

SNP court action 28 April 2010

There was considerable time allowed this morning (28th April 2010) in court for the technical difficulties which would follow if the BBC were forced to air the debate everywhere apart from Scotland.

We now know for example that there are various transmitters around the UK which transmit a signal to Scotland but which have 'spillage' into parts of England and also France!

This information was in fact so complex that Gerry Moynihan QC counsel for the BBC had to seek leave from the court to check points with the client direct on several occasions!

Excerpt from letter by Alex Salmond

Part of the letter from the Chief Executive of the SNP dated 4 February 2010 to the BBC stated:-

"My primary position is that any attempt to broadcast such a debate in Scotland without the participation in the debate of the SNP will not satisfy the requirements of 'due accuracy and impartiality' under the terms of the 2006 Charter and Agreement. Moreover, as the proposal is currently constituted it seems inevitable that viewers in Scotland will be presented with a misleading impression of the issues debated in so far as they relate to Scotland."

Geoblocking

Another of the terms that had to be discussed by the BBC's counsel, Gerry Moynihan, with Lady Smith today was the term 'geoblocking'.

It was explained in the context of the way that the broadcaster might be able to stop transmission of the debate to parts of the country, namely Scotland.

This was one of the ways that the SNP had requested the problem could be resolved.

Geoblocking is, it seems, what the Chinese managed to do with Google... In other words they stopped Google from having access to the internet within a certain geographical area. It was asserted by counsel for the BBC that there would not be enough time for the corporation to do that before the debate a mere 36 hours later...

Counsel for the SNP thanked Mr Moynihan for his 'tableau vivant' on all the technical matters...which took just under an hour to iron out!

Mobile Phones...

THE EVER-PRESENT MOBILE PHONE

The clerk of court was quite clear:-"Please make sure all mobile phones are switched off." (if any of these phones had rung then it is possible that the owner could have been

charged with the offence of contempt of court....)

So why did the BBC representatives (and one has to assume that they were fairly senior personnel) think that this did not apply to them?

All clutched the Blackberries, iPhones and mobile phones which are now such a part of our lives.....and all were frantically answering and sending emails and texts instead of living in the moment, for it was an historic moment!

In the pacey world of broadcasting then, it seems to be hard to 'switch off'!

Due Impartiality

Due impartiality....This is one of the key phrases which was at the root of the action by the SNP. So, what does it mean?

The BBC was set up by Royal Charter and the most recent of these was the 2006 Charter which sets out the structure for the BBC Executive and The BBC Trust which replaced the old Governor structure. Its funding is met by the licence fees paid by those with TVs throughout the UK.

It is a public service broadcaster (PSB) and as such it has certain duties to ensure that it complies with standards of impartiality, fairness and accuracy. (As a PSB broadcaster it must produce news content.)

It sets out its commitment to impartiality in its Editorial Guidelines which are available on the BBC website. A significant part of the Guidelines provides that the BBC will avoid bias or imbalance of views of controversial subjects. Nothing more controversial than politics it seems.

It is specifically stated that if there is a series (as there was in this case) then the series must be considered as a whole rather than one of the programmes in isolation. So as long as each party is given enough time over the series then the BBC will be deemed to have complied with its obligations.

As well as this at the time around a General Election is treated with special care, and to achieve due impartiality at this time, the BBC state that they will ensure that each party is covered proportionately over an appropriate period, normally a week. Past and current levels of electoral support must also be taken into account when making decisions as to how much airtime to give to a political party.

On this ground alone then, perhaps the SNP were never going to succeed?

Houston v BBC

The case of Houston v BBC from 1995 was mentioned several times.

Counsel for the SNP Mungo Bovey stated that the earlier case was not very different from the case before the court.

But, in that case, an interim interdict was granted to restrain the BBC from broadcasting in Scotland an extended interview with the Prime Minister three days before the local elections. The proposed broadcast was deemed to violate the broadcaster's duty to treat controversial matters with due impartiality.

SNP v BBC Timeline

IN THE INTERESTS OF JUSTICE...being seen to be done, The Reporter attended Court 8 at The Court of Session along with all the other people, either involved or simply observing, who were in the courtroom from about 10 o'clock on 28 April 2010

The timeline was something like this...

10.02 there was a huddle of lawyers on the right hand side of the court from the SNP.

2 reporters sitting in what is usually the jury bench

10.04 Feels like ages now that we have been here.

Solicitors acting for the BBC arrive with their boxes of papers and massive folders. Everyone on their phones and Blackberries.

All ready but no judge yet. Her clerk comes in to set up her books and papers on the bench. He remembers to insert the rest for her back on the big chair.

10.15 Counsel for the BBC arrives. The Clerk takes the suitcase that he was carrying all the books and paraphernalia in, out through the side door. Presume he has gone to get the judge?

10.19 Still waiting. Most people out of the room at the moment. Papers everywhere.

10.23 Clerk tells us that the court will start at 10.30. (Maybe he could have mentioned that before...)

10.26 Nicola Sturgeon comes in. At least she is wearing pink. Everyone else is wearing black. And she is wearing make up. All the BBC girls have no make up on! She is a dot of pink

among the black. One wonders how this is only costing £50,000. There are so many people on the SNP benches...and about 50 people in the courtroom.

