

# Motions and Amendments

## City of Edinburgh Council

10.05 am Thursday, 28th September, 2023

Main Council Chamber - City Chambers

### Questions and Answers

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## Item no 10.1

### QUESTION NO 1

**By Councillor Ross for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

A concern has been raised by one of my constituents about apparently discretionary application of the parking regulations by a parking attendant, favouring commercial vehicles.

**Question** (1) What evidence would be regarded as sufficient valid evidence to make a case for appropriate action?

**Answer** (1) Any evidence submitted to the Council's parking team would be considered and assessed to identify if there is any evidence of wrongdoing. Where wrongdoing is identified, appropriate action would be taken.

For information, details on the different observation periods for liveried goods vehicles is contained within the Council's [Parking Enforcement Protocol](#).

**Question** (2) How can a member of the public report the issue and present that evidence?

**Answer** (2) Members of the public can submit comments and complaints online on the Council website – [Comments and complaints – The City of Edinburgh Council](#). Complaints and information can also be submitted directly to the Parking team ([parking@edinburgh.gov.uk](mailto:parking@edinburgh.gov.uk)).

**Question** (3) What action can the Council take if there is sufficient valid evidence that a parking attendant is not enforcing the parking regulations correctly?

**Answer** (3) Council officers will work with the Council's enforcement contractor if sufficient evidence is identified. The action taken will depend on the individual circumstances of each case but may include additional training or disciplinary action.

## Item no 10.2

### QUESTION NO 2

**By Councillor Ross for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

On 28 January 2021, the Council agreed to implement 20mph speed limits on 17 streets across the city, including Cluny Gardens and Greenbank Crescent in Ward 10. An update was provided in March this year confirming delivery for four streets and progress on the remaining 13. Completed designs were to be issued to Roads Operations in March for Cluny Gardens and Greenbank Crescent, amongst others, but there is not yet any evidence of implementation. Please can you provide

**Question** (1) An explanation for the delay in implementation;

**Answer** (1) I share your concerns and frustration about this. An update to the Transport & Environment Committee on 2<sup>nd</sup> March 2023 made clear *“Design complete, to be issued to Roads Operations by March 2023”*.

Since this update, responsibility for Road Safety has transferred to a new team. This led to a review of all of the existing commitments in the road safety team’s programme of work, with an updated schedule due to be presented to Transport and Environment Committee in October 2023. The transfer of responsibilities and review of the existing work programme has led to a delay in implementation of the schemes referred to in this question.

**Question** (2) An update on progress; and

**Answer** (2) Implementation of 20mph remains one of the top priorities for the road safety team. Although in March we were told the design was complete, I now understand they are currently actively developing the works package, including finalising the designs and confirming the extent of the necessary works and materials required, with the aim of securing a contractor to execute the project efficiently.

**Question** (3) A timeline for delivery for all 13 remaining streets?

**Answer**

- (3)** Frustratingly, an exact timeline for the implementation for the remaining 13 streets is not yet available. Once the work packages have been finalised, all stakeholders (including Ward Councillors) will be updated.

## Item no 10.3

### QUESTION NO 3

**By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

**Question** (1) What new powers are now available to the council to improve bus services in Edinburgh following the laying of the Transport (Scotland) Act 2019 (Commencement No. 7) Regulations 2023?

**Answer** (1) The Transport (Scotland) Act 2019 is designed to provide local authorities with a range of powers and options to improve the operation of local bus services in their respective areas. These options include allowing local transport authorities to run their own bus services, franchise bus services and/or enter into Bus Service Improvement Partnerships (BSIPs) with bus operators within their areas.

**Question** (2) What assessment has been made of when and how the Council should use these new powers?

**Answer** (2) Edinburgh is extremely fortunate to have an existing, high quality and comprehensive bus network covering most of the CEC area. Therefore, this reduces the need for the Council to utilise the options contained in the Transport Act.

However, initial indications are that the most relevant option for Edinburgh would be the potential to enter into BSIPs.

Officers will explore this in detail and will report back as part of the Public Transport Action Plan.

## Item no 10.4

### QUESTION NO 4

**By Councillor Young for answer by the Convener of the Culture and Communities Committee at a meeting of the Council on 28 September 2023**

#### Question

To ask the Convener for:

- (a) a list of playparks (by ward) which have one or more broken play equipment items, and what % of equipment at each park is still usable.
- (b) Of the list at (a), which of these are fully closed (assumption that all 100% unusable parks will be closed but others may be unsafe to use due to damaged equipment), and since what date has it been closed?
- (c) Of the list at (a), when are they due to re-open

This can be provided as 3 separate lists or a combined table such as the below:

Name of playpark	Ward	Location	% usable	Is playpark still open?	If closed, since what date?	If closed, due date for re-opening?

#### Answer

The table below details the play areas by ward where one or more items of play equipment is broken. There are three play areas which are currently closed, two for refurbishment and one where repeated vandalism has led to the play park being closed indefinitely.

