One year funding is standard across all of the organisations involved.
- Question** (5) Have any external funding bids been submitted to outside organisations to cover the CGDO post in 2023/24 or future years?
- If so, which ones, and for what proportion of the cost of the post?
- Answer** (5) External partners have been approached to discuss financial contributions for 2023-24; Scottish Government grant funding to Education, Children and Families includes a contribution for the Capital Gaelic post; a bid will be made to Bord Na Gaidhlig for up to 60% of costs (details to be finalised once the funding contribution from other organisations has been agreed).
- Funding is applied for on an annual basis.

Item no 10.15

QUESTION NO 15

By Councillor Booth for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 16 March 2023

Question

Please will the convener give an update on progress towards identifying a site for a Gaelic medium education high school?

Answer

A briefing note providing an update on the site search study carried out by a property consultancy will be circulated to all the elected members on the Gaelic Implementation Group.

Item no 10.16

QUESTION NO 16

By Councillor Booth for answer by the Convener of the Development Management Sub- Committee at a meeting of the Council on 16 March 2023

In relation to the council media release 'Melville Monument Plaque – a clarification' issued on Friday 3 March 2023, please will the convener clarify:

Question (1) Why the council took two days following the committee decision to make any media release on this issue?

Answer (1) The council does not routinely issue media releases following committee decisions, particularly those made by quasi-judicial committees.

In this case, in light of inaccurate reporting in the media and elsewhere, a clarification was issued via [social media](#) (on 2 March) and subsequently on the [Council website](#).

Question (2) Why no convener was quoted in the media release, as is usually the case in council media releases?

Answer (2) As noted in answer (1), a clarification was issued.

Item no 10.17

QUESTION NO 17

By Councillor Booth for answer by the Convener of the Planning Committee at a meeting of the Council on 16 March 2023

In relation to the council media release 'Melville Monument Plaque – a clarification' issued on Friday 3 March 2023, please will the convener clarify:

Question (1) Why the council took two days following the committee decision to make any media release on this issue?

Answer (1) The council does not routinely issue media releases following committee decisions, particularly those made by quasi-judicial committees.

In this case, in light of inaccurate reporting in the media and elsewhere, a clarification was issued via [social media](#) (on 2 March) and subsequently on the [Council website](#).

Question (2) Why no convenor was quoted in the media release, as is usually the case in council media releases?

Answer (2) As noted in answer (1), a clarification was issued.

Item no 10.18

QUESTION NO 18

By Councillor Booth for answer by the Leader of the Council at a meeting of the Council on 16 March 2023

Question

Further to his answer to my question on 9 February 2023, please can the council leader outline what the public health advantages are of his decision to reduce the size of the licensing board from 10 members to 9 members, and in so doing to remove the second Green member of the board?

Answer

As I have said previously, I'm sure the persistent questions regarding the new composition of the Licencing Board are not personally targeted.

I would expect all members of the Licensing Board to uphold the Licensing Objectives, including public health, giving each objective equal weighting. These objectives are paramount considerations when the Board is carrying out its responsibilities.

I'm sure all board members, who are from a range of backgrounds and have a variety of skills, will do their utmost to promote public health, informed by local experience.

Licensing Boards also publish Annual Function Reports which detail how they promote the licensing objectives, including public health. I would like to direct Councillor Booth to this report for detail on Edinburgh's Boards focus on public health.

Item no 10.19

QUESTION NO 19

By Councillor Booth for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

Question

I understand his answer to my question on Gaelic tram signage at the full council meeting on 24 November 2022 was inaccurate (question no. 24). Please would the Convener outline when an accurate answer to this question will be provided?

Answer

The accurate answer is provided below.

I feel it is possible to conclude that the decision-making process for the installation of signage, as per the Gaelic Language Plan 2018-2022, has not been followed comprehensively as part of the development of the Trams to Newhaven scheme.

The Place Directorate have offered to remind staff of the commitments within the Gaelic Language Plan, and to ensure that the plan's priorities (particularly in relation to signage) are comprehensively considered in future.

Once the new line is operational, it is proposed that (subject to funding being available) the Trams to Newhaven Board, in consultation with the Edinburgh Trams Board, will be asked to consider the installation of bilingual signage along the entirety of the tram route.

