

**City of Edinburgh Council
Meeting of 25 October 2007**

QUESTION NO 15

Question by Councillor Burgess

What progress has been made on the review of the Common Good Fund following agreement of the full Council on 23 August that it should be updated as a matter of urgency?

Answered by the Leader of the Council

Following the original request from Mr A. Wightman seeking detailed information of what properties were held on the Council's Common Good Account, and the subsequent request from the former Executive of the Council for an update on the position, a substantial amount of research by officials in City Development, Legal Services and Finance has gone into a review of the Common Good Land held by the Council.

This review involves financial management and accounting issues as well as very extensive and complex legal and archival research. Detailed research into the historical background of each property identified, from a variety of sources, is required including its history in relation to when and why it was transferred to the Council's Common Good Account, past use and current use at the time of transfer. In addition, research has commenced to identify any Council properties which should be included in this account. Such research commands substantial resources both internal and external.

The research is proceeding as quickly as possible. In accordance with the decision of Council on 23 August, once the position has been clarified, a full report will be submitted to Committee at the earliest possible date.

64

Supplementary Question

Given that there is likely to be pressure for development on land held in the Common Good, would the Leader agree that it is important that this review is completed fairly rapidly so that informed decisions can be made about the best way to treat Common Good land for the benefit of all citizens?

Supplementary Answer

Yes, I would agree. I know that there are at least two pieces of land which are potentially for development where there are issues about whether it is Common Good land or not. I have to say it has been a long time even getting this amount of work done. I actually first raised the issue of Common Good land about nine years ago in the Council at what was then the General Purposes Committee. As a result of that, we began to get annual reports on the Common Good Fund but there is still quite a lot of work to be done.

There are issues which have involved seeking Senior Counsel advice and there have been at least two Memorials produced by Senior Counsel which are still causing difficulties about the establishment of whether land is actually Common Good land or not and at least one of those pieces of land is a potential area for development. However, I quite agree with you it is important that we try and get this finished as soon as possible.