**Table 1: Play areas where one or more items of play equipment is broken (as at September 2023)**

Name of play area	Ward	%age usable	Is play area still open?	If closed since what date?	If closed, due date for re-opening?	Notes/Issues
Allison Park, Toddlers	Almond	67%	Yes	N/A	N/A	Multi-unit damaged
Ratho Station Public Park	Almond	80%	Yes	N/A	N/A	Bucket swing damaged
West Princes Street Gardens	City Centre	90%	Yes	N/A	N/A	Refurbishment planned
Meadowfield Park	Craigtintny/Duddingston	80%	Yes	N/A	N/A	Flying fox and slide damaged
Clermiston Park	Drum Brae/Gyle	86%	Yes	N/A	N/A	Rocker damaged
West Pilton Park	Forth	83%	Yes	N/A	N/A	Flying fox damaged
King George V Park, Toddlers, Eyre Place	Inverleith	75%	Yes	N/A	N/A	Swings damaged
Keddie Gardens	Leith Walk	33%	Yes	N/A	N/A	Helter Skelter and roundabout damaged. Ongoing consultation on refurbishment
Leith Links, Juniors	Leith Walk	93%	Yes	N/A	N/A	Flying fox damaged
Montgomery Street Park	Leith Walk	0%	No	Jun-23	Oct-23	Closed for refurbishment
Burdiehouse Valley Park	Liberton/Gilmerton	88%	Yes	N/A	N/A	Roundabout damaged
Moredun Maze, Juniors, Fernieside Drive	Liberton/Gilmerton	0%	No	Pre 2020	No date planned	Repeated vandalism - closed long term
Calder Park	Pentland Hills	89%	Yes	N/A	N/A	Swings damaged
Jewel Park	Portobello/Craigmillar	50%	Yes	N/A	N/A	Climbing net damaged
Madgelene Glen, Juniors	Portobello/Craigmillar	80%	Yes	N/A	N/A	Flying fox damaged
Peffer Place	Portobello/Craigmillar	50%	Yes	N/A	N/A	Review and maintain
Dalry Community Park	Sighthill/Gorgie	0%	No	May-23	Mar-24	Closed for development of site
Murieston Park	Sighthill/Gorgie	60%	Yes	N/A	N/A	Refurbishment planned no replacement
Saughton Mains Terrace	Sighthill/Gorgie	80%	Yes	N/A	N/A	Swings damaged



Saughton Park	Sighthill/Gorgie	97%	Yes	N/A	N/A	Flying fox damaged
Stenhouse Place East	Sighthill/Gorgie	67%	Yes	N/A	N/A	Springer damaged
Westfield Court	Sighthill/Gorgie	67%	Yes	N/A	N/A	Spinner damaged

## Item no 10.5

### QUESTION NO 5

**By Councillor Beal for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

**Question** (1) Will he assure me that the monitoring and results for the Corstorphine LTN will include data from the first week of November 2023 so that it is directly comparable with the baseline data?

**Answer** (1) Officers have advised me that, whilst it would be their preference to undertake the surveys during the same calendar week as the baseline, they must also consider factors which could influence the data gathering such as road works and local events. Such factors could mean that an alternative week is more appropriate to ensure accurate data gathering. These will be considered closer to the time and the most appropriate gathering data period will be selected.

I do, however, have concerns about the use of November 2021 as a baseline due to the impact of the Covid-19 pandemic on travel patterns.

**Question** (2) Will he also provide pedestrian and cycle data for analysis from the Corstorphine LTN?

**Answer** (2) I have committed to placing all data in the public domain, with the exception of comments from the public (due to privacy concerns).

All the pedestrian and cycle data that has so far been gathered has been shared publicly via the project website ([Corstorphine connections baseline data report](#)). The next gathering of pedestrian and cycle data will be at the six-month mark of the project. This will also be shared publicly on the website once analysis is complete.

Once we have all this data available, I hope Officers will then engage with the Community Council, Ward members and local groups regarding the next steps.

## Item no 10.6

### QUESTION NO 6

**By Councillor Dijkstra- Downie for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

Given the issues experienced with defective material associated with the micro-asphalt programme in 2022/23, can the Convener confirm:

- Question** (1) How many, and which, roads that were treated with substandard micro-asphalt during the 2022/23 programme have since been re-treated?
- Answer** (1) There were 7 schemes streets that have been re-treated in 2023/24 as a result of failures in 2022/23:
- Lady Road (excluding service road)
  - Pleasance
  - St Leonard's Street
  - Woodhall Road
  - Redford Drive
  - Blackford Avenue
  - South Gyle Broadway
- Question** (2) How many, and which, roads that were treated with substandard micro-asphalt during the 2022/23 programme were not re-treated?
- Answer** (2) There are 12 streets that have not been re-treated in 2023/24 that were treated with Micro-Asphalt in 2022/23:
- Craigmount Avenue
  - Craigmount Terrace
  - Craigmount Gardens
  - Craigmount View
  - Saughtonhall Drive
  - Cluny Gardens
  - Hawkhill Avenue
  - Dumbryden Road
  - Lady Nairn Grove
  - Drumsheugh Gardens
  - West Shore Road
  - Dalkeith Road
- Question** (3) Which, if any, defects are still outstanding as a result of the use of the defective material?

**Answer**

- (3)** There are minor defects that remain outstanding in the 12 streets, as detailed in Q2. I have been assured that these minor defects will be repaired in 2023/24 by a squad laying material by hand.

## Item no 10.7

### QUESTION NO 7

**By Councillor Dijkstra- Downie for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

**Question** (1) How many, and which, school crossing patrol locations are currently unstaffed because of vacancies?

**Answer** (1) There are currently 45 locations which are not staffed because of vacancies within the School Crossing Patrol team. The table below shows all of the crossings which are not currently staffed.

**Question** (2) How many, and which, school crossing patrol locations are currently unstaffed because of reasons other than vacancies? If any, please detail the reasons.