10.33 We are told five minutes...

Adjournment

SNP ACTION ADJOURNED

The latest news from The Court of Session is that the action has been adjourned for the evening until 10am Wednesday 28 April 2010 when the legal debate will continue.

SNP v BBC?

The SNP, and particularly it seems, their leader Alex Salmond MSP, are so incensed by the bias towards the three main parties in the General Election campaign that they intend raising the matter in an action in the Court of Session in Edinburgh this week, according to various reports in the newspapers on Monday 26 April.

They will apparently request a judicial review of the decision by the BBC not to allow Salmond (or his Welsh counterpart Carwyn Jones) to speak at the leaders debate.

According to Lesley Riddoch's interpretation in The Scotsman they want to either be included in Thursday's debate, or have the debate aired everywhere apart from Scotland, or force an

additional debate which will include Salmond.

It is difficult to see that the resolution of airing the debate elsewhere apart from Scotland would be fair in any way to anyone, and particularly Scottish voters who also deserve to be informed. It is also difficult to see how that could be policed given the technology available to us all in 2010.

The action will require a fund of £50,000 to pay for it (no legal aid available unlike the three MPs accused of fiddling their expenses) and the party have apparently gathered in just under half of that already according to The Times. (In fact on close reading of The Times they mention three separate estimates of how much has been raised – £5,000, £19,000 and about £25,000!)

It must be debatable (no pun intended really) whether the money can be raised to fund the action, which would according to The Scotsman, require papers lodged in court on Tuesday 27 April.

Alastair Bonnington writing in The Times (Page 9 of the printed edition Monday 26 April) says it is legal nonsense that the SNP should be treated in the same way as the UK-wide parties, and based on legal precedent he considers it unlikely that they would succeed on this occasion. Whether or not that is the case rather depends on the court's interpretation of what the BBC's duties at times of election are. The relevant law to be considered is the Human Rights legislation, including the right to freedom of expression, and also The Communications Act 2003.

It should be recognised that whilst freedom of expression is paramount, political advertising or broadcasting is an exception only allowed at the time of elections. The Electoral Commission has expressed the view that there is no public interest requirement which should allow smaller parties access to the broadcast media. They consider that TV and radio reach

such large audiences that the broadcasters should concentrate on the parties which everyone viewing or listening can vote for, and not dwell on any of the smaller parties.

The real problem with the X Factor style debates is that the public has taken to Nick Clegg in such a big way after only one performance, that it has now turned the election campaign into a three horse race. The SNP and Plaid Cymru really need it to be a three and a half or four horse canter, at least in their respective nations, otherwise all their hard work at Holyrood and in the Welsh Assembly may amount to nought.

Whether or not you agree that there is a case to answer by the BBC, there must be a common consensus throughout the nation that the debate which will take place this week, and which centres on the economy, will be the One to Watch.

BBC Trust decision

The BBC Trust decision dismissing the appeal by SNP and Plaid Cymru against the refusal by the BBC to allow them to take part in the Leaders' Debates, is laid out in full on the web and you may access that decision [here](#).

The SNP and Plaid Cymru had appealed the decision of the BBC not to include them on five separate grounds:-

That the Executive were in breach of their duty of impartiality.

That the Executive had unfairly excluded the two national parties from any negotiations about the debates.

That the Executive had breached its editorial independence by allowing the three main parties to tell them how the debates would be conducted.

That the Executive is not providing sufficient coverage for the two national parties in lieu of allowing them to be part of the debate.

That the Executive is misleading the Scottish and Welsh audiences by not including representatives from the two national parties.

The BBC Trust was set up in 2007 to govern the BBC, to set the strategy for the public service broadcasting corporation and to appoint the Director-General. Part of their remit is to guard the political independence of the BBC, and to ensure that the licence payers across the UK get what they pay for. The BBC Trust replaced the old board of governors.

SNP raises the money for court costs

The SNP reached its target of raising £50,000 by Monday afternoon in order to fund the court action regarding the BBC election leaders' debate scheduled for this Thursday evening.

The party has lodged the necessary papers instigating the action at the Court of Session and the legal arguments have been heard by Lady Smith over the course of Tuesday afternoon.

Welcoming the successful fundraising appeal, SNP Depute Leader and Deputy First Minister Nicola Sturgeon, said:

“This has been an absolutely fantastic response to our appeal, and on behalf of the party I want to thank all of those who have contributed to the fighting fund, however large or small their donation.

“The fact that we have been able to raise this money in a day and a half simply underlines the strength of feeling people across Scotland have on this issue and the BBC’s refusal – despite its clear duties as a national broadcaster – to properly and fairly reflect the political make-up of this country.

“Donations have come in from ordinary Scots who simply share our anger at the way Scotland has been treated by the BBC.

“We will now take our case to the Court of Session where we will argue that basic fairness and democracy should prevail.”

SNP election campaign coordinator Stewart Hosie added:

“This is a truly remarkable achievement in around 31 hours. We have embraced the social media and reached the £50,000 target by securing small donations online from over 1,600 donors.

