

Motion by the Coalition

City of Edinburgh Council

7 February 2019

Item 7.1 – Resignation of Councillor/Appointments

1 To note that arrangements will now be put in place for a by-election for the vacancy in Leith Walk ward (no 12), with polling on 11 April 2019.

2 To note that officers working on preparations for the by-election, the poll itself, postal vote processing and the count will require to be released from normal duties.

3 To authorise the Chief Executive to make any revisions to polling arrangements, including polling places, as may be required, in consultation with the remaining Leith Walk elected members

4 To agree:

- the appointment of Councillor Munro to the vacancy on the Committee on the Jean F Watson Bequest.
- the appointment of Councillor Arthur to the vacancy on the board of Spartans Community Football Academy.
- to appoint to the Labour Group vacancy on the Finance and Resources Committee at the March Council meeting, at which time the committee's Vice-Convenor will also be appointed. Meantime, to note that Councillor Maureen Child will serve as a substitute member on the committee.

Moved by Councillor Karen Doran

Seconded by Councillor Catherine Fullerton

Motion by the Coalition

City of Edinburgh Council

7 February 2019

Item 7.2 – Appointment to Outside Organisation/Joint Board

Council notes:

- **NHS Lothian** – Councillor G Gordon to replace Councillor Ian Campbell as Board Member.
- **Edinburgh Integration Joint Board** - Councillor G Gordon to replace Councillor Ian Campbell as Board Member.
- **COSLA Policy Board – Community Wellbeing** – Councillor A McNeese-Mechan to replace Councillor Ian Campbell as Member.
- **Edinburgh International Science Festival Limited (Trading Company)** – Councillor A McNeese-Mechan to replace Councillor Ian Campbell as Board Member.
- **Edinburgh Partnership – Community Planning Partnerships – Community Safety** – Councillor A McNeese-Mechan to replace Councillor Ian Campbell as Member.
- **Life Care (Edinburgh) Ltd** – Councillor D Howie to replace Councillor Ian Campbell as an Observer.
- **EICC Board** - Councillor G Gordon to replace Councillor Kate Campbell as Member and Chair.
- **Capital City Partnership** – Lord Provost to replace Councillor Kate Campbell as Member.

Moved by Councillor Catherine Fullerton

Seconded by Councillor Karen Doran

Addendum by the Green group

City of Edinburgh Council

7 February 2019

Item 8.1 – Council Diary 2019/20

At the end of recommendations insert:

“1.3 To agree to explore options that would allow council recess periods to mirror the school calendar, reporting back to Corporate Policy & Strategy Committee within two cycles”

Moved by: Councillor Mary Campbell

Seconded by: Councillor Claire Miller

Motion by the Coalition

City of Edinburgh Council

7 February 2019

Item 8.2 – Review of Locality Committees

- 1) To agree the recommendations in the report.
- 2) To note that Neighbourhood Partnerships have had notable success in promoting community influence in Council decision making, a key element being the delegation of powers such as the community grants fund and the Neighbourhood Environment Programme.
- 3) To note that a driving factor for the establishment of locality committees was to explore ways to increase local decision making.
- 4) To note that the neighbourhood networks are not Council committees and as a result Council powers could not be delegated directly to these groups.
- 5) Therefore, to ask that the Chief Executive reports to the Corporate, Policy and Strategy Committee within one cycle on how relevant powers could be delegated in such a way as to enable neighbourhood networks to significantly influence Council decision making.

Moved by Councillor Adam McVey

Seconded by Councillor Cammy Day

Addendum by the Conservative Group

City of Edinburgh Council

7 February 2019

Item 8.2 – Review of Locality Committees

Council

- 5) To note the pressures on resources as a result of locality committees, and their ward sub-committees.
- 6) To acknowledge that there are further areas of improvement that could be made to the wider political management arrangements of the Council.
- 7) To recognise that scrutiny of Council services to drive service improvement is a key role for elected members and executive committees.
- 8) To request that the Chief Executive reports to Council on a re-alignment of the political management arrangements which:
 - a. Addresses the imbalances of workload between executive committees;
 - b. Considers the use of working groups by committees;
 - c. Addresses the lack of policy business at Council meetings;
 - d. Creates greater scope for scrutiny of key Council services by executive committees; and
 - e. Should be capable of implementation by 1 August 2019.

