

## The City of Edinburgh Council

Edinburgh, Thursday 13 December 2018

Present:-

### LORD PROVOST

The Right Honourable Frank Ross

### COUNCILLORS

Robert C Aldridge  
Scott Arthur  
Gavin Barrie  
Eleanor Bird  
Chas Booth  
Claire Bridgman  
Mark A Brown  
Graeme Bruce  
Steve Burgess  
Lezley Marion Cameron  
Ian Campbell  
Jim Campbell  
Kate Campbell  
Mary Campbell  
Maureen M Child  
Nick Cook  
Gavin Corbett  
Cammy Day  
Alison Dickie  
Denis C Dixon  
Phil Duggart  
Karen Doran  
Scott Douglas  
Catherine Fullerton  
Neil Gardiner  
Gillian Gloyer  
George Gordon  
Ashley Graczyk  
Joan Griffiths  
Ricky Henderson

Derek Howie  
Graham J Hutchison  
Andrew Johnston  
David Key  
Callum Laidlaw  
Kevin Lang  
Lesley Macinnes  
Melanie Main  
Amy McNeese-Mechan  
Adam McVey  
Claire Miller  
Max Mitchell  
Joanna Mowat  
Gordon J Munro  
Hal Osler  
Ian Perry  
Alasdair Rankin  
Lewis Ritchie  
Cameron Rose  
Neil Ross  
Jason Rust  
Stephanie Smith  
Alex Staniforth  
Mandy Watt  
Susan Webber  
Iain Whyte  
Donald Wilson  
Norman J Work  
Louise Young

## **1 Health and Safety Compliance - Motion by Councillor Cameron**

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### **a) Deputation from UNISON**

The deputation indicated that they were committed to ensuring that the health, safety and wellbeing of its members, colleagues and service users should be at the forefront of everything the Council did. They felt that the current arrangements for Health and Safety Working Groups were unstructured, unaccountable and did not engage with the Trade Unions and as a result they had withdrawn them.

The deputation raised concerns regarding risk assessments, lack of training, the issue of personal protective clothing, the lack of fire wardens and first aiders, the increase of threats of abuse towards staff and service-users, issues with office lighting and single home-care working.

The deputation called for the re-introduction of Health and Safety Committees and would welcome constructive and meaningful engagement in moving forward this issues for the benefit of all concerned.

### **b) Motion by Councillor Cameron**

The following motion by Councillor Cameron was submitted in terms of Standing Order 16:

“Asks that Council:

- 1) Agrees that the Health and Safety of our Council staff and our service users is paramount.
- 2) Seeks a report to be submitted to the Health and Safety forum (and thereafter to Finance and Resources Committee) on the effectiveness of current governance arrangements; and monitoring and reporting procedures for health and safety.

This report should:

- a) advise on how swiftly the reintroduction of formally constituted Health and Safety Committees throughout all Council service areas\* can happen. All trade unions with representation in this Council should be involved and consulted on this.
- b) contains assurance (from all Directorates) that the Council is compliant with all pertinent health and safety legislation.

\* In keeping with the Health and Safety Executive’s Code of Practice and Guidance covered by the Safety Representatives and Safety Committees

Regulations 1977 (as amended) and the Health and Safety (Consultation with Employees) Regulations 1996 (as amended).”

### **Motion**

To approve the motion by Councillor Cameron.

- moved by Councillor Cameron, seconded by Councillor Rankin

### **Amendment 1**

- 1) Agrees that the health and safety of our Council staff and our service users is paramount. As such, welcomes the Council’s current review of Health and Safety governance arrangements.
- 2) Seeks a report to be submitted to the Health and Safety Forum (and thereafter to Finance and Resources Committee) on the effectiveness of current governance arrangements; and monitoring and reporting procedures for health and safety.

With a view to contributing to on-going compliance with all pertinent health and safety legislation, working in partnership with all trade unions with representation in this Council, this report should include a reintroduction of formally constituted Health and Safety Committees throughout all Council service areas in keeping with the Health and Safety Executive’s Code of Practice and Guidance covered by the Safety Representatives and Safety Committees Regulations 1977 (as amended) and the Health and Safety (Consultation with Employees) Regulations 1996 (as amended).

- moved by Councillor Doran, seconded by Councillor Fullerton

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

### **Amendment 2**

To approve the motion by Councillor Cameron as originally submitted.

- moved by Councillor Whyte, seconded by Councillor Jim Campbell

### **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	36 votes
For Amendment 2 (the motion as originally submitted)	-	24 votes

(For the motion (as adjusted): The Lord Provost, Councillors Arthur, Barrie, Bird, Booth, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Graczyk, Griffiths,

Henderson, Howie, Key, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munro, Perry, Rankin, Staniforth, Watt, Wilson and Work

For Amendment 2: Councillors Aldridge, Bridgman, Brown, Bruce, Jim Campbell, Cook, Duggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, Mitchell, Mowat, Osler, Ritchie, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.)

## **Decision**

To approve the following adjusted motion by Councillor Cameron:

- 1) To agree that the health and safety of our Council staff and our service users was paramount. As such, to welcome the Council's current review of Health and Safety governance arrangements.
- 2) To seek a report, to be submitted to the Health and Safety Forum (and thereafter to Finance and Resources Committee) on the effectiveness of current governance arrangements; and monitoring and reporting procedures for health and safety.

With a view to contributing to on-going compliance with all pertinent health and safety legislation, working in partnership with all trade unions with representation in this Council, this report should include a reintroduction of formally constituted Health and Safety Committees throughout all Council service areas in keeping with the Health and Safety Executive's Code of Practice and Guidance covered by the Safety Representatives and Safety Committees Regulations 1977 (as amended) and the Health and Safety (Consultation with Employees) Regulations 1996 (as amended).