“This was achieved through a targeted new media insurgency designed to engage, enthuse and mobilise both members and supporters across the web.

“This campaign has demonstrated the agility of the SNP to rapidly adapt and respond to events in this election campaign, by making effective use of new media technologies to get our messages directly to people. This is arguably the most successful online political fundraising campaign in UK political history.”

Martin Bell supports the SNP

Former BBC correspondent and Independent MP Martin Bell said on Monday that he supported the SNP’s proposed court action to ensure the final election leaders’ debate hosted by the BBC in

Birmingham this Thursday is fair and balanced.

Mr Bell, who worked for the Corporation for 35 years and was Independent MP for Tatton from 1997 to 2001, said the exclusion of the SNP and Plaid Cymru from the UK debates was “profoundly unfair”, and called on broadcasters to ensure the parties are properly included in any debates in future Westminster election campaigns.

Commenting Mr Bell said

“I believe the election leaders’ debates have been a great innovation, and are helping voters engage in the democratic process.

“But at the same time, the exclusion of the SNP and Plaid Cymru has been profoundly unfair to those parties – especially given the way the TV debates are so clearly dominating all media coverage of the election.

“And I believe that in future a better balance will have to be found to make sure that these parties are included and not squeezed out, as they have been in this campaign.

“I support the action being taken by the SNP in relation to the party’s proposed legal challenge, as the issue is one of such fundamental democratic importance.”

Welcoming Mr Bell’s support, SNP Westminster leader Angus Robertson said:

“Martin Bell’s backing for our action to ensure Scotland is properly represented in the final UK leaders’ debate is extremely welcome.

“As a former senior BBC broadcaster and an Independent MP, his reputation for fair play and impartiality is second to none.

“We want this week’s BBC leaders’ debate in Birmingham to be broadcast across the UK on a fair basis, with Scotland

properly represented in line with the Corporation's duty of fairness, and that is the basis of our planned action at the Court of Session.

"This issue is not just simply about the inclusion of the SNP and Plaid Cymru in these debates but also about the voters of Scotland and Wales being excluded from having the opportunity to question the leaders of the London-based parties."

OFCOM code

THE OFCOM BROADCASTING CODE and THE BBC

During election campaigns, broadcasters have to be particularly careful of observing rules as to impartiality. Whilst they must, in general, always comply with the provisions of the Ofcom code there is a special set of rules for the BBC. At times of elections and referenda it is the BBC Trust which regulates on the matter.

In terms of Section 6 of the Ofcom code 'due weight' has to be afforded to the 'major parties' during the time of the election campaign. The phrase 'major party' is defined as the Tories, Labour and the Lib Dems but in the case of Scotland it is deemed to include the SNP, and in the case of Wales Plaid Cymru is included. Candidates or their representatives cannot act as news presenters, interviewers or presenters during the time of election, although they can, of course, be interviewed themselves.

Any broadcasts must be made observing due impartiality. The Code sets out fully what is meant by this. For example if a candidate from one party is interviewed then the broadcaster must, at the very least, ask the representatives from the

other parties if they would like to contribute.

When discussing a particular constituency this means that the whole list of candidates must either be aired or made available to the listener or viewer (perhaps by putting such a list up on a website).

[OFCOM](#) is the body set up to 'draw up a code for TV and radio, covering standards in programmes, sponsorship, fairness and privacy, all in terms of the Communications Act 2003.

The Ofcom code allows for sanctions although Ofcom is unable to impose any sanctions on the BBC in the way it can on other TV broadcasters.

The code is mindful of The Human Rights Act 1998, and the European Convention on Human Rights, which award a right of freedom of expression to all citizens in the UK, and also the right to receive information without censorship.

Ofcom, unlike its counterpart The Press Complaints Commission, has real sanctions which it can impose on broadcasters who are found to be in breach of the code.

Scottish Leaders' Debate

We did have the Scottish Leaders Debate on Sky to watch in late April but it was easy to miss as it was aired at 10.30am.

Who in their right mind would get up at such an ungodly hour to watch political debate? Well, there were a few in the audience at The Hub in Edinburgh for a start.

On one point Alex Salmond perhaps gave an insight into some inconsistency among The Scottish Government about the way in

which prisoners have been released on compassionate grounds.

The First Minister stated that Thomas Hamilton, the gunman in the Dunblane Massacre, would not ever have qualified for release in the same way as the Lockerbie bomber did. The Scottish Justice Minister, Kenny McAskill, stated categorically at the time of releasing Abdelbaset Al Megrahi that the crime was irrelevant when assessing a prisoner for release on grounds of terminal illness, so perhaps that is questionable now?

In any case, and notwithstanding whether this is seen as a serious gaffe or not, Salmond is still assessed by the post-debate poll to have 'won' the day with 45% of the vote. Even Jim Murphy, the fresh-faced youth and Secretary of State for Scotland, could not match the First Minister of Scotland for his debating skills and statesmanlike demeanour. Pity then that Alex is not appearing at the other Scottish Leader Debates by other broadcasting companies. He has refused to take part as they are not to be aired across the entire UK.

