Notice of meeting and agenda

The City of Edinburgh Council

10.00 am, Thursday, 22 November 2018

Council Chamber, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend

Contact

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1. Order of business

1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of interests

2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Deputations

3.1 If any

4. Minutes

4.1 The City of Edinburgh Council of 25 October 2018 – submitted for approval as a correct record

5. Questions

- 5.1 By Councillor Osler Garden Waste Service Revenue for answer by the Convener of the Transport and Environment Committee
- 5.2 By Councillor Osler Revised Waste Collection Timetable for answer by the Convener of the Transport and Environment Committee
- 5.3 By Councillor Osler Transfer of Council Owned Assets for answer by the Convener of the Finance and Resources Committee
- 5.4 By Councillor Whyte Active Travel for answer by the Convener of the Transport and Environment Committee
- 5.5 By Councillor Burgess Stair-lighting for answer by the Convener of the Housing and Economy Committee
- 5.6 By Councillor Johnston Project Management Staff for answer by the Leader of the Council
- 5.7 By Councillor Booth Universal Credit for answer by the Convener of the Housing and Economy Committee
- 5.8 By Councillor Burgess Future of the Astley Ainslie Hospital Site for answer by the Convener of the Planning Committee
- 5.9 By Councillor Lang Traffic Regulation Orders for answer by the Convener of the Transport and Environment Committee

- 5.10 By Councillor Lang Road and Footway Maintenance for answer by the Convener of the Transport and Environment Committee
- 5.11 By Councillor Doggart Implementation of the Barclay Proposals for answer by the Convener of the Finance and Resources Committee
- 5.12 By Councillor Doggart Named Person Scheme for answer by the Convener of the Education, Children and Families Committee
- 5.13 By Councillor Jim Campbell Failed Waste Uplifts for answer by the Convener of the Transport and Environment Committee
- 5.14 By Councillor Jim Campbell mygovscot for answer by the Leader of the Council
- 5.15 By Councillor Jim Campbell West Harbour Road for answer by the Convener of the Transport and Environment Committee
- 5.16 By Councillor Rust Working Groups for answer by the Leader of the Council
- 5.17 By Councillor Neil Ross Garden Tax Bin Stickers for answer by the Convener of the Transport and Environment Committee
- 5.18 By Councillor Corbett Communal Bins for answer by the Convener of the Transport and Environment Committee
- 5.19 By Councillor Bridgman Future of George Street for answer by the Convener of the Transport and Environment Committee
- 5.20 By Councillor Booth Broken Paving Slabs for answer by the Convener of the Transport and Environment Committee
- 5.21 By Councillor Booth Council Owned Venues Cycle Parking Spaces and Travel Plans for answer by the Convener of the Culture and Communities Committee
- 5.22 By Councillor Gloyer Garden Waste Charge for answer by the Convener of the Finance and Resources Committee
- 5.23 By Councillor Young 20mph for answer by the Convener of the Transport and Environment Committee
- 5.24 By Councillor Booth Parking for answer by the Convener of the Transport and Environment Committee
- 5.25 By Councillor Booth Cycling Dismount Signs for answer by the Convener of the Transport and Environment Committee

- 5.26 By Councillor Booth Responsible Driving, Active Travel for answer by the Convener of the Transport and Environment Committee
- 5.27 By Councillor Mowat Millerhill for answer by the Convener of the Transport and Environment Committee
- 5.28 By Councillor Doggart Armistice Day and Remembrance Sunday for answer by the Convener of the Transport and Environment Committee
- 5.29 By Councillor Whyte Extraordinary Monday Waste Collections for answer by the Convener of the Transport and Environment Committee
- 5.30 By Councillor Mowat Post Tram Construction for answer by the Convener of the Transport and Environment Committee
- 5.31 By Councillor Cook TROs, TTROs and ETROs for answer by the Convener of the Transport and Environment Committee
- 5.32 By Councillor Whyte Formal Annual Appraisal Process for answer by the Leader of the Council
- 5.33 By Councillor Booth Noise from Construction Sites for answer by the Convener of the Transport and Environment Committee