**Answer** (2) On 22 September 2023, there were 13 locations which are unstaffed due to other reasons (8 due to sickness absence; and 5 due to unpaid leave). It is not possible to provide a list of locations which are not currently staffed for other reasons as this will change daily.

**Question** (3) What steps are undertaken to ensure these crossings will be restaffed?

**Answer** (3) There can be difficulties in recruiting School Crossing Patrol Guides. The Council advertises vacancies throughout the year (approximately 5 – 6 times per year). Vacancies are also promoted through local school communication channels (including social media) and existing Guides are encouraged to promote vacancies to family, friends and neighbours to consider applying.

An advert will shortly go live on the MyJobScotland website for the latest recruitment, I have asked that this is shared with Elected Members.

## School Crossings with current vacancies

Abbeyhill/Beggs Building
Merchiston Avenue/Granville Terrace
Drumbrae North/Barn Tongate Ave (pel)
Craigentenny Road/Loaning Road (pel)
Ashley Terrace/Cowan Road
Shandon Place (pel)
Pennywell Rd/Muirhouse Ave (zebra)
Queensferry Road at school (pel)
Ravelston Terrace/Queensferry Terrace ATS
Queensferry Terrace at blister point (pel)
Willowbrae Rd/Duddingston Rd ATS
Duddingston Road/Duddingston Avenue at school
Drumbrae N/Duart Cresc (pel)
Comely Bank Rd/Comely Bank Ave ATS
Queensferry Rd/Orchard Brae (pel)
Colinton Road/Éttrick Road (pel)
Colinton Road/Gillsland Road (pel)
Grays Loan/Colinton Road ATS
Gilmerton Road/Moredun Dykes Road (pel)
Howdenhall Road/North of Balmwell Terrace (pel)
Lasswade Road at Liberton Hospital PEL
Station Road at school
Ferry Rd/Craighall Rd (pel)
Whitehouse Loan/Warrender Park Road
Academy Street/Laurie Street
Gilmerton Road/Glenallan Drive
Colinton Mains Drive at school (pel)
The Loan at rear entrance to school
Murrayfield Ave/Murrayfield Gdns
Roseburn Street/Roseburn Terrace ats
Canongate at school (zebra)
Holyrood Road/Dumbiedykes Road pel
Captains Road/Lasswade Road ATS
Garscube Terrace at school
Baileyfield Road/Duddingston Park ATS
East Hermitage Place/Links Gardens (ats)
Restalrig Road/Gladstone Place @ (ats)
Morningside Road/Falcon Avenue (pel)
Morningside Drive/Comiston Road
Brandon St/Eyre Pl ATS
West Tollcross / Ponton Street
Fountainbridge at school (pel)
Bath Street ATS
Ferry Rd/Newhaven Rd ATS
Craighall Rd/Starbank Rd

## Item no 10.8

### QUESTION NO 8

**By Councillor Kumar for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 28 September 2023**

On the full council meeting of the 31st August 2023 your motion on ASN support was passed with an amendment which said:

Agrees:

This is a vital service and makes a commitment to continue to provide this ASN support, both as one to one provision for individual children, and through capacity building for after school clubs and childcare providers for this financial year at the financial level provided in previous financial years.

On the 5th September 2023 the Council wrote to a parent who's child had been a recipient of one-to-one support which said:

(How long is the support now in place for and what is the process of renewal?)

The support is provided directly to out of school care providers each academic year and for the full year. The support is designed to be advice and guidance to up-skill staff to support children with additional support needs. It is the duty of the provider to meet those needs, or to be in contravention of the Disability Discrimination Act.

The motion also stated:

5. All existing support arrangements will be honoured within the existing budget.
6. That the scheme will continue to be open to new applicants within existing budget.

The email to the parent goes on to say:

(Who do parents go to with concerns / queries / changes in days / hours?)

The council has no locus on the individual contracts between parents and providers to provide out of school care. If parents find that they have been refused provision due to additional support needs, they should contact the officer who will record the concern and provide the details of the relevant link officer for the service they are complaining about.

**Information for context**

The motion approved is being taken forward in full, as per the democratic decision making process. This means that the provision for advice and support, and latterly for budget for additional hours, is now directed by the council rather than through a third party.

The email to the parent from which the comments are taken was in response to specific questions. The parent requested further, follow-up information which was also provided, and reiterates that the position set at Full Council is being taken forward.

It is a fact that the council does not enter into contracts directly with parents for out of school care, rather that, as before, parents contract with providers for out of school care. If the provider cannot offer a place due to an equalities issue, there is legislation (originally the Disability Discrimination Act, now the Equalities Act) which protects parents. Providers can seek support from the council to enable them to offer a place – this support is advice, training, guidance, and additional budget for one to one support.

One of the new services provided in the in-house model is a link officer who can give advice to both parents and out of school providers on all matters related to these issues.



**Question**

Given that the administration position is that this service was simply being in-housed, and that the amended motion that was agreed at full council stated the provision should continue as it had previously been provided, does the convener:

- a) Agree with the what the Council has set out as the position to parents?
- b) Believe that this is an accurate reflection of what was agreed at full council?
- c) Have any concerns about governance and the implementation of democratic decision making?
- d) Can she give assurances that one to one support will be reinstated, as agreed by this council?
- e) Can she give a timeframe for when that will be in place?
- f) Can she confirm that payments will be made directly to providers in order to facilitate this?

**Answer**

Payments have been made to providers by the Council throughout this process and will continue within budget, as specified by the motion at FC.