Green Party candidates

One of our readers has asked where our list of Green Party candidates for Westminster is. We had intended only giving you details of the main parties but here is the list of Greens for you!

KATE JOESTER EDINBURGH NORTH & LEITH

Kate is a health promotion worker and mental health trainer. She has lived in Edinburgh North & Leith for 13 years, and loves its diverse and enterprising communities. Her background is in equalities and peace activism; her driving force is bringing together social justice and sustainability to make

Edinburgh better for all its citizens. She lives in Wardie with her partner and two small children. Email: kj4mp@green010.org.uk

CLARE COONEY

EDINBURGH SOUTH-WEST

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Clare has lived in Edinburgh for 15 years, is a mother and runs her own camera hire business. She joined the Greens five years ago and has taken on a variety of administrative roles in that time. Email: cc4mp@green010.org.uk

IAN BAXTER

MIDLOTHIAN

IAN BAXTER MIDLOTHIAN

Ian is convenor of the Midlothian Green Party. He is a self-employed bookkeeper and has been involved in community activities in Bonnyrigg for 30 years. He is chairman of Bonnyrigg & Lasswade Community Council and, as a French speaker, has been closely involved with the town's twinning activities with St Cyr L'Ecole in France. Email: ib4mp@green010.org.uk

ROBIN HARPER

EDINBURGH EAST

ROBIN HARPER EDINBURGH EAST

Robin is well-known as the Green MSP for Lothians, and is former Co-convenor of the Scottish Green Party. Email: rh4mp@green010.org.uk

STEVE BURGESS

EDINBURGH SOUTH

STEVE BURGESS EDINBURGH SOUTH

Steve is the Green Councillor for Southside/Newington in Edinburgh. He was previously a medical research scientist, worked for Greenpeace (including a tour on the Rainbow Warrior II) and then led the Green MSPs' research team in the Scottish Parliament for 4 years. Steve has previously been a Green candidate for the Scottish Parliament and the Westminster

constituency of Edinburgh South.
Email: steveb4mp@green010.org.uk

Access to Patient Records

A new secure website allowing patients to access and update their own health records online has being launched in Ayrshire and Arran.

The online Patient Portal is to be trialled in two GP practices – Townhead Surgery in Irvine and the Kilwinning Medical Practice – over the next six months. It allows patients to take more control of their own health by accessing and updating their records from anywhere with an internet connection.

The portal means registered patients can now log in from the privacy and comfort of their own home – or anywhere else with an internet connection – to undertake a number of tasks:-

- Request appointments online

- Request repeat prescriptions

- Access test results

- Record, track and monitor their blood pressure

- Set targets for weight and other goals

- Record and track blood sugar levels.

Health Secretary Nicola Sturgeon saw a demonstration of the portal this morning at Irvine's Townhead Surgery, where she met with practice staff and patients who have been involved in developing the £175,000 pilot. Ms Sturgeon said:

"The new Patient Portal being piloted in Irvine and Kilwinning not only lets patients see their own health information online, it allows them to make appointments, get prescriptions

and input their blood pressure without having to make frequent surgery visits.

“It will make life a great deal easier for patients, as well as supporting the delivery of the highest-possible quality of primary care.

“One of our most important priorities is to make patients partners in their own care, and this is exactly what the Patient Portal does. This is of course a pilot project, but NHS Ayrshire and Arran’s efforts may pave the way for the rest of Scotland.

“We want to use technology wherever we can to make our healthcare more efficient and more secure – what’s known as eHealth. By building on the systems we already have, we also make the best use of taxpayers’ money.”

GP Dr Jim Campbell from the Townhead Surgery is eHealth Clinical Lead for NHS Ayrshire & Arran.

He said:

“The development of the online patient portal has given us a wonderful opportunity to work closely with groups of patients to identify how they can take more control of their health.

“The system is secure and confidential, and we are convinced that following this pilot our patients will welcome the option to order repeat prescriptions, set targets, track their blood sugar levels and monitor their blood pressure.

“We are very grateful to these patients and to all the technical staff, both in NHS Ayrshire & Arran and at Microsoft, who have contributed to this pilot.”

The portal builds on the success of a much smaller electronic access project run by the Townhead Surgery since 2002, which has seen more than 26,000 repeat prescriptions ordered by patients and, in just the first three months of this year, almost 1500 patient log-ons.

So we now wait to see if this pilot will be rolled out to the rest of Scotland over the coming months.

SNP v FOI Commissioner



Kevin Dunion
Scottish
Information
Commissioner
(Lloyd Smith)

SNP have been urged to drop their action against the Information Commissioner

[The Times](#) reports that the SNP are being encouraged to stop legal proceedings in The Court of Session to challenge the Scottish Information Commissioner's right of access to government documents when dealing with appeals relating to public authorities' responses to Freedom of Information requests. Until now the Commissioner has had a total right of access to all government papers during the application process, but the SNP have recently called that into question.