6. Leader's Report

6.1 Leader's report

7. Appointments

7.1 If any

8. Reports

- 8.1 Edinburgh Partnership Review and Consultation of Governance Arrangements

 report by the Chief Executive (circulated)
- 8.2 Expansion of Webcasting report by the Chief Executive (circulated)
- 8.3 Managing Our Festival City referral from the Culture and Communities Committee (circulated)

9. Motions

9.1 By Councillor Miller – Tree Charter

"Council:

- 1) Thanks the Woodland Trust for sending all elected members its leaflet "What every councillor in Scotland needs to know about trees"
- 2) Re-affirms its commitment to delivering this council's 2014 "Trees in the city" trees and woodland action plan.
- 3) Agrees to adopt the Woodland Trust's Charter for Trees:
 - 3.1 Sustain landscapes rich with wildlife
 - 3.2 Plant for the future
 - 3.3 Celebrate the power of trees to inspire
 - 3.4 Grow forests of opportunity and innovation
 - 3.5 Protect irreplaceable trees and woods
 - 3.6 Plant greener local landscapes
 - 3.7 Recover health, hope and wellbeing with the help of trees
 - 3.8 Make trees accessible to all
 - 3.9 Combat the threats to our habitats
 - 3.10 Strengthen our landscapes with trees."
- 9.2 By Councillor Bruce Deanpark Primary School

"Council

- Congratulates pupils and staff at Deanpark Primary School in Balerno on achieving the Gold Sport Scotland Award for showing their dedication to sport and demonstrating how much effort they have put into the health and wellbeing of their pupils.
- 2) Asks the Lord Provost to write to the headteacher congratulating the school on this fantastic achievement."

9.3 By Councillor Jim Campbell – Edinburgh's Pavements – Royal Mail

"Council

Applauds the efforts to free Edinburgh's pavements of unnecessary clutter.

Asks the Convener of the Transport and Environment Committee to request a meeting with senior managers from the Royal Mail, to establish:

- 1) The ongoing use of pavement mounted drop off boxes intended to store mail in local areas prior to delivery.
- 2) The plans Royal Mail have to remove any drop off boxes that are no longer needed.
- 3) The maintenance regime for those drop off boxes still in use, including the removal of any graffiti.

In addition, Officers are asked to prepare a note on the rights and obligations of utilities, and similar organisations, regarding infrastructure installed in public places, including arrangements for decommissioning."

- 9.4 By Councillor Lang Garden Waste Charge Refund Scheme
 - "1) Council notes;
 - a) The new annual charge for the collection of garden waste which came into force in October 2018.
 - b) The promise made by the coalition administration that the new charge would lead to an improved service for residents who opted to pay it through more frequent collections.
 - c) The considerable problems which have emerged since the new collection scheme came into effect with residents reporting multiple cases of missed collections forcing them to put garden waste into landfill or transporting garden waste to recycling centres.
 - 2) Council welcomes the apology issued by the Leader of the Council for the overall level of service seen on waste collection since the new collection schedule commenced but believes further action is needed to reassure residents and respond to concerns.
 - 3) Council therefore agrees to seek a report to the Finance and Resources Committee within one cycle setting out the options to introduce a refund scheme for those who have paid the garden waste charge but where the service provided falls below a certain minimum standard."

9.5 By Councillor Brown – Bonfire Night

"Council

- 1) Applauds the success of Police Scotland's operational efforts which made significant inroads towards preventing a repeat of last year's disorder witnessed across the capital around and on Bonfire Night.
- 2) Commends the ongoing bravery of the Fire and Rescue Service who once again saw personnel and vehicles come under attack whilst trying to carry out their job.
- Welcomes the reported 26% reduction in anti-social behaviour and 11% fall in fireworks offences across the capital over the six day operation compared to the same timeframe in 2017.
- 4) Strongly condemns the shameful behaviour of those still intent on causing a cacophony of chaos within communities and is encouraged by prompt arrests of those involved in a range of law breaking activities.
- 5) Continues to work with key stakeholders to maintain this momentum and build on these successes for 2019."
- 9.6 By Councillor Brown Spartans Community Football Academy Celebrating a Decade of Being Here for Good