## Item no 10.9

### QUESTION NO 9

**By Councillor Kumar for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 28 September 2023**

#### Question

Did the Convener ask officers not to bring the Connected Edinburgh Grants Programme report 2024-27 to Committee? The report was discussed as a B-agenda report at the September 5th 2023 Education, Children and Families Committee, after it was available to Councillors just 2 working days before the Committee met.

#### Answer

On 31<sup>st</sup> January 2023 Education Children and Families Committee approved a seven-month extension of the current grant awards. The committee requested that the new grants programme comes to Committee for approval *'no later than September 2023, to maximise financial certainty for third sector partners'* (ECF Action Log, item 8).

Grant Standing Orders state that *'the process to determine successful grant applicants shall be determined by the relevant Council Committee'*.

In compliance with Grant Standing Orders, officers submitted a report to September Education Children and Families Committee seeking approval to determine successful grant applicants.

The information redacted from the report related to organisations financial information.

## Item no 10.10

### QUESTION NO 10

**By Councillor Campbell for answer  
by the Leader of the Council at a  
meeting of the Council on 28  
September 2023**

Following the approval of my motion on Edinburgh Leisure paying the Real Living Wage on 31<sup>st</sup> August can the Council Leader please confirm:

- Question** (1) What discussions have been had between CEC and Edinburgh Leisure?
- Answer** (1) Council officers are in regular contact with Edinburgh Leisure on operational matters and have been engaged in strategic dialogue with them on a range of financial matters.
- In addition, in response to an action agreed by Governance, Risk and Best Value Committee on 1 August 2023, Council officers and Edinburgh Leisure have been working on a requested briefing note on pay and recruitment challenges.
- Question** (2) Has the council leader been in direct contact with Edinburgh Leisure?
- Answer** (2) Yes, I have met with the Chief Executive, June Peebles, alongside the Deputy Lord Provost.
- Question** (3) Has the Chief Executive been in direct contact with Edinburgh Leisure?
- Answer** (3) Yes, the Chief Executive has been in direct contact with Edinburgh Leisure on this.
- Question** (4) Have any other council officers been in direct with contact with Edinburgh Leisure? Please detail.
- Answer** (4) See answer 1 above.
- Question** (5) When can staff at Edinburgh Leisure expect to receive confirmation that their wages have been increased to the real living wage?

- Answer** (5) The action agreed by the Council on 31 August 2023 was for a proposed route to instruct Edinburgh Leisure to pay the real living wage to all staff, backdated to the start of this financial year while ensuring all venues remain open, to be reported to Policy and Sustainability Committee for ratification in October 2023. This report is currently being drafted.
- Question** (6) When can staff at Edinburgh Leisure expect to receive their backdated pay increase from the start of the financial year?
- Answer** (6) See answer 5 above.

## Item no 10.11

### QUESTION NO 11

**By Councillor Aston for answer by the Convener of the Housing, Homelessness and Fair Work Committee at a meeting of the Council on 28 September 2023**

**Question** (1) Why is it that almost half of the huge number of empty Council houses are located in North East Edinburgh (638 out of 1456 in total) despite the North East only constituting one quarter of the city?

**Answer** (1) There have been particular resourcing challenges in the North East locality housing team in recent years (due to turnover and long term absence due to ill health) which have impacted on voids performance.

There is also a higher rate of refusals of tenancy offers in North East, when compared to the rest of the city. Refusals can be for a variety of reasons but can lead to delays in letting times and impacts on officer capacity. Further analysis is being carried out by officers to examine the reasons why and to identify ways in which the refusal rate can be reduced.

**Question** (2) What actions are being taken by the Housing Convener to address the problem of void Council houses specifically in North East Edinburgh?

**Answer** (2) I have stressed the absolute priority of reducing the number of void properties across the city and am working closely with the Service Director for Housing and Homelessness and the Head of Housing Operations to monitor progress.

Specifically, in the North East:

- Additional officers have been engaged to support both the repairs and the lettings process. This includes dedicating two Housing Assistants to deal solely with the significant and time-consuming challenge of resolving utility meter debt and meter replacement installations.

- Recent recruitment for an additional Team Leader to support the repairs for void homes in North East was unsuccessful but the role has been re-advertised and interviews are scheduled to take place shortly.
- Overtime has also been approved for Housing Officers to ensure that homes are allocated to new tenants as soon as possible once repairs and safety checks are completed.

There are also a number of Housing Officer vacancies across the city due to turnover. While recruitment takes place regularly, it can sometimes be challenging to fill all vacancies. Further recruitment is due to commence imminently.

## Item no 10.12

### QUESTION NO 12

**By Councillor Aston for answer by the Convener of the Transport and Environment at a meeting of the Council on 28 September 2023**

- Question**            (1) What meetings or correspondence has the Transport and Environment Convener had since the February 2023 meeting of the Transport and Environment Committee regarding a proposed hovercraft service between Leith and Kirkcaldy?
- Answer**                (1) This information was contained in response to Freedom of Information request 41852, which is [published](#) on the Council website.