Item no 12.24

QUESTION NO 24

By Councillor Booth for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 November 2022

The signage for the tram extension to Newhaven has been installed in English only, despite a previous commitment (council questions, November 2021) to consider bilingual Gaelic/English signage, and despite council policy (Edinburgh Council Gaelic Plan) that bilingual signage should be considered when new signage is installed.

Question (1) What was the additional cost of installing bilingual signage along the tram extension route?

Answer (1) The cost of the translation of the place names into Gaelic was £210 and this work was undertaken in 2021.

The cost of additional signs on the new tram stops is not known at this time.

Question (2) Why was this ruled out?

Answer (2) The new tram stops are designed to be the same as the stops on the existing line, so that when the new section is open it feels like one line. Currently Edinburgh Trams have signs in Gaelic on their website but only in English on the tram stops. This has been carried forward to the tram line to Newhaven.

Question (3) When was the decision made to install monolingual signage?

Answer (3) The installation of signage on the existing tram line pre-dates the Council's approval of the Gaelic Language Plan 2018 – 2022, and this was not revisited by the last administration as part of the development of the Trams to Newhaven scheme.

Item no 10.20

QUESTION NO 20

By Councillor Whyte for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

Question (1) Please outline the process used to finalise the street design layouts for the tram works on Leith Walk.

Answer (1) This was established during the last administration, and information is in the public domain and is contained in the [Public Consultation Impact Report](#) on the project website.

Further information is also available in the [Frequently Asked Questions](#) (FAQ) section of the project website.

Question (2) Please identify the person or body responsible for final agreement of the design and why they felt it was appropriate to approve a design that does not fully meet Edinburgh's Street Design Guidance

Answer (2) The detailed design was developed within the parameters of the Edinburgh Street Design Guidance as agreed by the last administration during the Early Contractor Involvement period and during construction.

QUESTION NO 21

By Councillor Mowat for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

With the imminent introduction of the Deposit Return Scheme, can the Convener answer the following questions raised by residents in the City Centre please:

Question (1) What is the current income and expenditure for on-street glass collections?

Answer (1) For recycling point collections (including on street bins, blocks of flats, bin stores and recycling points at supermarkets, etc) the year to date (April 2022 - January 2023) expenditure is £169,579.

The contract for this service covers the cost of collection. The sale of glass by the contractor is used to offset this cost so there is no income to the Council.

Question (2) Is the Scottish Government going to maintain the requirement on Councils to provide a doorstep/on-street glass collection once the DRS has been introduced?

Answer (2) It is not clear at the moment what the future requirement will be, particularly as the three SNP leadership candidates have all expressed concerns about the scheme. However, it is important to note that the DRS only includes PET, metal and glass drinks containers, and not other containers made of these materials (sauce bottles, pasta jars, etc).

Question (3) What will happen to the bottles qualifying for a deposit return that are placed in on-street recycling containers (boxes or communal bins) and will the deposit be collected on these?

Answer (3) The deposit will only be applied to glass drinks bottles. Other glass bottles and jars will not carry a deposit.

To collect the deposit, consumers will have to return the container to a designated return point. The Council will not be able to recover deposits from glass presented in recycling collections alongside other glass containers which did not carry a deposit.

- Question** (4) If the deposit is collected, what will happen to these monies?
- Answer** (4) See answer 3. The [Zero Waste Scotland](#) website confirms that the overall scheme is expected to be funding through three sources – unredeemed deposits, revenue from the sale of materials and any producer fees charged by the scheme administrator.
- Question** (5) Have projections of the impact of the on-street collections been carried out?
- Answer** (5) Zero Waste Scotland has commissioned work to model the anticipated impacts with Councils. This work is ongoing and is expected to be finalised within the next few months.
- Question** (6) What are the outcomes of any projections and what impact is this likely to have on future budgets?
- Answer** (6) See answer 5.

Item no 10.22

QUESTION NO 22

By Councillor Mowat for answer by the Convener of the Planning Committee at a meeting of the Council on 16 March 2023

Question

To facilitate the development of the Haymarket Yards, the Council sold the land on which the public conveniences at Morrison Street sat to the Developer and a burden was put on the Title that any development on this land would provide replacement public conveniences; this was not just a contractual agreement but forms a Burden registered in the Land Register of Scotland against the land; such a Burden will be made known to a prospective purchaser at the time of sale via a property search.