"Council

- Congratulates the North Edinburgh based social enterprise on their forthcoming 10 year anniversary, to be celebrated on Wednesday 5th December 2018.
- 2) Acknowledges the excellent work The Spartans Community Football Academy have undertaken over the last decade in changing lives for the better in North Edinburgh.
- 3) Recognises the professionalism in which The Spartans Community Football Academy have delivered programmes and initiatives that will have a lasting positive social impact in North Edinburgh.
- 4) Asks the Lord Provost to write to The Spartans Community Football Academy and mark this decade of delivery of innovative programmes in youth work and education in the appropriate manner."
- 9.7 By Councillor Neil Ross Caseworker Software Package

"Council notes that a new Caseworker software package is to be introduced to assist councillors to manage their casework. While councillors may be grateful for assistance with managing their casework, Council is concerned that

- 1) this software should be properly assessed to ensure that it meets the needs of councillors;
- given GDPR concerns and the individual ICO registration of each councillor, access to the data should be controlled and managed in a compliant manner;
- 3) the cost of implementation and of annual operation should be properly considered.

Council therefore requests a report to the Finance & Resources Committee within two cycles to provide the appropriate background information including the functionality, GDPR compliance and costings for the Caseworker software and details of any other options that were explored so that a considered and transparent decision can be taken."

9.8 By Councillor Cook – Public Utility Performance Monitoring

"Council

- 1) Notes continuing concern with various aspects of public utility works carried out on city roads and pavements.
- 2) Notes that, despite two verbal assurances from the Council Leader to Full Council, regular reports on Public Utility Performance Monitoring have yet to be reinstated for future consideration by the Transport and Environment Committee.
- 3) Council agrees to a quarterly monitoring reports on public utility performance to be added to TEC's work programme."
- 9.9 By Councillor Main 16 Days of Activism Against Gender-Based Violence 2018

"Council notes

that from 25 November, the International Day for the Elimination of Violence against Women, to 10 December, Human Rights Day, the 16 Days of Activism against Gender-Based Violence Campaign is a time to galvanize action to end violence against women and girls around the world.

One in three women worldwide are subject to violence over the course of their lives.

The very many organisations worldwide that support and take part in the campaign.

Agrees that Council social media and publicity will support the campaign over the 16 days, by highlighting different events and activities each day."

9.10 By Councillor Graczyk – City Tree Installations in Edinburgh

"Council:

- Notes, CityTree was created by Berlin-based Green City Solutions, the CityTree is made up of moss cultures which have a much larger leaf surface area than any other plant and can capture more pollutants;
- 2) Further notes, the CityTree is a highly visual structure which, at 4 meters tall, 3 meters wide and 2 meters deep, is said to have the environmental benefit of up to 275 urban trees. The surfaces of moss installed in each CityTree can remove dust and nitrogen dioxide from the air. Manufacturer estimate that each CityTree can remove around 12.2kg of particulate matter and 240 metric tons of CO2 (greenhouse gas) annually;
- 3) Recognises, poor air quality is a significant public health concern, but also a major social justice issue for Edinburgh. Pollution affects some of the most vulnerable people in our city, including the old, the sick and those experiencing poverty;
- 4) Further recognises, the council is a key partner in the Scottish Government's Cleaner Air for Scotland Strategy which defines the path to achieving full compliance with the relevant air quality standards;
- 5) Calls, for a report in one or two cycles to consider CityTree installations in Edinburgh;
- 6) Requests, that said report includes, but is not limited to:
 - a) High polluted areas which would most benefit from CityTree installations;
 - b) Potential funding options, e.g. the Scottish Government;
 - c) The level of civic and budgetary support required by the Council;
 - d) The completed report to be referred to the Transport and Environment Committee for further scrutiny."
- 9.11 By Councillor McVey 2nd Brexit Referendum
 - "1) Council notes there are currently around 39,000 EU nationals living in Edinburgh and more than 1,000 EU nationals directly employed to deliver Council services and according to a recent report at COSLA Leaders meeting, this accounts for more than a quarter of the national figure based on available data.