Salmond adieu



(Photo PM Stephen)

Alex Salmond made his last speech in Westminster today. He had already indicated that he would be resigning as an MP at this election and so this was not entirely unexpected. You may read the whole text of his speech [here](#)

Craigleith & Blackhall Community Council

Minutes of the last meeting can be read [here](#)

From these minutes you will see that one of the matters under consideration was an objection to the proposed wind turbine to be constructed on Corstorphine Hill.... Did you know about it? See the whole planning application [here](#)

Whisky Boss backpedals

By Phyllis Stephen

The Whyte & Mackay boss had a second shot at explaining the job losses which might result from minimum pricing laws proposed in Scotland.

The committee was hearing more evidence relating to The Alcohol Scotland Bill today.

John Beard, CEO of the whisky producer, was recalled to The Health and Sport Committee of The Scottish Government this morning to clarify the evidence he gave last week about possible job losses, and he proceeded to give a very assured performance to a fairly edgy committee.

Beard was at pains to point out that the whisky producer instigated talks with all political parties on the subject:-
“It seemed that the effect on jobs had not been taken into

account.”

Beard denied that any press releases were issued either before or after the meeting last week. He was accused by the committee of scaremongering by saying that 300 jobs were under threat. But, he said:-“Whyte & Mackay have identified the risk to Scottish jobs. There are two variables, the number of jobs which might be lost, and also the level of minimum pricing when it is introduced. Even though the 40p minimum figure would have little immediate effect, we estimate 83 jobs at Whyte and Mackay in Scotland are under threat over the longer term. The reference to 300 job losses which we estimate is based on a figure of 50p if implemented across the UK. But at the moment there are no anticipated job losses at Whyte & Mackay if the minimum price in Scotland is set at 40p.”

He explained the company holds a strong view that this legislation will extend to the UK after introduction in Scotland. “All the evidence I see is a concerted attempt to see the legislation extended across the UK”, he continued although he stressed that the company also believe that the legislation is illegal under EU law

The committee said that introduction of minimum pricing could increase the price of a bottle of whisky by a third, but it seems unclear where that revenue flow would end up: in the hands of retailers or producers. Derek McGowan from The City of Edinburgh Council said:- “There is a question about whether the way that the calculation is expressed is clear enough.”

There is a possibility that the legislation may be challenged on the basis that it is in breach of EU law, and particularly competition law. So it is important to remember that part of the reasoning behind the new law is to tackle alcohol misuse, and Jim McLean from the Law Society Competition Committee suggested the health grounds would provide a possible defence to any such challenge.

The Office of Fair Trading has already expressed the view that any use of the legislation to increase retail profits would undermine the rationale behind the laws. Their spokesman said: -“We would highlight that creating additional profits for retailers in selling alcohol might give them more incentives to sell more alcohol. In an extreme case that might undermine the rationale behind the legislation.”

First published in The Publican 22 March 2010

Tesco back the SNP

Supermarket Tesco has backed the SNP's proposals for minimum pricing.

The SNP's proposals for a minimum price on alcohol to tackle the problems and cost of alcohol to Scottish society are currently going through the Scottish Parliament.

Welcoming Tesco's new position Scottish Health Secretary and SNP Depute Leader Nicola Sturgeon commented:

“Tesco is a big voice and will make a difference. What's particularly encouraging is that Tesco are saying they're making this shift in position as a result of the views of their customers – because I think there is a sea change under way in public opinion.

“People increasingly understand the damage that alcohol misuse is doing.”

SNP MSP Michael Matheson said he would be writing to other supermarkets urging them to reconsider their positions and to support minimum pricing;

“That Tesco continue to sell low cost alcohol is disappointing but emphasises the need for legislation to tackle this problem in a competitive market. I will be writing to Asda, Sainsbury,

Morrisons and Co-operative urging them to add their support to Tesco's and to back the Scottish Government's proposal for minimum pricing."

Stationary Tram on Princes Street

We have become accustomed to the tram debate.

Every taxi driver in town has a view on it. Every dinner party has at least five or ten minutes devoted to it, usually of the "sorry we're late it's the roadworks" variety. Now, at last, we can see something tangible for all our suffering....a whole tram is sitting on Princes Street this morning. But it is doing just that. Sitting. Not moving. Sitting.

Jenny Dawe will receive the keys for it tomorrow at a ceremony and she is hopeful that the sight of a tram will be good enough to keep us all quiet for a little longer whilst the travails of the council and TIE continue.

It will not be until 2012 that the trams will actually be running.

Open Space Strategy

For the first time in over 40 years, the City of Edinburgh Council is making a comprehensive plan for open space in the city. And they want your views.

A draft open space strategy had been drawn up and is open to public consultation from Friday 26 March, until Friday 21 May. It is the first strategy of its kind for Edinburgh, and will be updated every 5 years.

The strategy will be used to inform planning decisions on loss and provision of open space in new developments, and future management and investment decisions regarding existing open spaces.

Cllr Robert Aldridge, Environment Leader, said:

“Edinburgh is fortunate to have many wonderful parks and green spaces, and in fact approximately 50 per cent of the city is open space. Residents and visitors value and enjoy these open spaces and we want to protect them and enhance them for future generations. I strongly encourage residents to give us their views during the consultation period.”