Given that this condition of sale has become a formally registered Burden against the land can the Convener uncover when a decision was taken not to enforce this burden as there are no public conveniences in the current design and despite this matter being raised continuously by the Community Council and Local Councillors for some years the burden remains unenforced.

https://edinburghcouncil-my.sharepoint.com/:b:/r/personal/9035829_edinburgh_gov_uk/Documents/Community%20Councils/West%20End/MID98698%20-%20Title%20sheet.pdf?csf=1&web=1&e=Nz9ieR

Answer

The wider site was sold by the Council in 2006. Since that time, the site has changed hands several times.

To date there has not been a formal decision taken to either enforce or not enforce the burden. Legal advice would be required to be considered in this regard.

It should be noted that the Development Management Sub-Committee, on 18 December 2019, approved a planning application that did not include public toilets.

Item no 10.23

QUESTION NO 23

By Councillor Cowdy for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

Question (1) On 16th January CityFibre cut a trench in Shandon Bridge on Ashley Terrace to lay fibre optic cables that resulted in the bridge being damaged and closed, and remained closed on 7th Feb. Were these works authorised by City of Edinburgh Council?

Answer (1) No, these works were not authorised by the Council. There was no valid works notice on 16 January covering the point of excavation.

Question (2) Local residents and businesses have complained about frequent changes to diversions and street closures along with a lack of communication causing traffic chaos and frustration. What can the Convener do to improve communication with local residents and businesses when disruptive unplanned works arise?

Answer (2) When disruptive, unplanned works arise Council officers (including Communications and Edintravel) work closely to ensure the public are informed as soon as there is an issue on the network.

In addition, officers also work with Utility Companies to ensure that they communicate through all relevant channels to keep the travelling public and residents up to date.

Utility Companies have also been encouraged to carry out door to door personal updates, as well as letter drops, and officers will continue to push for this this.

Question (3) Given the above, along with the high level of fines imposed on CityFibre and the number of complaints from residents across the city about poor management of works from the Utility Company, and of the quality of the roads and pavements left behind, what is the Convener doing to improve the City Council's oversight of CityFibre's works?

Answer

- (3)** Under the New Roads and Street Works Act, CityFibre have been issued with a Stage 1 Improvement Notice. This Notice advised CityFibre that they must achieve a minimum 90% pass rate for all sample inspections of their Signs, Lighting and Guarding as well as their reinstatements. This Improvement Notice was circulated to both the Scottish and South Roads Authorities and Utility Committees.

In addition, CityFibre were instructed to cease all work in progress on the network on 17 February, to make safe all defects, backfill any excavations and not commence any new works.

As a result of this decisive action, CityFibre produced an Improvement Plan which outlines a positive way forward for delivering works in the city. The methodologies detailed in the Plan provide evidence that CityFibre have understood the nature of improvements required and are committed to delivering them in Edinburgh.

Progress against the Plan and the Improvement Notice will be monitored closely, with an initial two month period of rigorous scrutiny and observation during which, if there are any failures in adherence to the Plan, CityFibre will be instructed to cease work in Edinburgh with immediate effect. Weekly meetings with CityFibre will take place throughout this period.

CityFibre were advised that they could recommence work on 3 March 2023.

QUESTION NO 24

By Councillor Jones for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 16 March 2023

Question (1) In 2021, Council was notified of concerns that the implementation of the Health and Wellbeing Census in schools potentially breached various elements of data protection legislation. Did the council obtain advice from the Information Commissioner's Office prior to continuing data collection?

Answer (1) The Council carried out a data protection impact assessment (DPIA) concerning the implementation of the Health and Wellbeing Census, prior to the collection of data in the survey. The Council's DPIA process is designed to take account of the legislation and the ICO's published guidance regarding DPIAs. The Council's internal processes require the completion of DPIAs for more processes, as good practice, than is actually required under Data Protection legislation (Article 35 of UK GDPR requires completion of a DPIA only where the processing is likely to result in a "high risk" to individuals, or in certain specified circumstances).

The DPIA highlighted several mitigation actions which were duly implemented by the service which, in the Council's view, made the processing compliant with data protection legislation.