## Item no 10.13

### QUESTION NO 13

**By Councillor McFarlane for answer  
by the Convener of the Culture and  
Communities Committee at a  
meeting of the Council on 28  
September 2023**

Could the convener confirm:

**Question** (1) Were they present at the Labour Campaign Event on 7<sup>th</sup> September 2023?

**Answer** (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

**Question** (2) Have they referred themselves to the Commissioner for Ethical Standards?

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

**Question** (3) On what date did they do so?

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



## Item no 10.14

### QUESTION NO 14

**By Councillor McNeese-Mechan for  
answer by the Depute Convener at a  
meeting of the Council on 28  
September 2023**

Could the Depute Convener confirm:

**Question** (1) Were they present at the Labour Campaign Event on 7<sup>th</sup> September 2023?

**Answer** (1) No

**Question** (2) Have they referred themselves to the Commissioner for Ethical Standards?

**Answer** (2) N/A

**Question** (3) On what date did they do so?

**Answer** (3) N/A

## Item no 10.15

### QUESTION NO 15

By Councillor Kumar for answer by  
the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 28  
September 2023

Could the convener confirm:

**Question** (1) Were they present at the Labour Campaign Event on 7<sup>th</sup> September 2023?

**Answer** (1) No

**Question** (2) Have they referred themselves to the Commissioner for Ethical Standards?

**Answer** (2) N/A

**Question** (3) On what date did they do so?

**Answer** (3) N/A

## Item no 10.16

### QUESTION NO 16

By Councillor Nicolson for answer by the Vice-Chair of the Edinburgh Integration Joint Board at a meeting of the Council on 28 September 2023

Could the Vice-Chair confirm:

**Question** (1) Were they present at the Labour Campaign Event on 7<sup>th</sup> September 2023?

**Answer** (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

**Question** (2) Have they referred themselves to the Commissioner for Ethical Standards?

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

**Question** (3) On what date did they do so?

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

## Item no 10.17

### QUESTION NO 17

**By Councillor Macinnes for answer  
by the Convener of the Finance and  
Resources Committee at a meeting  
of the Council on 28 September 2023**

Could the convener confirm:

**Question** (1) Were they present at the Labour Campaign Event on 7<sup>th</sup> September 2023?

**Answer** (1) No

**Question** (2) Have they referred themselves to the Commissioner for Ethical Standards?

**Answer** (2) N/A

**Question** (3) On what date did they do so?

**Answer** (3) N/A

## Item no 10.18

### QUESTION NO 18

By Councillor Key for answer by the  
Convener of the Housing,  
Homelessness and Fair Work  
Committee at a meeting of the  
Council on 28 September 2023

Could the convener confirm:

- |                 |  |
|-----------------|--|
| <b>Question</b> | <b>(1)</b> Were they present at the Labour Campaign Event on 7 <sup>th</sup> September 2023? |
| <b>Answer</b>   | <b>(1)</b> No  |
| <b>Question</b> | <b>(2)</b> Have they referred themselves to the Commissioner for Ethical Standards?          |
| <b>Answer</b>   | <b>(2)</b> N/A   |
| <b>Question</b> | <b>(3)</b> On what date did they do so?  |
| <b>Answer</b>   | <b>(3)</b> N/A   |

## Item no 10.19

### QUESTION NO 19

**By Councillor Aston for answer by the Convener of the Planning Committee at a meeting of the Council on 28 September 2023**

Could the convener confirm:

**Question** (1) Were they present at the Labour Campaign Event on 7<sup>th</sup> September 2023?

**Answer** (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

**Question** (2) Have they referred themselves to the Commissioner for Ethical Standards?

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

**Question** (3) On what date did they do so?

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

## Item no 10.20

### QUESTION NO 20

**By Councillor Aston for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

Could the convener confirm:

**Question** (1) Were they present at the Labour Campaign Event on 7<sup>th</sup> September 2023?

**Answer** (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

**Question** (2) Have they referred themselves to the Commissioner for Ethical Standards?

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

**Question** (3) On what date did they do so?

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

## Item no 10.21

### QUESTION NO 21

**By Councillor Dobbin for answer by the Leader of the Council at a meeting of the Council on 28 September 2023**

It has been widely reported that a Labour Party campaign event was held in the Labour group room on the 7<sup>th</sup> September. Can the Leader confirm:

**Question** (1) Who booked the room? Was it Council staff, Labour Councillors, other Labour Party members or someone else?

**Answer** (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

**Question** (2) Who sent the email invite? Was it Council staff, Labour Councillors, other Labour Party members or someone else?

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

**Question** (3) Who liaised with the caterers? Was it Council staff, Labour Councillors, other Labour Party members or someone else?

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

**Question** (4) Who arranged for the sponsorship? Was it Council staff, Labour Councillors, other Labour Party members or someone else?

**Answer** (4) See above answer 1.



## Item no 10.22

### QUESTION NO 22

**By Councillor Aston for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

**Question** (1) Will Marionville Road be included in the 2023/2024 draft delivery plan for speed reduction measures?

**Answer** (1) No.

The Road Safety Team is continuously investigating and assessing the suitability of additional speed reduction measures throughout the city. As the demand for traffic surveys has increased, so has the number of projects identified under this initiative.

There are currently 140 locations earmarked for evaluation, for which each location undergoes a thorough investigation to determine the most appropriate speed reduction measures.

The scale of this activity is significant given the limited resources available to Edinburgh from the Scottish Government.

Marionville Road has been identified as requiring additional investigation to identify the most suitable solutions and treatments to ensure road safety and encourage speed limit compliance. Once this investigation is complete and decisions are taken, the road will be included in the delivery programme. It is currently anticipated that Marionville Road will be included in the programme for 2024/25.

As you are aware, the "Road Safety – Service and Delivery Plan Update for 2023/24" will be discussed at the October Transport & Environment Committee.