A programme of public workshops has been planned to provide information and gain views. Alongside the consultation, the Council is running 12 public workshops for people to attend and find out more information.

ate

6:30 – 8 pm

1 Nile Grove Street, (off Morningside Road), Edinburgh, EH10 6DN

6:30 – 8 pm

(Council Chamber)

High Street, Edinburgh, EH1 1YJ

6:30 – 8 pm

28-30 Ferry Road, Edinburgh, EH6 4AE

6:30 – 8 pm

11 Hamilton Place, Edinburgh, EH3 5BA

6:30 – 8 pm

343 Oxbgangs Road North, Edinburgh, EH13 9LY

6:30 – 8 pm

10 Orwell Terrace, Edinburgh, EH11 2DZ

6:30 – 8 pm

10 Northfield Road, Edinburgh, EH8 7PP

6:30 – 8 pm

144 St Johns Road, Corstorphine, Edinburgh, EH12 8AY

6:30 – 8 pm

Quality Street, Edinburgh

6:30 – 8 pm

14 Rosefield Avenue, Edinburgh, EH15 1AU

6:30 – 8 pm

(Rooms 8/9)

350 West Granton Road, Edinburgh, EH5 1QE

6:30 – 8 pm

4 Drum Street, Edinburgh, EH17 8QG

D	Venue	Neighbourhood Partnership area
Tue 20 April	Braid Centre (Small Hall)	South Central
Wed 21 April	City Chambers	City Centre
Thur 22 April	Leith Library (Community Room)	Leith

Mon 26 April	Stockbridge Library	Inverleith
Tue 27 April	Oxgangs Library	Pentlands
Wed 28 April	St Bride's Centre	South West
Thur 29 April	Northfield/Willowbrae Community Centre	Craigentinny/Duddingston
Tue 4 May	St Ninians Parish Church	Western
Wed 5 May	Davidson's Mains Parish Church	Almond
12 May	Portobello Library	Portobello/Craigmillar
Wed 12 May	Telford College	Forth
Wed 19 May	Gilmerton Community Centre	Liberton/Gilmerton

The draft strategy and accompanying action plans can be viewed [here](#)

SNP demand action by UK government

SNP Westminster Leader Angus Robertson MP has warned that the warm words included in partnership agreement set out by the Tory Liberal coalition today must be matched with real action for Scotland in reserved policy areas.

Commenting, Mr Robertson said:

“David Cameron has acknowledged that his programme for government incorporates ideas from all parties. He has clearly looked to Scotland as policy making devolved to England replicates many of the successes of the SNP Scottish Government – including freezing council tax and reducing business rates.

“But in many areas of reserved policy making his Programme for Government is heavy on warm words and light on real action to help the people of Scotland.

“Instead of offering to review the Fossil Fuel Levy, the UK Government must commit to releasing it to the Scottish Government to kick start the renewables revolution north of the border.

“Instead of non-specific pledges of support for the 2014 Commonwealth Games, the UK Government must release the Barnett consequential generated by the London Olympics to support a long term legacy from Glasgow’s Games.

“And instead of piloting schemes to reduce the fuel costs on rural areas, the UK Government must put in place measures that stop rocketing fuel prices once and for all.

“If this Tory Liberal coalition is to deliver a respect agenda, it needs to start by making some clear promises in the reserved areas which matter to Scottish voters – and delivering on them.”

Tories condemn release of Al

Megrahi

The Lockerbie Bomber has now lived longer outside jail than any other convicted murderer released on compassionate grounds and reports state that he is actively making a documentary in Libya.

Bill Aitken MSP, Shadow Cabinet Secretary for Justice, says:
“Since the Lockerbie Bomber was released, he has enjoyed a life of luxury, celebrated his birthday and now surpasses the record for the longest amount of time a convicted murderer has been free after being granted compassionate release.

“It is now nine months since Britain’s worst mass murderer returned to Tripoli to a hero’s welcome. The SNP Government has yet to come clean and produce the evidence that set him free. The public has a right to see that evidence. He is supposed to be getting regular medical checks and monitoring – these must be made public as well.

“Since his release he has courted the media and now we learn he is actively making a documentary in Libya. It would be outrageous if he was to make one penny of personal gain from any documentary, interview or memoir. That would be the final insult to the 270 victims and their families.

“Every day, the SNP Government looks more and more foolish and until all the evidence is published, that will not change.”

The City of Edinburgh Council

Full Council next week will consider a paper on the budget situation, the steps being taken to identify savings and proposals for public engagement.

Councillor Jenny Dawe, Council Leader, said:-“The Council faces increasingly difficult financial times in the years ahead due to the unprecedented nature and scale of the global recession and the UK budget deficit. This will be starkly reflected in the government settlements we can expect.

The severity of the situation facing the Council was demonstrated in the budget set in February this year with substantial savings being made across all departments.

We are well aware that many more savings still need to be made. To achieve this we will rigorously investigate innovative and significant changes to the way Council services are delivered in the next five years. However, even with that, there will be some very tough decisions to take about what the Council’s priorities are.

To ensure that we continue to deliver high quality services that people in Edinburgh want we will fully engage with the public on an on-going basis to get their views. Close consultation will also be carried out with staff regarding service delivery and any changes to staffing.”