Moved by Councillor Joanna Mowat

Seconded by Councillor Jim Campbell

Joint Amendment by the Liberal Democrat and Green Groups

City of Edinburgh Council

7 February 2019

Item 8.2 – Review of Locality Committees

To replace the recommendations as follows:

To continue consideration of the Review for a maximum of 3 cycles for a further report to ensure that a fully worked through alternative governance structure could be implemented immediately on approval of any proposed change which would address both the need for democratic accountability of council services at local level and accountability of the council's input as partner to community planning structures, especially the Locality Improvement Plans. The further report should include:

- a. Clear proposals for the scrutiny of local services by elected members and the local community, statutory scrutiny of police and fire services by the council, scrutiny of the locality delivery of EIJB commissioned health and social care council services;
- b. Clear proposals for decision making by local elected members informed by the local community in the distribution of local budgets, NEP and grants and other local funding;
- c. The option of a full remit and structure for a strengthened role for Neighbourhood Networks with greater powers of scrutiny and influence over local budgets and including the option of reviewing the boundaries of neighbourhood networks to ensure they make sense locally and support the efficient and effective conduct of business
- d. A process which will ensure that the Edinburgh Partnership will have a clear governance structure in place immediately on implementation of the recommendations of the Review for all relevant matters relating to the Edinburgh Partnership Community Planning Framework to ensure that the current work of neighbourhood partnerships could be transferred seamlessly.

Moved by Councillor Robert Aldridge

Seconded by Councillor Melanie Main

Addendum by the Conservative Group

City of Edinburgh Council

7 February 2019

Item 8.3 – Planning Statutory Scheme of Delegation

Council

Adds to recommendations

- 1.3 Under Clause 16 of the Scheme of Delegation directs that an immediate review is started, to be completed without delay, specifically to consider:
 - 1.3.1 if objector and refusal numbers should be changed from 20 to 12 in clauses 9, 11 & 12 of the Scheme; and, or
 - 1.3.2 whether additional guidance should be included within the Scheme of Delegation advising the Chief Planning Officer when consultations with representatives of every Political Group on the Planning Committee would be appropriate before using his/her best judgment in relation to the provisions of clause 7 in the Scheme of Delegation.

Moved by Councillor Iain Whyte

Seconded by Councillor Max Mitchell

Amendment by the Green Group

City of Edinburgh Council

7 February 2019

Item 8.3 – Planning Statutory Scheme of Delegation

Delete all recommendations and replace with:

“Council:

1) Notes that since the draft scheme of delegation was discussed at council on 23 August 2018, there has been some community concern expressed that the threshold of 20 objections on householder developments to be determined by officers may be too high;

2) Notes that the decision at council is either to adopt the previously approved scheme, or not to adopt it.

3) Therefore agrees not to adopt the proposed scheme, but rather to refer the matter to Planning Committee to consider whether the objection threshold for applications to be determined by officers is appropriate given previously expressed community concerns, and to consider whether setting a lower threshold, such as 12 objections, would be more appropriate.”