### QUESTION NO 23

**By Councillor Campbell for answer  
by the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 28  
September 2023**

- Question**
- (1) a) How many requests have the council received from schools for furniture where there are, for example, not enough tables and chairs to allow all pupils to work on the same task?
- b) How many requests have been met?
- c) How many requests for furniture have not been met?

**Answer**

(1) Under Devolved School Management Head Teachers have flexibility over how they use their devolved budgets, they can transfer money between different budget headings to fund prioritised projects. These budget headings include a per capita budget for Educational Supplies – this includes furniture.

In cases where school buildings are being extended beyond their existing agreed capacity due to rising rolls, any additional furniture and fixtures required are funded centrally as part of the building project.

Other requests for furniture are shared amongst colleagues because although schools may have sufficient levels of furniture, school class organisation can change on an annual basis, therefore the level of need for different sizes and types of appropriate furniture and materials can change.

The annual changes can result in a need however the trend recently is that offers of furniture have exceeded requests therefore it is rare for a school not to have the opportunity to obtain the furniture they require.

Schools will email colleagues with requests and offers however we also have a Sustainability system called Warp-it which allows schools to upload surplus items and claim

items from schools and many other partner organisations and email bulletins highlight items available.

The Community Benefits scheme encourages suppliers to donate items they no longer require to schools and there is a regular flow of emails co-ordinated by the Purchasing Team.

- Question** (2) a) How many requests have there been for additional funds for learning materials and equipment?
- b) How many requests have been met?
- c) How many requests for learning materials and equipment have not been met?
- Answer** (2) See answer 1 – resources are shared between schools using the same strategies as needs change.
- Question** (3) How many schools does the convener believe are short of equipment, materials or furniture?
- Answer** (3) There is no information to confirm that, if Business Managers are following the Devolved School Management guidance and making use of WarplT, as well as taking part in trading furniture informally, that there are any shortages.
- Question** (4) Does the convener have confidence that all children at school in Edinburgh have the learning materials, equipment and furniture needed?
- Answer** (4) Headteachers remit the resourcing of schools to Business Managers. Schools should be able to operate effectively within devolved budgets and have been provided with the tools and strategies listed above to allow them to meet the needs of the schools and simultaneously reduce waste across city.

## Item no 10.24

### QUESTION NO 24

**By Councillor Dobbin for answer by the Leader of the Council at a meeting of the Council on 28 September 2023**

#### **Question**

Further to the Council Leader's trip to Taiwan, has the Council incurred any associated costs, for example expenses, officer overtime or any other costs that were not picked up by the Taiwanese Government, including costs contained within departmental budgets but specifically incurred as a result of this trip. And if so, please detail.

#### **Answer**

All costs associated with this visit were covered by partners in Taiwan with the exception of out of hours return taxi travel for one officer to/from Edinburgh Airport and the costs of meals on the day prior to the official programme commencing.

## Item no 10.25

### QUESTION NO 25

**By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

On 17th September, my office was advised:

“Unfortunately, we currently have 1 member of staff in the Road Safety team dealing with everything due to annual leave and sickness.”

- Question**            (1) How many officers are currently employed in Road Safety
- (a) full time permanent,
  - (b) part time permanent,
  - (c) temporary/secondment?

- Answer**            (1) The establishment of the Road Safety team is six (two of which are permanently dedicated to educational support and engagement with school communities), and there are currently five full time employees employed:
- 1 Senior Engineer (Full-time, Permanent)
  - 1 Transport Officer (Full-time, Permanent)
  - 3 Technicians (Full-time, Permanent)

Recruitment to the vacant position has been completed and the new Transport Officer is expected to join the team in November 2023.

In addition, there is one member of the team who is absent for health reasons.

I note that your question specifically relates to correspondence on Sunday 17 September 2023. Officers have confirmed that from Wednesday 13 to Friday 15 September, due to absence (both planned and unplanned) there was only one member of the team available. This led the officer to use some of their personal time to catch up with outstanding correspondence, I have raised concerns about this with the Director of Place.

- Question**            (2) What is the remit of the road safety team?

**Answer**

- (2) Under the 1988 Road Traffic Act (9), local authorities have a statutory responsibility for the promotion of road safety.

Section 39 of the Act requires local authorities to 'Prepare and carry out a programme of measures designed to promote road safety; conduct studies into accidents on roads, other than trunk roads within their area; take appropriate measures to prevent such accidents including the dissemination of information and advice relating to the use of the roads; the giving of practical training to road users; the construction, improvement, maintenance or repair of roads for which they are the highway authority.'

A report on the remit and service delivery plan for the Road Safety team is due to be considered by Transport and Environment Committee on 12 October 2023.

In addition, consultation on a draft road safety plan has recently concluded and a final plan will be submitted to Transport and Environment Committee on 1 February 2024 for approval. The draft Plan can be [viewed here](#).

**Question**

- (3) Does the Convener consider that the position outlined above is satisfactory?

**Answer**

- (3) It has been recognised for some time that there are significant resource pressures and challenges with competing priorities for the current Road Safety team. This has led to delays in successful delivery of agreed programmes of work. I feel the resources available to this team are not sufficient to meet the reasonable expectations set by the public, and that the underlying factor is the underfunding of Edinburgh by the Scottish Government.

This situation has been exacerbated by absences and vacancies within the team.

The report to Committee in October 2023 will set out a plan to address the existing workload pressures experienced.