City Council and Trades Unions meet

Although no agreement was reached at the final day of Modernising Pay negotiations between the Council and trades unions, it is recognised that both sides made a determined effort to reach agreement when they met on 20 May 2010.

The Council has recognised the position of the unions, which notes the retention of all the improvements negotiated in the

final package and pledges a continued balanced approach to the sign-up process.

The final package to be revealed to staff next week represents an extra £11.5 million on the pay bill, an increase of £1 million following the latest phase of the negotiations, according to the Council.

Detailed discussions with the unions have sought to:

- * provide a fairer pay system for staff from October 2010
- * fully satisfy equalities legislation
- * reduce the financial risk to taxpayers of millions of pounds of equal pay claims
- * improve services to the people of Edinburgh by recognising and rewarding excellent staff performance
- * increase the availability and flexibility of some front line services.

After five years of negotiations and more than 100 meetings with the unions, a statutory consultation period began in January. It has now formally concluded although individual consultation with staff will continue as required.

The package tabled represents the Council's final position after it extended talks with Unison, Unite and GMB well beyond the statutory 90 day consultation period.

Staff will now be given the opportunity to sign up voluntarily to the new terms and conditions to take effect from the beginning of October 2010.

It is anticipated that the new arrangements will add over £11.5m to the Council's pay bill in the first year but will avoid future equal pay settlements. The Council has already had to pay over £33 million compensation to those women in roles which are comparable to the bonus paid male roles.

Cllr Jenny Dawe, Leader of the Council, said:- "I'm pleased that we can now move forward to the benefit of all.

"We must provide a fair, appropriate, flexible and affordable pay system for all staff. This will help to attract and retain good staff which will benefit taxpayers while also avoiding expensive and unnecessary future legal action.

"We want to be a top-performing, modern organisation – delivering quality services, on time and to budget. Skilled, experienced and productive staff are the backbone to this. We face many challenges ahead and we want to do all we can to support staff and recognise their contribution. But we must do this in an equal and consistent way."

Cllr Phil Wheeler, Finance and Resources Convener, added: "More than 100 meetings have been held with the trade unions which helped shape the final package. The only alternative to agreed changes to terms and conditions is imposing these through a legal process, as many other councils have done. There is nothing unusual about this and the consequences of not doing it are very serious, as can be seen from the recent case involving Birmingham City Council."

Philip Barr, Head of HR with the Council led the negotiations. He said: "I'm pleased that we have reached an understanding that allows us to continue with a balanced approach. It is vital that employees sign the new contracts and that the unions recognise this."

Pay protection for three years is part of the nationally agreed Modernising Pay deal for those who would have otherwise experienced a reduction in pay after the three year period.

During the three year pay protection period, a range of measures and initiatives will be examined – aimed at improving services, productivity and efficiency and creating a better skilled and rewarded work force. These measures will at times improve earning opportunities and significantly reduce loss of pay or bonus.

Employment Tribunal on Equal Pay

Thousands of low paid council workers took a step closer to equal pay yesterday thanks to a landmark decision of the Employment Appeal Tribunal.

While many manual workers, such as cleaners, cooks and carers, have already received compensation, previous decisions of the EAT removed the right to compensation from thousands of administrators, clerical workers, learning assistants and library staff. In the absence of a proper explanation for the pay differences between women and men, local authorities developed a technical argument that women and men only deserved equal pay if they were based at the same premises, or had the same pay and conditions – this argument has now failed. UNISON General Secretary, Dave Prentis, said:—“I am delighted that UNISON has opened up this route to justice for so many of our members. There is now no place for employers to run or hide. UNISON’s equal pay campaign has defeated every contrived defence their lawyers have hidden behind.

This charade has gone on too long. We want full compensation for all our members and that money must be paid now.” One of UNISON’s largest group of winners from the decision are classroom assistants, many of whom earn as little as £10,000 a year. Elaine North, a UNISON claimant from Dumfries, said: “I was devastated when the court said I wasn’t entitled to equal pay. My colleagues do one-to-one education work with learning-disabled kids and while we love them it is such hard work. “No harm to refuse collectors and gardeners, but fair pay is long overdue for us. We’ve worked hard for this.” Jackie Gilchrist, who chairs the UNISON campaign for Fair Pay, said: “This is a magnificent decision for us. Our pay has been formally

investigated by the EOC and still the employers refuse to recognise the value of our jobs. "We have gathered so much evidence about the demands of learning support work, but the courts have refused to look at it until now. They've got some reading to catch up on, I can tell you. "There's only one conclusion to reach at the end – our wages are going up." UNISON estimates that this Edinburgh decision will affect up to 70,000 workers across the UK and, while claim values will vary from person to person, some will exceed £30,000

City council announces new council house building programme

The building of the first new council homes in Edinburgh for more than a generation has taken a major step forward.

The final planning application for the first construction phase of the 21st Century Homes project has been approved by the City of Edinburgh Council's Development Management Sub-Committee.

The green light was given for the first 99 homes to be built all of which will be affordable with 67 council homes for rent, 20 for mid rent and 12 for low cost home ownership.