## **2 Minutes**

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### **Decision**

To approve the minute of the Council of 22 November 2018 as a correct record.

## **3 Questions**

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The questions put by members to this meeting, written answers and supplementary questions and answers are contained in Appendix 1 to this minute.

## **4 Leader's Report**

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The Leader presented his report to the Council. He commented on:

- Edinburgh – Best City in the World to Live/Best City in the UK to Work
- Proposed Film Studio in Leith
- Transient Visitor Levy – Consultation

- Comments by Jeremy Balfour MSP regarding West Lothian Council's weather preparedness

The following questions/comments were made:

- |                          |   |
|--------------------------|---|
| Councillor Whyte         | - Council Services – progress on older peoples services   |
| Councillor Mary Campbell | - Budget cuts – action to improve Council's budget position   |
| Councillor Aldridge      | - Budget – real terms increase in funding   |
| Councillor Day           | - Disappointment at draft Budget –continuation of lobbying ministers  |
| Councillor Key           | - Thanks to officers and members for donations to fundraiser<br>- Staff at Bruntsfield Primary School – support for his child<br>- Edinburgh Culture and Arts – importance of delivering the best |
| Councillor Johnston      | - Consultation on Tourist Tax – Future Leader's report – issues which can be delivered  |
| Councillor Booth         | - Professor Andy Kerr – Review of the Council's approach to Sustainable Development   |
| Councillor Lang          | - Delivery of core services   |
| Councillor Munro         | - Two child cap – budget cuts/budget pressures/formal representations   |
| Councillor Howie         | - Successful year for the City of Edinburgh Council   |
| Councillor Rose          | - Edinburgh Integration Joint Board – projected overspend – qualities of Chair to lead this crisis  |
| Councillor Nick Cook     | - Concerns regarding changes to waste services in October 2018  |
| Councillor Watt          | - Local Government Funding  |
| Councillor Arthur        | - Colinton Community Council – proposed closure of Colinton public toilets  |

Councillor Burgess - Health and Social Care Grants – proposed actions in response to concerns

## **5 Grant Standing Orders and Scheme of Delegation to Officers**

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Details were provided on proposed Grant Standing Orders to provide guidance, controls and regulate the grant application and award process throughout the Council and on behalf of the Edinburgh Integration Joint Board. Proposals to amend the Scheme of Delegation to Officers to implement these changes were outlined.

### **Motion**

- 1) To approve the introduction of Grant Standing Orders and agree Appendix 1 to the report by the Chief Executive to take effect from 14 December 2018.
- 2) To repeal the Scheme of Delegation to Officers and approve in its place Appendix 2 to the report, such repeal and approval to take effect from 14 December 2018.
- 3) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in Appendices 1 and 2 to the report as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents.

- moved by Councillor McVey, seconded by Councillor Day

### **Amendment 1**

To insert a new paragraph 3) to the motion by Councillor McVey as follows and renumber existing 3) to become 4):

- “3) To request that an amendment be made to the Scheme of Delegation so that officers shall have delegated powers to make Traffic Regulation Orders under the Road Traffic Regulation Act 1984 where there had been not more than 6 material objections”

- moved by Councillor Main, seconded by Councillor Booth

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

### **Amendment 2**

To approve the motion as moved by Councillor McVey

- moved by Councillor Cook, seconded by Councillor Mowat

## Voting

The voting was as follows:

For the Motion (as adjusted)	-	36 votes
For Amendment 2	-	24 votes

(For the motion (as adjusted): The Lord Provost, Councillors Arthur, Barrie, Bird, Booth, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Key, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munro, Perry, Rankin, Ritchie, Staniforth, Watt, Wilson and Work

For Amendment 2: Councillors Aldridge, Bridgman, Brown, Bruce, Jim Campbell, Cook, Daggart, Douglas, Gloyer, Graczyk, Hutchison, Johnston, Laidlaw, Lang, Mitchell, Mowat, Osler, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.)

## Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To approve the introduction of Grant Standing Orders and agree Appendix 1 to the report by the Chief Executive to take effect from 14 December 2018.
- 2) To repeal the Scheme of Delegation to Officers and approve in its place Appendix 2 to the report, such repeal and approval to take effect from 14 December 2018.
- 3) To request that an amendment be made to the Scheme of Delegation so that officers shall have delegated powers to make Traffic Regulation Orders under the Road Traffic Regulation Act 1984 where there had been not more than 6 material objections
- 4) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in Appendices 1 and 2 to the report as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents.

(Reference - report by the Chief Executive, submitted)

## 6 Edinburgh Learns

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Details were provided on the approach taken to ensure that the City of Edinburgh schools improved performance and delivered the highest quality education, particularly for children impacted by poverty or the care system. This had culminated in a strategy entitled Edinburgh Learns which positioned the City as one which valued and promoted learning in a dynamic and enduring way.

## **Decision**

- 1) To note the development of the strategic guidance known as Edinburgh Learns.
- 2) To note the arrangements for stakeholder engagement.
- 3) To approve the arrangements for governance.
- 4) To request further updates on an annual basis.

(Reference – report by the Executive Director for Communities and Families, submitted.)

## **7 Treasury Strategy: Mid-term Report 2018/19 – referral from the Finance and Resources Committee**

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The Finance and Resources Committee had referred a report which provided an update on Treasury Management Activity undertaken in the first half of 2018/19, to the Council, for approval of the Treasury Management Strategy.

### **Decision**

- 1) To approve the Treasury Management Strategy.
- 2) To refer the report to the Governance, Risk and Best Value Committee for scrutiny.