- 2) Council notes that 74.4% of the people of Edinburgh voted to remain in the EU and believes that this remains the best option for the social and economic wellbeing of the city.
- Council agrees that, short of this outcome, the 'least worst' option for Edinburgh and Scotland would be a plan in which the UK remains a member of the Single Market and Customs Union; and further agrees that a No Deal scenario would be catastrophic for ordinary people here and across the UK. Council endorses calls, including from the First Minister, for an extension of the transition period to avert a cliff-edge scenario when the UK leaves the EU.
- 4) Council also acknowledges on-going discussion around a second 'People's Vote".
- 5) Council asks the Council Leader to write to the Secretary of State for Exiting the European Union expressing the Council's position as stated above regarding the UK's relationship with the EU; setting out concerns about labour supply if Brexit occurs in the form proposed by the UK Government; opposing any costs charged to EU nationals through the settled and pre-settled status applications and highlighting that all Edinburgh MP's have endorsed a "People's Vote".
- Further asks the Chief Executive to continue to provide information and advice to support EU citizens in the Capital, as they go through the process of having to apply for settled status by June 2021, as well as Edinburgh residents with family living in the EU."

9.12 By Councillor Graczyk – People's Vote

"Council:

- 1) Notes, the EU referendum on 23rd June 2016 should be considered the beginning of a democratic process, not the end of one;
- 2) Further notes, the conclusion by the Electoral Commission that the Leave campaign committed serious offences by breaking electoral law casts doubt on the legitimacy of the result of the 2016 referendum;
- 3) Recognises, new information on the way the referendum campaign was conducted and the economic, environmental, and social impacts of Brexit, which have become known since the referendum, may have altered some voters' preferences regarding desired outcomes of the Brexit negotiations;

- 4) Further recognises, many non-UK EU nationals living in the City, whose life, and that of their UK-national families, has been destabilised by uncertainty following the vote. Apart from the social impacts, this has resulted in the loss of staff by local businesses and the NHS;
- 5) Acknowledges, the Council believes that the interests of its residents would be best protected by a referendum on the terms of leaving the EU with the possibility of rescinding article 50;
- 6) Further acknowledges that giving the people across the four nations a final say on the Brexit negotiations will help to rebuild trust and engagement in the political process;
- 7) Calls, Council to:
 - Express our support publicly for a People's Vote on the final terms of any Brexit deal, along with the option to remain in the EU;
 - b) Request the Council Leader to write to our local Edinburgh MPs, Deidre Brock, Joanna Cherry, Christine Jardine, Ian Murray, Tommy Sheppard, and the Prime Minister, Theresa May, informing them that the City of Edinburgh Council has passed this motion in support of a People's Vote."
- 9.13 By Councillor Jim Campbell Strategic Transport Project Review 2 (STPR2)

"Council

- 1) Asks the Chief Executive to expedite the Strategic Transport Project Review 2 (STPR2), working with the Regional Strategic Transport Board (established through the city deal), Transport Scotland and Scottish Ministers.
- 2) Recognising the importance of transport to existing Edinburgh neighbourhoods, the development of new quarters, our economic vitality, the needs of those who commute throughout our City Region, and to our many visitors, looks forward to a comprehensive briefing note covering the scope and timescales of STPR2 early in the new year to inform all members.
- This note should identify any other transport modelling work that should be carried out in the interests of the City, and in support of City Plan 2030 and any other significant transport changes that are planned, but are not within the scope of STPR2 or would not be supported by the STPR2 timescales."