Consulting the Information Commissioner's Office about a DPIA is only required where a DPIA identifies a high risk that cannot be mitigated. Through the DPIA, the Council determined that the processing was not high risk, and that appropriate technical and organisational safeguards were in place to ensure the processing was safe, lawful, and appropriate, so there was no requirement or reason to consult the ICO.

Question (2) Please provide a list of all council documents that refer to data collected from the Health and Wellbeing Census. For example, reports, policy documents, recommendations, training, internal and external presentations etc? (If there are too many documents to list within the reasonable timeframe, please list as many as possible within the standard timeframe with the estimated total number of documents)

Answer (2) The following reports and presentations refer to data collected from the Health and Wellbeing Census:

Reports to schools on the statistical responses from their pupils to the Health and Wellbeing Census (all primary and secondary schools)

Sector wide reports on the statistical responses to Health and Wellbeing Census (primary and secondary) to all primary and secondary schools to Education Leadership Team and other education staff

Health and Wellbeing Census 2021 – 22 – Additional analysis report

Health and Wellbeing Census Initial Analysis and Signposting, Head Teach Briefing presentation.

Secondary Health and Wellbeing Network presentation

Primary Health and Wellbeing Network presentation

Quality Improvement Team presentation

Education Leadership Team presentation

Health and Wellbeing Strategic Board presentation

QUESTION NO 25

By Councillor Cowdy for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

- Question** (1) What proportion of the estimated £824m - £1,124m cost of the Active Travel Action Plan is associated with the provision of Segregated Cycle Lanes?
- Answer** (1) I am sure you will have read Appendix 2 of the Active Travel Action Plan (which was presented to Transport and Environment Committee on 2 February 2023 – you are a member) and know it outlines the costs for main road cycle segregation/network are anticipated to be between £212m and £247m. These figures represent around 26% and 22% respectively of the relevant total cost.
- Question** (2) Officers have asserted the ATAP cannot be completed by 2030. How long is it expected to take to deliver?
- Answer** (2) The delivery timeframe will depend on the availability of funding, particularly external funding from Scottish Government and other sources.
- Question** (3) How many new cycle trips are expected to be generated from the network of Segregated Cycle Lanes, each year, over the expected delivery period?
- Answer** (3) This has not been modelled. However, evidence from other cities, particularly elsewhere in Europe, demonstrates that delivery of segregated cycling infrastructure is associated with significant increases in the number of trips that are undertaken by cycling.
- Question** (4) How many of these new cycle trips are expected to be drawn away from private car trips and how many from public transport trips (including taxis)?

Answer (4) This has not been modelled. However the draft Active Travel and Public Transport Action Plans are intended to be complementary and are based on best practice elsewhere. The integrated packages of measures aim to encourage and facilitate walking, cycling and public transport use, increasing the opportunities for people to travel in ways that are healthy, environmentally friendly, and minimise the negative impacts on others.

Question (5) What proportion of the estimated £2,260m cost of the Council's carriageway and footway replacement is associated with the provision of Priority Cycle Lanes and Mandatory Cycle Lanes?

Answer (5) It is not possible to estimate the proportion of the total replacement cost associated with the provision of cycle lanes.

£2,260m is an estimate of the replacement cost of the entire adopted road network (taken from a report to the Transport and Environment Committee in [August 2022](#)).

The replacement cost varies as new roads and cycleways come onto the adopted road network.

Item no 10.26

QUESTION NO 26

**By Councillor Rust for answer by the
Convener of the Finance and
Resources Committee at a meeting
of the Council on 16 March 2023**

Question

What legal time costs/fees have been incurred by the Council in relation to obtaining advice on the lawfulness or legal competence of different iterations of the SNP/Green proposals for Council Tax within this year's Council Budget process:

- a) internally
- b) external law firm
- c) Counsel.

Answer

- a) £930
- b) £883 plus VAT
- c) £1,250 plus VAT

Item no 10.27

QUESTION NO 27

By Councillor Bruce for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

Question (1) Which extreme weather events in Edinburgh are officially linked to climate change in the last 20 years?

Answer (1) This information is not available. Although evidence suggests that the frequency and magnitude of extreme weather events is increasing, no individual event can be linked to Climate Change. Instead, the focus is on the trend.

The Met Office UK Climate Projections 2018 (UKCP18) provides the most up-to-date and appropriate climate change scenarios for understanding climate change in Edinburgh.