(References – Finance and Resources Committee 4 December 2018 (Item 12); referral from the Finance and Resources Committee, submitted.)

## **8 Senior Councillor Allowances**

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The Council had agreed senior Councillor remuneration to Councillor Mary Campbell as co-leader of the Green Group with effect from 29 June 2018. Details were provided on a proposal that this be allocated to Councillor Booth to take effect from 29 December 2018.

### **Decision**

To agree to transfer the Senior Councillor Allowance relating to the Green Group Leader from Councillor Mary Campbell to Councillor Booth, with effect from 29 December 2018.

(References – Act of Council No 8 of 28 June 2018; report by the Chief Executive, submitted.)



## 9 Scottish Government Funding Offer for Rapid Access Accommodation

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Details were provided on a proposal by Streetwork to deliver additional rapid access accommodation in Edinburgh for a period of a year as part of the winter initiative programme. The Scottish Government had offered funding of 50% of the costs of the programme on the condition that the Council funded the remainder.

### Decision

To agree in principle to support the initiative and to consider the Council's financial contribution through the 2019/20 budget process.

(Reference - report by the Executive Director for Communities and Families, submitted.)

## 10 Later Living Housing – Motion by Councillor Jim Campbell

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The following motion by Councillor Jim Campbell was submitted in terms of Standing Order 16:

“Council

- 1) Anticipates an increase in demand for housing suitable for later living across all tenures.
- 2) Recognises that building standards have improved the adaptability of modern houses for flexible use, including later living.
- 3) But notes that many individuals look to downsize as they approach later living.
- 4) Therefore, asks Officers to prepare a report for the Housing and Economy Committee within two cycles outlining the potential opportunities and barriers for individuals to move into the most suitable later living accommodation provided through open market, RSL, and Council-led provision.”

### Motion

To approve the motion by Councillor Jim Campbell

- moved by Councillor Jim Campbell, seconded by Councillor Webber

### Amendment 1

That Council:

- 1) Accepts points “1)” to “3)” of the motion by Councillor Jim Campbell

- 2) Deletes all from "4)" and adds
  - 4) Recognises that the SHIP report to the Housing and Economy Committee in November 2018, included the following information:
    - Around 9% of the homes approved in the first two years of the SHIP are specifically designed for older people and those with complex needs.
    - That the majority of new build properties funded through the AHSP are designed to meet the Housing for Varying Needs Standard.
    - The SHIP includes grant funding of £500,000 annually for RSLs to carry out adaptations to homes to enable people to remain in their own homes and to live independently.
  - 5) Therefore, asks Officers to prepare a progress report for the Housing and Economy Committee in three cycles that updates the Committee on the success of these existing policies and whether further steps can be taken to accelerate the delivery of later living accommodation, including the identification of any barriers across all tenures.

- moved by Councillor Kate Campbell, seconded by Councillor Cameron

### **Amendment 2**

Insert new paragraph at the end of the motion by Councillor Jim Campbell as follows:

“The report referred to above should also explore opportunities for co-housing in Edinburgh, as it is currently a popular choice for retirement in several other European countries.”

- moved by Councillor Miller, seconded by Councillor Main

In accordance with Standing Order 21(11), Amendments 1 and 2 were accepted as addendums to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Jim Campbell:

- 1) To anticipate an increase in demand for housing suitable for later living across all tenures.
- 2) To recognise that building standards had improved the adaptability of modern houses for flexible use, including later living.

- 3) To note that many individuals looked to downsize as they approached later living.
- 4) To recognise that the SHIP report to the Housing and Economy Committee in November 2018, included the following information:
  - Around 9% of the homes approved in the first two years of the SHIP are specifically designed for older people and those with complex needs.
  - That the majority of new build properties funded through the AHSP are designed to meet the Housing for Varying Needs Standard.
  - The SHIP includes grant funding of £500,000 annually for RSLs to carry out adaptations to homes to enable people to remain in their own homes and to live independently.
- 5) Therefore, asks Officers to prepare a progress report for the Housing and Economy Committee in three cycles that updates the Committee on the success of these existing policies and whether further steps could be taken to accelerate the delivery of later living accommodation, including the identification of any barriers across all tenures. The report should also explore opportunities for co-housing in Edinburgh, as it was currently a popular choice for retirement in several other European countries.

## 11 On-the-Spot Litter Fines – Motion by Councillor Cook

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The following motion by Councillor Cook was submitted in terms of Standing Order 16:

“Council

Acknowledges the importance of discouraging people from dropping litter; supports recent calls to increase the fixed penalty notice for littering from £80 to £100; agrees that a letter from the local authority will be sent to the Scottish Government making clear the City of Edinburgh Council’s support for increasing the default on-the-spot litter fine from £80 to £100 and to request that Ministers implement this change as quickly as possible.”

### **Motion**

To acknowledge the importance of discouraging people from dropping litter; support recent calls to increase the fixed penalty notice for littering; agree that a letter from the local authority would be sent to the Scottish Government making clear the City of Edinburgh Council’s support for increasing the default on-the-spot litter fine, and to request that Ministers implement this change as quickly as possible.

- moved by Councillor Cook, seconded by Councillor Johnston

## **Amendment**

To delete paragraph 1) of the motion by Councillor Cook and replace with

“To acknowledge the importance of discouraging people from dropping litter and agree that the Convener of the Transport and Environment Committee write to the Scottish Government making clear the City of Edinburgh Council’s support for increasing the default on-the-spot litter fines including fines for dog fouling and fly tipping.”