## Item no 10.26

### QUESTION NO 26

**By Councillor Bruce for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

- Question** (1) What was the subsidy given to Lothian Buses when they operated the 20 route?
- Answer** (1) Lothian Buses subsidy for service 20 was in the region of £430,000 per annum. This service was split into 2 different parts - Chesser to Gyle and the Ratho Extension.
- Question** (2) What was the original subsidy given to First Bus when they took over the 20 route from Lothian Buses?
- Answer** (2) When this service was contracted, as reported to Finance and Resources Committee in March 2020, the estimated subsidy was £499,200 per annum. The new route for the Service 20 included the extension to Ingliston Park and Ride, to facilitate interchange with tram.
- Question** (3) What was the total costs of payments withheld by the council for First Bus for cancelled services on the 20 route?
- Answer** (3) Due to officer absence, it has not been possible to provide this information with this answer. The information will be shared with Councillors as soon as it is available.
- Question** (4) What was the subsidy given to McGills when they took over the 20 route?
- Answer** (4) The contract with First Bus was novated to McGill's at the date of the company takeover (see answer 2 above). However, since September 2022, the contract value has reduced to £352,040 per annum to reflect the changes in service frequency. This is a reduction of £147,160 per annum.
- Question** (5) How much money is held back from McGills if a particular timed service on a particular day is cancelled?
- Answer** (5) Payment deductions are based on the average price per timetabled km and vary depending on whether the issue was the fault of the operator.

**Question** (6) What are the total costs of payments withheld by the council so far for McGill buses that have been cancelled on the 20 route?

**Answer** (6) Supported bus service operators are paid in arrears. McGill's have provided a list of cancellations for the year to date in 2023. This will be reviewed in order to finalise payments at the contract end.

**Question** (7) If McGills cut short a route, do they get the same amount of subsidy as when they complete the route?

**Answer** (7) See answer 6.



## Item no 10.27

### QUESTION NO 27

**By Councillor Mitchell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023**

Please could the Convener confirm:

**Question** (1) If mews permit Zone 5 (344) is currently

a) Operational, and

b) Enforceable

**Answer** (1) Mews 344 is both operational and enforceable.

**Question** (2) Why the enforcement contractor may have indicated to residents with permits for Zone 5 (344) that the mews designation no longer exists.

**Answer** (2) Officer investigations have indicated that a newly employed Parking Attendant may have incorrectly informed a resident that they were unable to take any enforcement action against other zone 5 permit holders.

This appears to have been an isolated incident, and I have been assured that all staff have been reminded of the mews designation and appropriate enforcement will continue.

**Question** (3) Whether the enforcement of Zone 5 (344) has been suspended at all in the last three months.

**Answer** (3) The mews has been enforced throughout the last three months, with 16 parking tickets having been issued to incorrectly parked vehicles between 1 June and 31 August 2023.

## Item no 10.28

### QUESTION NO 28

**By Councillor Mumford for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 28 September 2023**

**Question** (1) When was the decision on eligibility criteria for Third Party Revenue Grants a) taken b) communicated to Councillors c) communicated to current grant holders

**Answer** (1) a) Eligibility criteria were considered over numerous meetings between council officers, LAYC and EVOC, between May and September. Throughout this period LAYC and EVOC had discussions with their members and networks. Feedback from the sector informed partnership discussions between council officers, LAYC, EVOC and NHS. The decision on eligibility criteria was agreed by these partners based on lessons learned from the previous grants process in 2020, combined with feedback from the sector.

b) That a refined and streamlined process was being collaboratively developed was shared with Councillors at an Elected Member Briefing on 2<sup>nd</sup> May 2023, with the slide pack circulated immediately after. This predated the outcome of discussions with LAYC and EVOC representing the sector. Once the criteria were agreed, a further Briefing for Elected Members took place on 22<sup>nd</sup> August, hosted by LAYC. The new slide pack was sent out immediately after.

c) Following agreement at the Elected Member Briefing on 22<sup>nd</sup> August, LAYC, EVOC, Council Officers and NHS held 3 briefings with the sector. These sessions shared the new criteria and took questions. They were open to all LAYC and EVOC networks and were well received. Prior this, LAYC and EVOC had shared the evolving high-level thinking on the new grants programme. This included reassurance that the partners were keen to address learning and feedback from the previous programme. Council officers were not involved in those discussions.

**Question** (2) How many organisations currently funded under the scheme are registered charities, how many social enterprises, and how many other organising structures?

**Answer** (2) There are currently 64 organisations in receipt of a CEC Third Sector Grant. Of those:

- 63 are registered charities,
- 1 is not a registered charity

**Question** (3) What monitoring has been done of the current funding arrangements and evaluation of the impact on the Council's priorities, and the possible impact of changing the criteria?

**Answer** (3) Each grant recipient has a Grant Monitoring Officer. End of funding reports will be collated and analysed. Financial information relating to the organisations has been considered throughout.

An Integrated Impact Assessment will be carried out immediately after the application deadline. The pre-eligibility checklist and funding applications are key to the IIA, with proposals to address locally identified need. Current grant holders' final evaluations will also inform this work. Individuals representing people with protected characteristics will be included in the IIA. This will be presented to Committee for approval with the recommendations for the new grant awards.

Woven into the refreshed application and assessment process is the benefit for Edinburgh's citizens. Addressing poverty and equality will be weighted under each strand and links with the council priorities will be clear. The weighted scoring will ensure work is directed to where the need is greatest including for people with protected characteristics.

Of the 65 organisations currently funded, the impact of the £2m cap on annual turnover will affect 10 organisations. Their combined income is £608,303,511.