While the latest climate projections provide a much greater understanding of the links between climate change and extreme weather events, and the ability to ascertain if these events were exacerbated by climate change, the studies of attribution are predominately focused on large scale severe weather events so are unlikely to ascertain which ones are 'officially' linked to climate change.

Question (2) How many extreme weather events are predicted for Edinburgh in the next 20 years and how does this relate to whether Edinburgh hits its Net Zero target?

Answer (2) It is not possible to predict future climate change in the next 20 years with certainty, as it depends on various factors such as global action to mitigate climate change, and uncertainties in the global earth-climate system (including natural tipping points which are not fully understood).

However, all climate scenarios anticipate hotter, drier summers; milder, wetter winters; and more severe weather events (in particularly flash flooding). These eventualities are likely to be felt most by the most vulnerable in society.

It is not possible to predict the impact of future extreme weather events on whether Edinburgh hits its Net Zero target. By taking seriously our moral responsibility to work together with cities across the globe, however, we can be more certain of having an impact.

Question (3) What portion of the budget is allocated to meet the Net Zero target?

Answer (3) For 2023/24, the Council has allocated £279,000 to recruit new employees in the sustainability team to support achievement of the Net Zero target. However, there are other activities which are taking place across the Council which will also contribute to achieving the target (e.g. housing retrofit) but it is not possible to quantify the budgets associated with these activities. A key example of this are our Public and Active Travel Action Plans which we will consult on soon— amounting to £2B-£3B of investment. These measure the scale of this Administration's ambition to respond to the climate emergency.

Question (4) What portion of the budget is allocated to infrastructure to build Edinburgh's resilience to extreme weather events?

Answer (4) There has been no specific allocation to infrastructure to build Edinburgh's resilience to extreme weather events in the 2023/24 budget. However ongoing funding and, for example, the £2m allocated to fund measures to prevent flooding, funding allocated to improvements to paths, pavements and roads, parks and greenspaces and such like, will help build the city's resilience to extreme weather events.

QUESTION NO 28

By Councillor O'Neill for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 16 March 2023

Question (1) Has the Convener met with officers and Zero Waste Scotland to discuss the implementation of Scotland's Deposit Return Scheme (DRS) which is launching on 16th August 2023?

Answer (1) No. The DRS is a Scottish Government initiative and implementation of this is a matter for the Government and Circularity Scotland who are appointed as the delivery body to operate the scheme.

Officers receive regular briefings through the Waste Management Officers' Network and I note that all three of the SNP leadership candidates have questioned the future delivery of the scheme.

Question (2) What work has been done to adapt existing recycling systems and council services to support the transition to the scheme?

Answer (2) Zero Waste Scotland has commissioned Eunomia to work with Councils to model impacts. This work is ongoing and is expected to be finalised within the next few months.

Question (3) Does the convener know how this change in legislation – and the revised producer responsibility legislation for packaging waste – will change in allocating funding to managing and collecting materials not covered in DRS?

Answer (3) The Scottish Government has made no announcement in relation to funding as a result of DRS.

The producer responsibility legislation for packaging waste (pEPR) is UK wide legislation which will provide ring fenced funding for elements of recycling and waste collection services. The UK and Scottish Governments have made no announcement in relation to the implications of this scheme on local government funding in the UK or in Scotland.

Question (4) Does the convener believe that the City of Edinburgh is on track to hit Scotland's national target of a 70% recycling rate by 2025?

Answer (4) As noted in the question, 70% is a national target for Scotland. The performance of individual authorities will vary due to differences in waste arisings, housing type and demography. Edinburgh's performance compares favourably with similar Councils in Scotland, but progress at national level is not good enough. Indeed, at the start of this month the Scottish Parliament Information Centre said "progress has stalled in recent years", and reported a rate of 42.7% for 2021.

The transfer of some responsibilities to the DRS and pEPR will mean that retailer takeback is expected to play a greater role in delivering recycling services going forward, so the local authority will play a potentially smaller role in delivering the national performance.