- moved by Councillor Macinnes, seconded by Councillor Doran

In accordance with Standing Order 21(11), the wording “including fines for dog fouling and fly tipping“ in the amendment was accepted as an addendum to the motion moved by Councillor Cook.

## **Decision**

To approve the following adjusted motion by Councillor Cook:

To acknowledge the importance of discouraging people from dropping litter; support recent calls to increase the fixed penalty notice for littering; agree that a letter from the local authority would be sent to the Scottish Government making clear the City of Edinburgh Council’s support for increasing the default on-the-spot litter fine, including fines for dog fouling and fly tipping, and request that Ministers implement this change as quickly as possible.

## **12 Modelling Externalities – Motion by Councillor Jim Campbell**

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The following motion by Councillor Jim Campbell was submitted in terms of Standing Order 16:

“Council

- 1) Recognises the externalities that transport impose.
- 2) Is concerned to understand the displacement externalities of closing streets to through traffic.
- 3) Therefore, will impose a moratorium on any street closure until such time as the best endeavours of Council Officers show any negative impact on other streets will not breach current or future air quality objectives.”

## **Motion**

To approve the motion by Councillor Jim Campbell.

- moved by Councillor Jim Campbell, seconded by Councillor Mowat

## **Amendment**

To delete all of the motion and replace with:

“Council

- 1) Notes that road closures can improve the safety, health and well-being of pedestrians and cyclists and create improved city living spaces;
- 2) Notes that road closures may generate positive or negative changes in the road network. In some cases there may be modal shift and/or vehicle displacement: these patterns can be complex and traffic flows should be looked at as a whole, with opportunities taken to reduce overall traffic volumes and to improve conditions for those travelling by sustainable modes;
- 3) Notes that there are times when roads are closed temporarily: sometimes for very short periods such as Playing Out schemes, sometimes to allow for vital development or infrastructure work;
- 4) Agrees that for permanent road closures, council officers will consider possible implications for the transport mode hierarchy (prioritising pedestrians, followed by cyclists and then public transport users), and for traffic displacement, at the same time as opportunities for traffic reduction. Where displacement is identified as an issue, officers shall identify and implement measures to mitigate the effects of that displacement, taking into account the transport mode hierarchy.

- moved by Councillor Booth, seconded by Councillor Burgess

In accordance with Standing Order 21(11), the amendment was adjusted and accepted as an addendum to the motion moved by Councillor Jim Campbell.

## **Decision**

To approve the following adjusted motion by Councillor Jim Campbell:

- 1) To note that road closures could improve the safety, health and well-being of pedestrians and cyclists and create improved city living spaces.
- 2) To note that road closures may generate positive or negative changes in the road network. In some cases there may be modal shift and/or vehicle displacement: these patterns can be complex and traffic flows should be looked at as a whole, with opportunities taken to reduce overall traffic volumes and to improve conditions for those travelling by sustainable modes.
- 3) To note that there were times when roads were closed temporarily: sometimes for very short periods such as Playing Out schemes, sometimes to allow for vital development or infrastructure work.

- 4) To agree that for permanent road closures, council officers would consider possible implications for residents and for the transport mode hierarchy (prioritising pedestrians, followed by cyclists and then public transport users), and for traffic displacement, at the same time as opportunities for traffic reduction. Where displacement was identified as an issue, officers should identify and implement measures to mitigate the effects of that displacement, taking into account the transport mode hierarchy.

### **13 Post-Study Work Visa – Motion by Councillor Staniforth**

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The following motion by Councillor Staniforth was submitted in terms of Standing Order 16:

“Council:

- 1) Notes that the post-study work visa, which allowed international students to remain in the UK for work up to two years after their studies concluded, was abolished in 2012.
- 2) Notes that Edinburgh is a university city and that its universities attract students from all over the world.
- 3) Notes the recent launch of the ‘Post Study Work Visa Now!’ campaign calling for the return of the post study work visa.
- 4) Notes that international students are of social, cultural and economic benefit to Edinburgh both during and after their studies.
- 5) Notes that the UK’s withdrawal from the EU may mean a great many more international students will lose the right to seek work in the UK after their studies.
- 6) Supports the call for a return of the post study work visa.
- 7) Instructs the Council Leader to write to the Home Secretary making clear Edinburgh’s support for a post study work visa and asking the government to reintroduce the post study work visa by the end of the current academic year.”

#### **Decision**

To approve the motion by Councillor Staniforth.

## 14 HMS Edinburgh — Motion by Councillor Douglas

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The following motion by Councillor Douglas was submitted in terms of Standing Order 16:

“Council

- 1) Welcomes the announcement of the name of the new HMS Edinburgh, one of the new Type 26 Frigates to be built on the Clyde;
- 2) Recognises the huge boost the building of the Type 26 Frigates brings to the Scottish economy, securing hundreds of skilled jobs for the next twenty years;
- 3) Acknowledges the important role the HMS Edinburgh will play in protecting our new aircraft carriers and in helping keep British interests safe across the world;
- 4) Understands the proud history the name ‘Edinburgh’ carries in our navy, with six previous ships having carried the name between 1707 and 2013, with the last ship having an operational career that included deployment in the Atlantic, Baltic, Mediterranean, Gulf and Indian Ocean during 28 years of service.”

### **Motion**

To approve the motion by Councillor Douglas.

- moved by Councillor Douglas, seconded by Councillor Rust

### **Amendment**

To welcome the announcement of the name of the new HMS Edinburgh, one of the new Type 26 Frigates to be built on the Clyde.

- moved by Councillor Wilson, seconded by Councillor McNeese-Mechan

### **Voting**

The voting was as follows:

For the motion	-	22 votes
For the amendment	-	34 votes

(For the motion: Councillors Aldridge, Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, Mitchell, Mowat, Osler, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.