An 11<sup>th</sup> organisation could be impacted by the requirement to hold charitable status. They can apply for a grant if they are in the process of applying for charitable status. A grant may be awarded conditional on gaining charitable status. Any not for profit organisation not wishing to have charitable status may still apply for a maximum of £25k over 3 years.

The impact of approving the Connected Communities criteria will be beneficial to the sector. It is however acknowledged that as in any grant programme, there will be winners and losers.

The impact of not approving the new Connected Communities criteria will delay the new programme. Organisations may need to issue redundancy notices on 22<sup>nd</sup> December. This would be seen as a failure by the council to learn lessons from the last programme. It would impact on the communities benefitting from all current grant funded services as there would be a gap between the current programme ending and the new one opening.

**Question**

- (4)** What support has been offered to current grant holders to understand the new criteria and – if applicable – help them make changes to fit the new criteria e.g apply for charitable status?

**Answer**

- (4)** The three Briefing sessions for the sector answered questions, heard a range of views, and helped clarify what the new criteria would mean.

Guidance notes and FAQs will accompany the new application form.

Council officers, LAYC and EVOC have offered organisations ongoing dialogue to support their applications. This will continue throughout the assessment process. When the programme opens, an information session will be offered to potential applicants with advice on how to complete the form.

A further session will be offered midway between the programme opening and the deadline. This will also offer support to organisations as they develop their applications.

The new application form will be much shorter and sharper, easier to complete and will only seek essential information.

EVOC and LAYC can support and advise organisations to apply for charitable status.

### QUESTION NO 29

By Councillor O'Neill for answer by the Convener of the Policy and Sustainability Committee at a meeting of the Council on 28 September 2023

- Question** (1) Since the Council took its current form under the Local Government (Scotland) Act 1994, what has been the gender split in respect of:
- a) Committee membership
  - b) Convener and vice-convener roles
  - c) Party leaders or co-leaders
  - d) Working groups / All party oversight groups
- Answer** (1) Information on this is not available as members are not required to declare their gender.
- Question** (2) Since 2022, what has been the gender split in respect of:
- a) Motions submitted
  - b) Proposers and seconders
  - c) Questions submitted
- Answer** (2) See above answer 1
- Question** (3) What are the Council's current policies for elected members regarding:
- a) Sexual harassment and/or sexual violence
  - b) Lone working
  - c) Family Leave
  - d) Menopause

**Answer**

**(3)** With respect to all these issues councillors are office-holders not employees of the council. Any policies in place or guidance is to be adopted and implemented on a voluntary basis by the local authority and confers no contractual, nor worker / employment status. The Councillor handbook available on the Orb covers the key principles for support for elected members across all of these areas

- a) In November 2019 the Policy and Sustainability Committee approved a protocol for elected members to report incidents of verbal or physical intimidation, to ensure appropriate support can be provided. The protocol report can be accessed via the Council's website and is available on the Elected Members resources area of the Orb (the Council Intranet). It explains how to report incidents of verbal or physical intimidation and ensures appropriate support is provided. It does not directly address sexual harassment or sexual violence but both would be treated in the same way as other forms of intimidation or threat dealt with in the protocol. Material on personal safety for councillors provided by the Local Government Information Unit is also available in the same area of the Orb.

The Convention of Scottish Local Authorities (COSLA) have produced guidance for consideration by local authorities on a voluntary basis. This guidance can be accessed via COSLA's website. Other relevant material is held on the Elected Members Hub on the Council intranet (the Orb).

- b) Lone Working Guidance for councillors been provided by COSLA and is available in the same area of the Orb. This is guidance for elected members to adopt as they decide how to perform their duties as councillors.

- c) The Council has adopted the Convention of Scottish Local Authorities (COSLA) guidance on the key principles to be applied to support Elected Members during periods of maternity, paternity, shared parental and adoption leave. In April 2020 the Scottish Government amended the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 to allow local authorities to remunerate councillors covering for those taking periods of family leave who are in receipt of a special responsibility allowance (SRA).

The types of leave covered by the legislation and guidance are:

- maternity leave
- additional leave in cases of premature birth
- paternity leave
- the replication of a shared parental leave arrangement with an employer
- shared leave where both parents are members
- adoption leave.

The amendment to the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 allows the Council to continue to pay the SRA of an elected member on family leave at the same time as paying an SRA amount to an elected member covering their portfolio/responsibilities during their absence.

- d) The Convention of Scottish Local Authorities (COSLA) have produced Menopause Guidance for Councillors for consideration by local authorities on a voluntary basis. This guidance can be accessed via COSLA's website. The guidance was approved by COSLA's Community Wellbeing Board in June 2020.



The objective is to ensure that:

- Council officers understand the difficulties and anxieties of individuals currently going through this change
- Councillors are treated with fairness and dignity whilst undergoing their duties by ensuring where possible, that those experiencing symptoms associated with the menopause receive appropriate support.
- That menopause is not a barrier that prevents individuals from standing or re-standing for elected office.

[https://www.cosla.gov.uk/\\_data/assets/pdf\\_file/0023/18662/Menopause-Guidance-for-Councillors.pdf](https://www.cosla.gov.uk/_data/assets/pdf_file/0023/18662/Menopause-Guidance-for-Councillors.pdf) nocache

The Council also has an HR policy " Menopause – supporting colleagues in the workplace", which aims to raise “awareness of menopause-related issues at work, and to help line managers support colleagues who are experiencing symptoms associated with the menopause.”

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