9.14 By Councillor Doggart – Princes Street Gardens Christmas Market

"Council

Asks Officers to investigate how the work to construct the Princes Street Gardens Christmas Market and attractions could be programmed so that:

- a dignified no-work cordon is maintained round the Garden of Remembrance, and
- 2) the erection of high structures are delayed till after Armistice Day and Remembrance Sunday from 2019 on?"
- 9.15 By Councillor Miller Events and Attractions in Parks

"Council:

- Notes existing council policies and procedures for events and attractions in parks, which allow commercial events to take place, authorised by the Director of Place under delegated authority, with comments from elected members and advice from relevant council departments;
- Notes that Edinburgh's Christmas has again erected structures in East Princes Street Gardens and St Andrew Square Garden over areas of tree roots which are known to require protection, which is evidenced respectively by the planning condition in relation to the National Galleries of Scotland development specifying that roots of retained tree in East Princes Street Gardens are to be treated as "sacrosanct", and the St Andrew Square Garden tree report commissioned by Essential Edinburgh and carried out by Potter Tree Consultancy regarding tree root compaction;
- Notes that the Summer Sessions concerts held at the Ross Bandstand in West Princes Street Gardens closed the gardens to general public access and blocked views of the garden and castle from Princes Street;
- 4) Recognises public feedback on a) the need for a clearer, transparent council policy, and b) a review of the appropriate number of commercial events and attractions in public parks and green spaces;
- Procedures to simplify and combine these policies where possible, to achieve a clear directive to reduce commercial events in parks and green spaces, and to reduce the impact of any commercial events in terms of the access for members of the general public to public parks and green spaces, and to report this to Transport & Environment Committee within 2 cycles;

6) Notes that the scope of this motion excludes community events as these are beneficial to the local community, typically short in duration, and low in impact."

9.16 By Councillor McVey – Asylum Dispersal

"Council notes:

- That the UK Government currently disperses Asylum Seekers to a limited number of local authorities of which Glasgow City Council is the only Scottish representative.
- 2) That responsibility for asylum dispersal is contracted to private sector providers with SERCO holding the contract for Scotland and that these arrangements are currently being re-procured by the Home Office.
- 3) Concerns about the existing arrangements and the current reprocurement process outlined in the joint campaign promoted by the Scottish Refugee Council (SRC) and Asylum matters as well as a recent letter by the Local Government Associations of Scotland, England, Northern Ireland, and Wales to the Immigration Minister.
- 4) This Council's existing work with Refugees and Asylum Seekers through participation in the Syrian Resettlement Programme and support for other resettled refugees, Unaccompanied Asylum-Seeking Children and people with insecure immigration status who have no recourse to public funds.
- 5) That Local Government representative organisations, including COSLA, have set out a recommendation for fully funded Local Authority involvement in the Asylum Resettlement Programme.
- The financial and operational pressures associated with supporting Unaccompanied Asylum-Seeking Children and people with no recourse to public funds and that engagement with asylum dispersal under current arrangements risks exacerbating these pressures.
- 7) Whilst endorsing the principle that there should be a fair and equitable distribution of Asylum Seekers within local authority areas and across the UK as a whole, also endorses the concerns raised in the SRC/Asylum Matters Campaign and the Local Government Associations' letter and specifically that Local Authorities:
 - i. should have equal partner status in the new asylum contracts;
 - ii. should have full access to any data and information necessary to support their roles in relation to dispersal;

- iii. should have joint oversight of asylum dispersal contracts with the Home Office;
- iv. should have authority with the Home Office over levels of dispersal and the ability to make binding decisions around the procurement process;
- v. should be fully funded to support their roles in relation to dispersal and that this funding should recognise responsibilities both during and after the asylum process including meeting the needs of destitute refused asylum seekers with no recourse to public funds.
- 8) Accordingly, agrees that the Council Leader write to the Home Office supporting these concerns and engage in constructive dialogue with the Home Office as to how the city might overcome these issues to engage sustainably with asylum dispersal and any future fully funded refugee resettlement schemes.
- 9) Agrees that Council provide a copy of such a letter to Home Affairs Select Committee, who on the 21st November heard Oral Evidence on the subject of Asylum Accommodation."
- 9.17 By Councillor Cameron COMAS and Social Enterprises

"Notes that Council:

- 1) Recognise the important work, the social innovation charity COMAS, has provided to the City of Edinburgh for over a decade.
- 2) Acknowledges, with regret, the recent decision to liquidise the organisation, based on a shortage of funds.
- 3) Thanks the organisation for providing vital support, guidance and a safe space through the Serenity Café for individuals experiencing addiction, poverty, mental health issues and homelessness in the city.
- 4) Asks that officers conduct an impact assessment on the impact COMAS closure will have on service users and what measures can be put into place to mitigate this.