For the amendment: The Lord Provost, Councillors Arthur, Bird, Booth, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Key,

Macinnes, McNeese-Mechan, McVey, Main, Miller, Munro, Perry, Rankin, Staniforth, Watt, Wilson and Work.

Abstentions: Councillors Barrie, Bridgman, Graczyk and Ritchie.)

### **Decision**

To approve the amendment by Councillor Wilson.

## **15 Chair**

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At this point in the proceedings the Lord Provost left the meeting and the Depute Convener assumed the Chair for the remaining items of business.

## **16 Physical Activity Strategy – Motion by Councillor Aldridge**

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The following motion by Councillor Aldridge was submitted in terms of Standing Order 16:

“Council notes that the most recent physical activity and sport strategy for the Council ended in 2017.

Council further notes the decision of the Culture and Communities Committee in June 2018 that a new strategy should be developed.

Council further notes that aspects of physical activity for the city are incorporated in different departments of the Council and with partners (Communities and Families, IJB, Edinburgh Leisure, Place etc).

Council believes that a co-ordinated strategy with common objectives and agreed priorities will be an essential element to achieve a number of the council’s objectives.

Council therefore calls for the new Physical Activity and Sport Strategy to be drawn up with co-operation of all relevant partners both within and outside the Council and to be reported to the Corporate Policy and Strategy Committee in 3 cycles to ensure a co-ordinated approach to Physical Activity and Sport across Council departments and the Council’s partners.”

### **Motion**

To approve the motion by Councillor Aldridge.

- moved by Councillor Aldridge, seconded by Councillor Osler



## **Amendment**

Council:

Accepts paragraphs 1-4 of the motion by Councillor Aldridge:

Amends paragraph 5 to replace 'Corporate Policy and Strategy Committee' with 'Culture and Communities Committee';

Adds a new paragraph 6) "The strategy should include arrangements which strive to include all of our citizens in terms of access to all forms of physical activity in line with the equality legislation"; and

Adds a new paragraph 7) "Council further instructs Committee Services to invite Councillor Aldridge to the relevant Culture and Communities meeting when the report is included on the agenda".

- moved by Councillor Wilson, seconded by Councillor McNeese-Mechan

In accordance with Standing Order 21(11), the amendment was accepted as an addendum to the motion.

## **Decision**

To approve the following adjusted motion by Councillor Aldridge:

Council notes that the most recent physical activity and sport strategy for the Council ended in 2017.

Council further notes the decision of the Culture and Communities Committee in June 2018 that a new strategy should be developed.

Council further notes that aspects of physical activity for the city were incorporated in different departments of the Council and with partners (Communities and Families, IJB, Edinburgh Leisure, Place etc).

Council believes that a co-ordinated strategy with common objectives and agreed priorities would be an essential element to achieve a number of the Council's objectives.

Council therefore calls for the new Physical Activity and Sport Strategy to be drawn up with co-operation of all relevant partners both within and outside the Council and to be reported to the Culture and Communities Committee in 3 cycles to ensure a co-ordinated approach to Physical Activity and Sport across Council departments and the Council's partners.

The strategy should include arrangements which strove to include all of our citizens in terms of access to all forms of physical activity in line with the equality legislation.

Council further instructs Committee Services to invite Councillor Aldridge to the relevant Culture and Communities Committee meeting when the report was included on the agenda.

## **17 Bethany Christian Trust – Motion by Councillor Day**

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The following motion by Councillor Day was submitted in terms of Standing Order 16:

“Given the continued rise in homelessness across the UK and Scotland, with an estimated 80-120 individuals sleeping rough on the streets of Edinburgh on any one night, asks that Council:

- 1) Recognises the vital work of the ‘Bethany Christian Trust’ to alleviate homelessness across Scotland and;
- 2) in particular, thanks the Bethany Christian Trust for their services provided to the City of Edinburgh to help those at risk of, or currently experiencing, homelessness or rough sleeping. The Bethany Christian Trust, established in 1983, provide emergency assistance and resettlement projects, alongside continued visiting support and community development projects. Established in 1996, the Trust’s Care shelter in the city has provided over 91,500 bed spaces in total, with over 8,000 beds provided during last year’s winter.
- 3) Notes the urgent call made for various items for the Winter care shelter this year: <http://www.bethanychristiantrust.com/news-article/items-urgently-needed-bethanys-winter-care-shelter/>
- 4) Considers donating key items (particular those urgently needed such as sleeping bags, socks & mens underwear) directly to the Bethany Trust during the December Council session.”

### **Decision**

To approve the motion by Councillor Day.

## **18 30<sup>th</sup> Anniversary of UN Convention on the Rights of the Child – Motion by Councillor Bird**

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The following motion by Councillor Bird was submitted in terms of Standing Order 16:

“Council notes:

That 2019 marks the 30th Anniversary of the UN Convention on the Rights of the Child, which contains the four core principles of non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child.

The work that has already been undertaken within the Council over this Year of Young People to prioritise the needs of our children and young people, including the Children’s Services Plan, the 1 in 5: Raising Awareness of Child Poverty Campaign and our Care Experienced Champion’s Board.

Council:

Welcomes the announcement by the Scottish Government in their Programme for Government that the UNCRC is to be incorporated into Scots Law to make it binding and not just guiding, as well as promoting a rights-based approach that gives children and young people the power to know what is wrong.

Recognises the role of both staff and Elected Members in enshrining the 54 articles across all Council decision making and service delivery.”

### **Motion**

To approve the motion by Councillor Bird.