The mix is made up of 26 one bedroom, 40 two bedroom and 27 three bedroom flats and colony style apartments. There will also be 6 four bedroom houses.

Phase two, comprising housing for market sale will consist of up to 121 homes including a number of shared equity properties

to ensure that the development consists of at least 50% affordable housing.

The project is the Council's exciting new programme to build 1,300 mixed tenure homes for sale and for rent across the Capital. This will see up to £150 million of Council-led investment in the regeneration of the Gracemount, North Sighthill and Pennywell & Muirhouse areas of the city.

The new homes will contribute towards Edinburgh meeting the need for 15,800 new affordable homes over the next ten years.

Councillor Paul Edie, Housing Leader for the City of Edinburgh Council, was delighted at the planning approval.

He said: "This is an exciting time for residents of this city as we will now start to see the first new council homes for more than a generation taking shape in Edinburgh.

"The 21st Century Homes project is a vital element of our ongoing long term regeneration plans for the Capital which will support the economy by providing new jobs in both the construction industry and other sectors.

"These new homes demonstrate our commitment to tackling the affordable housing shortage in Edinburgh. Last year 676 new housing association homes were approved for building – the highest since 2005/06 – with 788 homes actually completed.

"However we are aware we are still a long way from plugging the huge gap out there which is why we are working closely with the Scottish Government to explore new and innovative ways of building more."

Betty Stevenson, Convenor of Edinburgh Tenants Federation, said: "I think this a wonderful time for the city of Edinburgh to start to build houses again after a space of 30 years.

"I hope this is just the start of things to come because they are much needed for our growing communities and I am looking

forward to being around to see it happen.”

TRAMS 1

You can read that in full [here](#). We have read this report carefully, and a wealth of other information from the council, and other sources, in an effort to establish who all the players are and what they do.

We try here to establish the current position, one month on from the Council Leader's report, and we will then ask what is to happen next. One urban myth which needs to be exposed is how much the tram project will actually cost. It has been rumoured that the budget is to be exceeded.

So questions continue to be asked and answers demanded. This is intended to be the first of a relentless series of articles to establish the true position about the trams. We may not reach the ultimate conclusion here in this first piece, but we intend to keep asking the questions.

So where to start? Well at the beginning of course... Here are the bare facts and some of the personalities and companies involved.

Trams are being introduced to Edinburgh as an alternative means of transport. They are billed as environmentally-friendly, and this fits squarely with the Scottish Government and the Council's aims to reduce carbon emissions.

The tram route has been agreed. When complete the tram will run from Newhaven to the Airport via Princes Street.

As a result of a dispute over some aspects of the contract, work has been stopped at some of the locations around the city

where barriers have recently been dismantled. The work in these locations has not yet been completed. The intention is to allow the city to return to some kind of normality while the disputes are resolved.

Edinburgh Trams Ltd is known as tie. (Transport Initiative Edinburgh) RIchard Jeffrey is Chief Executive of tie. They have entered into a contract with the BSC consortium to deliver trams to Edinburgh. There is now a dispute about this contract which began in January 2009.

There is a separate contract for the diversion of all utility pipes and cables called MUDFA. This programme is almost 100% completed, albeit behind schedule.

There is a separate contract for the provision of the infrastructure called INFRACO.

No financial details can be revealed about these contracts as the Council say it would be a breach of contract and they allege it would undermine the council's position in bargaining their way out of the mess that the contracts are currently in.

There is a Tram Project Board which meets monthly and comprises councillors and independent transport experts. Board members are under a gagging order for reasons of 'commercial confidentiality.'

Marshall Poulton is the Head of Transport for the City of Edinburgh Council and is also Tram Monitoring Officer. He is responsible for protecting the Council's interests, and works so closely with tie that he works from their offices for some of the time.

tie issue a monthly report to Transport Scotland.

There is a quarterly meeting of a review panel when officials from tie, the Council and Transport Scotland attend.

DTZ, Audit Scotland and the Office of Government and Commerce

oversee the finances of the tram project.

The purse for the provision of the trams is £545m. The needs Council approval for any expenditure which would mean an overspend on the budget by £1m, or where there is any substantial change to design or service pattern or any need to stretch the timetable beyond October 2012.

By the end of financial year 2009-10 the spending was estimated by the Council to be £387.3m. The infrastructure costs are to make up under half of the overall budget.

There is a depot at Gogar where work is reported to be progressing well.

Edinburgh Park viaduct, Gogarburn bridge

The dispute with Infraco has been settled on 135 separate points. In settling these points only 61% of the costs charged by Infraco has been paid on average.

There is provision in the contract for settling disputes. Four issues have gone through this complete process and have been adjudicated on. 14 other issues are still in the dispute process.

A nine month extension to the Infraco contract has been agreed since there were more works required to divert utilities than first envisaged.

In the background the first Traffic Regulation Order is going through the process of public consultation. Comments were invited until 21 March 2010 from emergency services, public transport operators and road haulage representatives. A report on this order is due to be made to the council imminently.

Cyclists have been given some representation, particularly on matters of safety. A booklet has been produced which explains what is being done to provide cyclists with safe routes, and advice on safe cycling in the area where the trams will be.

You can read that here.