Moved by: Councillor Chas Booth

Seconded by:

Amendment by the Conservative Group

City of Edinburgh Council

7 February 2019

Item 8.4 – Edinburgh Transient Visitor Levy Consultation 2018

Council

Deletes 1.3 to 1.5 and replaces with:

1.3 Notes the significant U-turn by the Scottish Government as part of its tax raising budget agreement with the Green Party where it has indicated it will legislate to allow Councils to consider the implementation of a Transient Visitor levy but that the nature and scope of this proposed legislation remains unclear;

1.4 Considers that the scheme set out in paragraph 3.6 of the report remains deficient as it fails to:

- ensure that any revenues raised through a Transient Visitor Levy are additional and exempt from the calculation of local government block grants;
- detail how any new funding would replace current Council spend on tourist related matters such as spend on festivals and events, city dressing, additional cleaning and maintenance of the City centre public realm, Policing, public transport and City and tourism promotion thus failing to assure citizens that any funds raised would relieve mainstream Council budgets of these responsibilities and allow expansion of mainstream budgets;
- detail how any additional revenue over and above replacement funding might actually be spent;
- detail the administrative costs and burdens on the Council of implementing and ensuring compliance with any scheme, specifically in relation to each of the sectors involved.
- ensure full involvement of the tourism and other business sectors in determining how the proceeds might be used (for example through an empowered and independent Trust rather than an advisory “stakeholder group”)
- guarantee that the full cost of collection is met from proceeds and not borne by the accommodation provider both initially and in the longer term;

1.5 Agrees that the Council hold decision making in abeyance on the introduction of a Transient Visitor Levy until a report is provided by the Chief Executive addressing the issues raised at 1.4 above AND until the nature and scope of legislation on the power in the Scottish Parliament becomes clear.

Moved by Councillor John McLellan

Seconded by Councillor Susan Webber

Addendum by the Green Group

City of Edinburgh Council

7 February 2019

Item 8.4 – Edinburgh Transient Visitor Levy

Consultation 2018

Add new 1.6 to recommendations

- 1.6 Further agrees that the Leader and Deputy Leader will seek assurance from the Scottish Government that enabling legislation will be brought forward as a matter of priority with a view to the powers commencing as soon as is practicable; and seeking clarity on the principle highlighted in 3.5.10 that all income from a TVL will be treated as wholly additional to other forms of revenue support.

Moved by Councillor Gavin Corbett

Seconded by

Addendum by the Liberal Democrat Group

City of Edinburgh Council

7 February 2019

**Item 8.4 – Edinburgh Transient Visitor Levy
Consultation 2018**

Add at end of 1.5:

“making clear that this TVL proposal is designed to raise additional income and is not a substitute for part of the revenue grant which the Council receives from the Scottish Government each year.”

Moved by Councillor Kevin Lang

Seconded by Councillor Neil Ross

Amendment by the Green Group

City of Edinburgh Council

7 February 2019

Item 8.6 – Update Report – Care Inspectorate Progress Review Findings

Delete all and insert,

Council notes:

1. The publication on 4th December 2018 of the Care Inspectorate's progress review conducted in June and July 2018, following a joint inspection by the Care Inspectorate and Healthcare Improvement Scotland of Services for Older People in the city of Edinburgh in 2016;
2. The appointment of a new Chief Officer and Operations Officer in May 2018;
3. The progress review findings that in the Edinburgh Health and Social Care Partnership the pace of change had been slow, including an eight month delay in 2017 in beginning formal planning to address the original findings; that a strategic approach had not been taken to an improvement plan; and that there had not been enough progress in key strategic areas;
4. The review finding that, 'The commitment of frontline staff and some managers had been a substantial strength at the time of the original inspection. This remained the case at the time of the review. Where we could see that improvements had been made these had been taken forward by front line staff and middle managers.'
5. The devastating effect that the failure to deliver the appropriate support when it is needed has, on the health and well-being of older people and their carers on a daily basis, and that in Edinburgh it is not uncommon for large numbers of older people to wait for lengthy periods to get the support they need;

Further notes;

6. The need for the EIJB and the Health and Social Care Partnership to develop strategic leadership and planning that will deliver suitable and timely care for Edinburgh's older people;
7. The role and responsibility, including statutory duties, that the Council has in providing services commissioned by the EIJB for older people in Edinburgh, and the importance of scrutiny by members;