- moved by Councillor Bird, seconded by Councillor Perry

### **Amendment**

In paragraph three of the motion by Councillor Bird, delete “Welcomes the announcement by the Scottish Government in their Programme for Government that the UNCRC is to be incorporated into Scots Law to make it binding and not just guiding, as well as promoting a rights-based approach that gives children and young people the power to know what is wrong.”

And insert

“Believes the full UNCRC should be incorporated into Scots law and not just the “principles” as stated in the Scottish Government’s Programme for Government, and seeks confirmation from Scottish Ministers that the relevant legislation will be tabled in time for it to be passed in this term of the Scottish Parliament.”

- moved by Councillor Lang, seconded by Councillor Young

### **Voting**

The voting was as follows-

For the motion	-	53 votes
For the amendment	-	6 votes

(For the motion: The Depute Convener, Councillors Arthur, Barrie, Bird, Booth, Bridgman, Brown, Bruce, Burgess, Cameron, Ian Campbell, Jim Campbell, Kate Campbell, Mary Campbell, Child, Cook, Corbett, Day, Dickie, Dixon, Duggart, Doran,

Douglas, Fullerton, Gardiner, Gordon, Graczyk, Henderson, Howie, Hutchison, Johnston, Key, Laidlaw, Macinnes, McNeese-Mechan, McVey, Main, Miller, Mitchell, Mowat, Munro, Perry, Rankin, Ritchie, Rose, Rust, Smith, Staniforth, Watt, Webber, Whyte, Wilson and Work.

For the amendment: Councillors Aldridge, Gloyer, Lang, Osler, Neil Ross and Young.)

### **Decision**

To approve the motion by Councillor Bird.

## **19 Boroughmuir High School – Motion by Councillor Arthur**

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The following motion by Councillor Arthur was submitted in terms of Standing Order 16:

“Asks that Council:

- 1) Notes that Boroughmuir High School has been consistently rated as one of Scotland’s top state schools and that this can be attributed to an excellent partnership between staff, parents, pupils and the wider community.
- 2) Notes that the new Boroughmuir High School building is an excellent facility which resulted from staff, parents, pupils and the wider community being involved in the design process.
- 3) Aspires to maintaining this excellent record and is working to ensure all schools in Edinburgh support their pupils to help them reach their full potential.
- 4) Congratulates Boroughmuir High School for being recognised as “Scottish State Secondary School of the Year” by the authoritative “Sunday Times Schools Guide 2019” as published on 25th of November 2018. It is notable that the school’s exam results are sector leading across all levels of ability.
- 5) Recognises that the school community achieved this accolade at the same time as maintaining pupil achievement whilst relocating to new premises midway through the academic year.

Asks that the Lord Provost marks this significant achievement in an appropriate manner.”

### **Decision**

To approve the motion by Councillor Arthur.

## Declaration of Interests

Councillor Arthur declared a non-financial interest in the above item as the parent of a young person attending Boroughmuir High School.

## 20 Fast Food Advertising on Council Owned Sites – Motion by Councillor Lang

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The following motion by Councillor Lang was submitted in terms of Standing Order 16:

- “1) Council notes:
  - that 29% of children in Scotland are considered overweight with 14% at risk of being obese.
  - research from Food Standards Scotland that shows nine out of ten people in Scotland think obesity is a serious problem in the country.
  - the Scottish Government’s target to half childhood obesity levels in half by 2030.
- 2) Council notes the decision of the Mayor of London to ban fast food advertising across the London public transport network after 82% of respondents to a public consultation supported such a change in policy.
- 3) Council further notes that a similar ban came into force in Amsterdam last January.
- 4) Council seeks a feasibility report to the Finance & Resources Committee within two cycles setting out;
  - the legal powers available to ban fast food advertising on sites owned by the Council, including bus and tram stops.
  - a draft timetable for a public consultation to determine residents’ and stakeholders’ views of such a ban in the Capital.
  - a financial appraisal of any new restrictions, including the projected loss of annual income and the opportunities which may exist to replace such revenue from other advertising sources.”

## Decision

To note that Councillor Lang had withdrawn his motion.

## Appendix 1

(As referred to in Act of Council No 3 of 13 December 2018)

### QUESTION NO 1

**By Councillor Mary Campbell for answer by the Convener of the Education, Children, and Families Committee at a meeting of the Council on 13 December 2018**

#### Question

Following the announcement from the Scottish Government on the 21st of November 2018, of £1 billion for new school building programmes beginning in 2021, what representations has the Convener made to Scottish ministers to ensure that schools in Edinburgh are a high priority for funding?

#### Answer

The Council's Wave 4 investment plan has been shared with Scottish Ministers. The Convener has written to the Deputy First Minister twice to request a timescale for the funding announcement and emphasise its importance for the Edinburgh school replacement programme.

The Vice-Convener has raised the matter informally with the Deputy First Minister on a number of occasions and welcomes the Scottish Government announcement of £1 billion for the new school buildings programme.

Appropriate engagement with the Scottish Government at both political and officer level will continue as the programme develops and we look forward to working together to help deliver the Council's Wave 4 investment plan.

#### Supplementary Question

Thank you Lord Provost and I thank the Convener for his answer. I would like to get some clarification for the communities in Trinity, Currie, Wester Hailes, Liberton and Balerno that the Council will be looking to start preparatory work on new secondary schools in advance of the 2021 fund to ensure that work on schools can begin as soon as funding certainty is secured.

**Supplementary  
Answer**

Thank you very much for your supplementary question. I think I remember that at the last Committee, when there was a report on Wave 4, we agreed to start preparatory work in all the Wave 4 schools. What we did do is agree to take Trinity and Castlebrae to the design phase and hopefully in the second stage we can get the others to the design phase too.