And furthermore, building on the success of Edinburgh's hosting of the World Forum on Social Enterprise 2018, held recently at the EICC that Council:

5) Requests a report to the Housing and Economy Committeewithin two cycles, setting out cost neutral options to promote and continue the success of existing, and establishing of new, social enterprises to increase the contribution of these models to Edinburgh's economy

- across the public, private and third sectors and prevent similar closures in the future.
- 6) Includes in the report opportunities which could be made available to social enterprises and cooperatives through the Council's and arms length companies' procurement policies.
- 7) Should also include in the report any mitigating measures identified in relation to COMAS service users."

9.18 By Councillor Dickie – CPR in Schools

"Council:

- Recognises the British Heart Foundation's ambition of 'Beating Heartbreak in Scotland' by introducing CPR to every local authority in Scotland.
- 2) Notes that every year in Scotland, 9,000 people will have a cardiac arrest, and only approximately 3,500 of these will have resuscitation attempted.
- 3) Congratulates the existing work of third sector organisations such as St John's Scotland and the Thistle Foundation in providing voluntary training to pupils and staff in schools across the city.
- 4) Further notes, that 23 of our schools have already accessed training through our contracted First Aid Trainer, Green Cross Training during October's 'Restart a Heart Day'.
- 5) Requests the Director of Education, Children & Families to work with the remaining schools to roll out the Green Cross training to promote and provide a subsequent report to Council on the success of this programme.
- Requests the Director of Education, Children & Families promote and facilitate access to the British Heart Foundation's free "Call, Push, Rescue" class training kits."
- 9.19 By Councillor McNeese-Mechan Hibernian Ladies Football Team

"Council:

Congratulates the Hibernian Girls and Ladies Football Club on winning the SSE Scottish Women's Cup trophy for the third year in succession, following their 8 - 0 victory over Motherwell, which is an inspiration to all.

Recognises also their historic achievement of securing a 'treble double', having also won the Scottish Women's Premier League Cup for 2018 for the third year in a row."

9.20 By Councillor McVey – The John Muir Way

"Council acknowledges the success of the John Muir Way can contribute towards the economic wellbeing, health and quality of life of communities that touch the route in Edinburgh and across Scotland. Since its completion in 2014, the 215km route has encouraged active travel, health and wellbeing and the enjoyment of nature amongst the many people who use it each year.

In Edinburgh, the route benefits from spectacular views of the Forth Bridges at South Queensferry to the fascinating wildlife of Corstorphine Hill Nature Reserve, as well as connecting to Edinburgh's extensive network of off-road paths.

Council welcomes the vision for the John Muir Way as set out by the John Muir Way Partnership and the opportunity it provides to support our economic, social and environmental aims.

Council instructs the Council Leader and Chief Executive to sign the John Muir Way Declaration committing to:

- 1) Promote the vision of the John Muir Way to relevant staff and stakeholders;
- 2) Engage where appropriate with the John Muir Way partnership initiative;
- 3) Maximise opportunities to manage, maintain and develop the John Muir Way direct infrastructure and connections to it;
- 4) Ensure relevant communications work is undertaken, compatible with the John Muir Way vision;
- 5) Widely promote the John Muir Way to relevant audiences;
- 6) Drive forward economic development and enhancement for business and communities."

9.21 By Councillor Wilson – Chloe Bell

"This Council congratulates Chloe Bell on being named the Sunday Mail's Great Scot 2018. The Council further requests that the Lord Provost marks this extraordinary act of heroism in an appropriate way. Her actions in climbing through the window of a crashed car to assist a stranger and then assisting paramedics in a potentially life threatening situation with no thought for her

own personal safety is truly inspirational. Her actions are those of which the City can be proud."

Laurence Rockey

Head of Strategy and Communications

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The City of Edinburgh Council usually meets in the Council Chamber in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the Council meeting is open to all members of the public.

Further information

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