8. Therefore refers this report to Corporate, Policy and Strategy Committee for discussion and scrutiny.

Moved by: Councillor Melanie Main

Seconded by: Councillor Claire Miller

Amendment by the Liberal Democrat Group

City of Edinburgh Council

7 February 2019

**Item 9.3 – Motion by Councillor Corbett – Waste
Collection Service Over the Festive Period 2018-19**

Replace 1) with

“1) Notes significant public concern regarding waste service collections over the festive period 2018-19, the backlog which has arisen since then, and how these issues came on top of the problems which followed the introduction of the new waste collection system in October”.

Moved by Councillor Kevin Lang

Seconded by Councillor Gillian Gloyer

Amendment by the Coalition

City of Edinburgh Council

7 February 2019

Item 9. 4 – Motion by Councillor Burgess – Climate Emergency 2030

Council accepts points 1) – 4), deletes para 5) and replaces with;

“Therefore calls Council to address these concerns within Council’s reponse to professor Kerr’s Audit due for consideration at the Corporate Policy and Strategy Committee in May. This report should include a climate Emergency 2030 target in line with the latest UN IPCC advice on remaining within a global average temperature rise of 1.5 degrees C above pre-industrial levels, an assessment of emissions form the 1990s to date and an action plan setting how this, and further ambitions, can be achieved.”

Moved by Councillor Adam McVey

Seconded by Councillor Cammy Day

Amendment by the Coalition

City of Edinburgh Council

7 February 2019

Item 9.5 – Motion by Councillor Mowat – Purchase of Land at Granton

Council:

Accepts points 1 and 2, replaces points 3 and 4 with:

3) Notes the governance, scrutiny and oversight arrangements in place for the Granton Waterfront programme, which have been agreed by committees of this Council.

4) Notes that progress reports have been scrutinised and agreed by Council committees, including updates on the masterplan and collaboration with local communities and key partners to set and achieve a shared vision, outcomes and objectives.

5) Agrees that a further report detailing progress so far and a clear timeline for a delivery plan be brought to Corporate Policy and Strategy Committee within 2 cycles.

Moved by Councillor Cammy Day

Seconded by Councillor Adam McVey

Amendment by the Coalition

City of Edinburgh Council

7 February 2019

Item 9.6 – Motion by Councillor Staniforth – Ensuring Venues Follow the Fair Fringe Charter

“Council:

Accepts points 1 and 2, replaces points 3 and 4 and adds point 5:

3) Notes that Council developed its own Edinburgh Festivals Workers’ Welfare Commitment, endorsed by Council on 31 May 2018. The Commitment promotes certainty for staff around work breaks, contracted hours, tips and trial shifts. It reminds employers of their legal responsibility to prevent harassment and discrimination.

4) Recognises that Council fulfils the terms of the Edinburgh Festivals Workers’ Welfare Commitment in all its venues and continues to encourage others to follow the example set by the Council.

5) Notes that licensing is a part of the Council which is strictly bound by legislation and the legislation which allows the Council or the licensing sub committee to refuse to grant a licence has very specific grounds for refusal. Officers will report to Culture & Communities Committee in two cycles, setting out the Council’s powers and options in regard to the enforcement of the Edinburgh Festival Workers Welfare Commitment – including any potential to restrict lets to organisations that do not comply”.

Moved by Cllr Donald Wilson

Seconded by Cllr Amy McNeese-Mechan

Amendment by the Coalition

City of Edinburgh Council

7 February 2019

Item 9.8 – Motion by Councillor Whyte – Intelligent Traffic Signals

“Council

Accepts the 1st paragraph and deletes paragraphs 2 – 5 to be replaced with:

Notes the effectiveness and advantages of systems which place greater emphasis and priority on pedestrian safety and sense of comfort in crossing roads, particularly in adding more time for those who may require longer than some to cross roads.