## QUESTION NO 2

**By Councillor Corbett for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 13 December 2018**

### **Question**

What representations on behalf of the City Council did the Convener make in his meeting about the budget settlement with the Minister for Public Finance and Digital Economy on 22 November 2018 and any subsequent meetings or correspondence; and what feedback has he had following those meetings?

### **Answer**

The meeting with the Minister covered the Council's financial position, the Barclay review recommendations, the main pressures on the budget, such as health and social care and rising school rolls, and our request that the Scottish Government take these fully into consideration in formulating the Local Government Financial Settlement.

This was a productive meeting where our points were taken on board by the Government. I will be following any relevant actions up with the Council Leader through the budget process.

### **Supplementary Question**

Thanks to the Convener for the answer which was about the meetings with the relevant Minister in regard to the budget settlement. Obviously my question was lodged and the answer prepared before the draft statement on the Scottish budget yesterday. So just by way of clarification and in advance of the draft Edinburgh settlement coming this Monday, does the Convener feel now that COSLA has argued that the core local government settlement has been cut in cash terms by 2% and our own budget assumption assumes a budget cut of 0.4%, does he feel confident that Edinburgh will get the settlement it needs on Monday?



**Supplementary  
Answer**

I thank Councillor Corbett for his question. This is of course a very early stage and I understand that a lot of the figures are being verified at the moment and as you remember there was a correction that had to be made last year. I'm hoping we don't have to have a procedure like that and that the figures turn out to be what they were originally stated to be. We are at an early stage in the process, there are still negotiations to go on in the Scottish Parliament and I don't want to pre-empt and I certainly can't predict what those are going to be, but I think when it comes to the position at the moment it's probably best to suspend judgment until we've gone through the figures in detail. Interesting that COSLA came out so early with the figures they did, I don't know if they've done all their checking or whatever, I don't know whether that's something that will stand the test of time or closer scrutiny of the figures that the Scottish Government's provided and it is early days and as you say Councillor Corbett, we will be in much better position to look at the figures in more detail with more confidence in them on Monday.

### QUESTION NO 3

**By Councillor Corbett for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 13 December 2018**

#### **Question**

Given the estimated £28m gap in budget for 2019-20 and the estimated cumulative gap of £106m by 2022-23, can the Convener outline for the current year, 2018-19, what the impact on the city's budget would be if the 85% floor rule were applied before rather than after the inclusion of estimated council tax receipts.

#### **Answer**

Revenue funding available from Council Tax forms an integral part of the needs assessment underpinning the Local Government Finance Settlement. By extension, it is not appropriate for the 85% per capita sum to be calculated without similar reference to each authority's domestic tax base.

#### **Supplementary Question**

I thank the Convener for the answer. I'd like to seek clarification. I did some of my own sums on this and estimated the Edinburgh would be almost £50m better off if the 85% floor was applied before Council Tax receipts were taken into account. So given the Convener's somewhat loyal answer, I wondered if he'd undertake to verify whether my sums are accurate?

#### **Supplementary Answer**

Well I thank Councillor Corbett for bringing a very technical issue about Local Government finance to this Chamber. I think if you look at the way in which the formula is done, it has to take all these considerations into account, including the Council Tax revenue and I don't think it would make a great deal of sense to come up with a figure which excludes one crucial element of the overall calculation, that would certainly be hypothetical and I don't think it would end up being material.

**QUESTION NO 4**

**By Councillor Lang for answer by the  
Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 13 December 2018**

**Question** (1) How many street lights currently have a reported fault needing repaired, broken down by ward?

**Answer** (1) There are 2,850 street lighting faults outstanding. This equates to 5% of the total street lighting stock and is a reduction from 4,218 in November 2017.

A breakdown by ward is shown below:

<b>Ward</b>	<b>Number of Current Faults</b>
1	208
2	166
3	164
4	160
5	189
6	107
7	113
8	154
9	99
10	106
11	468
12	100
13	110
14	116
15	162
16	216
17	212
Total	2,850

**Question** (2) What is the current turnaround time for repairing street lights after they are reported as faulty?

**Answer** (2) The average turnaround time for lights reported and repaired (in November) was 10 days. Taking into account all repairs (including long standing faults) the average repair time in November was 48 days.

**Question** (3) Of the current list of faulty street lights, how many are:

- a) more than 3 month outstanding.
- b) more than 6 months outstanding.
- c) more than one year outstanding

**Answer** (3) a) 1,044

b) 796

c) 535

These totals include a variety of faults (some of which do not mean that the light is not working at night time).

**Supplementary Question** Thank you very much and thank you to the Convener for all of the information that was provided. I think it should still be a matter of some concern that overall the average repair time for faulty street lights is something like seven weeks Lord Provost, but my question to the Convener is really around her confidence in the system of repairs. Last month I reported 23 separate faulty street lights in Muirhouse in my wards and some weeks later I received a written assurance from the team that all of them had been fixed, but when I went to check only six of them had been fixed. So can I ask her what confidence does she have in the repairs programme when faulty street lights are reported?

**Supplementary  
Answer**

Thank you Councillor Lang for your supplementary question. I have reasonable confidence. I am well aware of the fact that we are in a position of transition around street lighting. Moving to a brand new system is one of the reasons why we have brought that in, a new three-year roll out on LED street lighting, to enable us to put in a centralised management system which will allow us to really remove the part of the process that you're describing which is the requirement for people who are moving around the streets to have to report lights.