Item no 10.29

QUESTION NO 29

By Councillor Jones for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 16 March 2023

- Question** (1) For the 12 months to 31 May 2022 and 12 months to 31 May 2021, could we please be advised –
- a) The total number of meals provided in Edinburgh,
 - b) The number of meals broken down by council, Partner Providers, and by childminders.
- Answer** (1) Information from our catering service.
- a) May 20 to May 21 = 398,319 meals to LA settings
May 21 to May 22 = 641,258 meals to LA settings
- Meals to partners and childminders are calculated by academic year.
- b) August 20 – August 21 = funding for 532,377 meals to partners and childminders

August 21 – August 22 = funding for 578,115 meals to partner and childminders.
- Question** (2) Confirm the total amount of funding provided by the Scottish Government to City of Edinburgh Council for the provision of childcare for the 2021 and 2022 years.
- Answer** (2) City of Edinburgh Council received funding of £46,433,668 in 2021/22 and £41,313,984 in 2022/23
- Question** (3) Confirm any additional funding provided to City of Edinburgh Council for the provision of childcare for the 2021 and 2022 years.
- Answer** (3) City of Edinburgh Council received no additional funding over and above the funding detailed in question 2
- Question** (4) Advise the amount of funding provided by Scottish Government for a) 1140 hours b) 600 hours for the 2021 and 2022 years.

- Answer** (4) See question 2
- Question** (5) Confirm the total amount of funding provided by the Scottish Government to City of Edinburgh Council for Apprenticeships in childcare for the 2021 and 2022 years.
- Answer** (5) The Scottish Government doesn't fund apprenticeships
- Question** (6) Confirm how many apprentices are being funded, and how many are in a Local Authority setting and how many in a Partner setting for the 2021 and 2022 years
- Answer** (6) The apprentices are funded by Skills Development Scotland.

QUESTION NO 30

By Councillor Jones for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 16 March 2023

Question

Given recent allegations, and a live Police investigation, has the City of Edinburgh Council provided guidance to schools in relation to the use of LGBT Youth Scotland Schools Materials, and or referrals to their support groups?

Answer

We are aware of recent allegations of historic exploitation made by individuals who used LGBT Youth Scotland services in the past.

We have met with the Chief Executive of LGBT Youth Scotland who has informed us that: there is no ongoing Police investigation; one of the allegations related to a prior employee who was convicted in 2009 for their crimes; the second allegation was not criminal in nature and as such, there was no Police investigation to report; a full internal investigation into the second allegation has concluded and there is no evidence of misconduct by the employee against whom the allegation was made.

Regarding safeguarding policies and procedures, LGBT Youth Scotland have reviewed and strengthened these. All employees have basic disclosure and those working with young people have PVG Scheme membership. The Head of Youth Work has completed a postgraduate certificate in Child Protection and the organisation is considering additional measures to ensure children and young people's safety.

LGBT Youth Scotland materials used in schools are subject to a robust quality assurance process.

We have a very positive relationship with LGBT Youth Scotland and value their support in further developing LGBT inclusive education in our schools and their support for LGBT young people.

In this context, we will provide a statement of reassurance to schools to support communication with stakeholders.

QUESTION NO 31

By Councillor Caldwell for answer by the Leader of the Council at a meeting of the Council on 16 March 2023

A year ago, the Council worked alongside Third-sector partners to establish the successful 'Ukraine Welcome Hub' for refugees fleeing Russia's brutal invasion of Ukraine.

Question (1) Roughly how many Council staff are currently engaged with the Ukraine Welcome Hub?

Answer (1) There are approximately 50 colleagues (including some engaged from the Council's agency staffing partner) supporting the Council's response to the Ukraine crisis.

(2) Roughly how many volunteers are currently engaged with the Ukraine Welcome Hub?

(2) There are over 200 volunteers and third sector partners engaged with the Ukraine Support programme across the city.

(3) When was the last formal meeting between the City of Edinburgh Council and EVOC, the Edinburgh Volunteer Centre and Edinburgh Social Enterprise as members of the Third Sector Interface (TFI), along with other partners, to discuss the challenges that refugees and migrants in Edinburgh are facing?

(3) Officers engage on a daily with Third Sector partners and a weekly Edinburgh Oversight Group meeting takes place.

(4) When is the next formal meeting planned?

(4) Wednesday 15 March.

(5) Will there be a review of the innovative way Council staff and the TFI came together to establish the Ukraine programme, and what positive learning do we hope to take forward from it, particularly regarding crisis response?

- (5)** Yes. Although progress and planning are regularly reviewed through the weekly meetings, a series of focussed review and onward planning workshops are scheduled for April 2023.
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