Acknowledges that any significant change to how pedestrians, cyclists and vehicle drivers interact should take place within the context of the City Centre Transformation project which is currently examining a comprehensive range of measures to enhance movement within the city centre and elsewhere in the city.

Instructs the Director of Place to report to Transport and Environment Committee within two cycles (May 2019) on the possibility of installing Pedestrian Countdown at Traffic Signals in Edinburgh. The report, timed to coincide with the expected report on the City Centre Transformation, should outline the results of desk research into systems operated by other UK local authorities, an outline of potential costings, possible locations within Edinburgh, and a timeframe for installation and for collecting and analysing any appropriate data. “

Moved by Councillor Lesley Macinnes

Seconded by Councillor Karen Doran

Addendum by the Green Group

City of Edinburgh Council

7 February 2019

Item 9.8 – Motion by Councillor Whyte – Intelligent Traffic Signals

Add the following wording at the end,

"and agrees this report will also consider other options for improving pedestrian convenience and safety, including, but not limited to, modern puffin crossings and adjustments to pedestrian crossing times, as previously discussed by Transport and Environment Committee on 3 June 2014."

Moved by: Councillor Chas Booth

Seconded by:

Amendment by the Coalition

City of Edinburgh Council

7 February 2019

Item 9.10 – Motion by Councillor Jim Campbell – Budget Consultation

Council:

- 1) Notes the Motion from Councillor Jim Campbell;
- 2) Supports the points raised in the first two sentences;
- 3) Notes that 'Feedback on the Change Strategy and Budget Proposals 2018' was reported to Finance and Resources Committee on 1 February 2019.
- 4) Notes that we have engaged extensively since last October with both staff and the public on the Change Strategy 2019/2023. This has resulted in 1,597 responses to the consultation document, *Planning for Change and Delivering Services*.
- 5) Notes that we have been one of the first authorities in Scotland to publish detailed saving proposals for the next four years and a long-term change strategy – not just a one-year budget. The feedback from this consultation document and the specific budget proposals issued on 18 January 2019 for feedback until 11 February 2019 will be reported to Council on 21 February 2019 along with Integrated Impact Assessments; and
- 6) Commits to a Council-wide, cross-party, evaluation to improve future budget consultation.

Moved by Councillor Alasdair Rankin

Seconded by Councillor Maureen Child

Amendment by the Green Group

City of Edinburgh Council

7 February 2019

**Item 9.10 – Motion by Councillor Jim Campbell –
Budget Consultation**

Keep paras 1 and 2

Delete paras 3 and 4 and replace with

Recognises the value in the council seeking feedback on medium term budget strategy, particularly in light of the national budget agreement secured by Green MSPs which includes a commitment to 3 year budget settlements and a fiscal framework; however, equally recognises that people in the city expect to be able to offer views on specific budget options in a timely and meaningful way; and therefore agrees to a review of budget engagement process to be reported to Finance and Resources Committee before end of May 2019.

Moved by Councillor Gavin Corbett

Seconded by

Amendment by the Conservative Group

City of Edinburgh Council

7 February 2019

**Item 9.11 – Motion by Councillor Booth – Settled
Status for EU Citizens**

Council

Deletes clauses 4), 5), and 6).

Moved by Councillor Phil Duggart

Seconded by Councillor Stephanie Smith

Emergency Motion by the Coalition

City of Edinburgh Council

7 February 2018

Emergency Motion – LGBT History Month

That Council;

- 1) Recognises February as LGBT + History Month, both in 2019 and going forward.
- 2) Calls on elected members to do their part both locally and, where relevant, through the responsibility of their office, to stand up and champion LBGT + people and support LGBT + history month.
- 3) Marks this event accordingly by flying the pride flag from City Chambers for the duration of month of February as a gesture of support.

Moved by Councillor Cammy Day

Seconded by Councillor Adam McVey