Now clearly that's a programme that will take some time to roll out across the city so in the meantime we are left with the existing system. There are various ways of looking at this. I am dismayed to hear what you've just said and that's obviously worth looking into in a lot more detail. I'd be happy to get more details from you on that, but we do have quite precise ways of categorising a street light repair.

The requirement upon us, the sort of service standard that we have is quite clear. Depending on the particular problem that's highlighted, sometimes it's not our issue, sometimes it's Scottish Power, often that's a case if there's more than five or six lights in a row it's often not our issue.

We are aware of issues in the system. We have problems with trying to recruit suitable electricians in this area. It's a problem that we are trying to deal with as best we can and I agree with you that there are sometimes moments when I wish it to be a little better, but hence the reason for the major structural change in the LED street lighting programme. I think it's something that people in Edinburgh can look forward to, I think it's going to improve things considerably and take away one of those nuisance aspects of people's lives.

**Comments by  
the Lord  
Provost**

Can I just remind members that supplementary questions are for clarification not for bringing new topics. We're pushing the envelope just a little bit today.

**QUESTION NO 5**

**By Councillor Lang for answer by the  
Leader of the Council at a meeting of  
the Council on 13 December 2018**

**Question** (1) How many freedom of information requests have been submitted to the Council in each of the last three years?

**Answer** (1)

<b>Year:</b>	2016	2017	2018 (to date)
<b>Total:</b>	2711	2714	2515

**Question** (2) What percentage of freedom of information requests have been responded to within 20 working days in each of these three years?

**Answer** (2)

<b>Year:</b>	2016	2017	2018 (to date)
<b>Percentage:</b>	89%	90%	76%

**Question** (3) Using the most up to date figures available, how many current freedom of information requests are

- a) more than three months outstanding,
- b) more than six months outstanding and
- c) more than one year outstanding?

**Answer** (3) a) 14  
b) 0  
c) 0

**Supplementary  
Question**

So, can I clarify Lord Provost then, on the basis of the figures that appear provided, has the Council Leader been provided with any explanation as to why it is that when we've had the lowest number of FOI requests in the last three years, the Council's performance in meeting its 20 working day response time has got markedly worse this year?

**Supplementary  
Answer**

Can I thank Councillor Lang for the supplementary. Actually the full year projected number will be slightly higher this year in terms of full FOI. Obviously when this was calculated at a point in time it didn't take in the full effect of December for example. The explanation is that the same team are dealing with a whole range of things that they weren't having to deal with last year, the number of data requests that are going into the same Department has more than doubled from last year to this year, fuelled predominantly by GDPR obligations, there's also been additional requests made to the service, I'm sure members will understand through things like historical child sex abuse and lots of other things going on that are going through that Department and the Department are working very hard to work through it.

Now next year I would expect that percentage to increase. I agree it's an issue, the introduction this year of GDPR has caused a bit of an influx shall we say in terms of that demand and I'm sure the Department will be able to settle down and find a modus operandi that gets that number back up by next year.

**QUESTION NO 6**

**By Councillor Mitchell for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 13 December 2018**

Please could the Convener confirm:

- Question** (1) The amount of money currently held by the Council from overpayments by residents for Council Tax.
- Answer** (1) For 2017/18 the value of Council Tax 'credits' that remain unclaimed is £1,099,599.
- Question** (2) What is the process for reclaiming an overpayment?
- Answer** (2) Following the identification of credit the Council contacts the resident by way of a credit note which advises citizens how to progress a refund. A regular review of credits of £2000 or more is undertaken and further contact is made with these customers.
- Question** (3) Why is this not automatic?
- Answer** (3) The process is partially automated, with credits applied to new accounts when an existing account holder moves within the Edinburgh area. In some instances manual intervention is required e.g. dual account holders, or where there is no validated payment method to enable the refund etc. The process remains under review and this will consider the scope for further automation.
- Question** (4) What is done with the monies (i) whilst unclaimed, and (ii) if they remain unclaimed?
- Answer** (4) Monies are ring fenced on the Council's balance sheet and remain there until claimed.



**Supplementary  
Question**

Thank you Lord Provost and I thank you Convener for your answer and given how lenient you have been Lord Provost I hope that when I asked my supplementary for clarification even though it might sound like two it's actually one, mainly because it is quite serious and the reason I brought this forward to our Convener was because one of my constituents was made homeless as a result of the Council Tax refund system. So Part A of the one question then is, with the monies that the Department are unable to allocate at all, over whether it's a number of years or indeed they happen to move out of the City of Edinburgh, what is done with them - that's in relation to Part 4. In 2 and 3, when trying to seek a refund is this only done at the end of the financial year? When errors are made by overpayment or whatever, what happens, because this could eventually be passed to debt collectors and indeed people can become homeless.

**Supplementary  
Answer**

Well I think the answer to the first part of Councillor Mitchell's question is contained in the one sentence reply which is that moneys are ring-fenced on the Council's balance sheet and remain there until claimed.

The supplementary to supplementary - I am sure if you want more fine-grained answer that that can be provided in due course but I think for the moment the answer that is given at number 4 is sufficient. On the other point about refunding in the financial year, it's my understanding that that isn't necessarily the case but I need to confirm that with the Head of Finance.

**QUESTION NO 7**

**By Councillor Booth for answer by  
the Convener of the Planning  
Committee at a meeting of the  
Council on 13 December 2018**

**Question** (1) When was the Technical Manual factsheet on 'Cycle Parking in New Developments', as referenced on page 55 of the Edinburgh Design Guidance, published?

**Answer** (1) The Edinburgh Design Guidance (EDG) was published in October 2017. Chapter 4 of the EDG is the Edinburgh Street Design Guidance.

The minimum number of cycle parking spaces that are to be provided in new developments is specified in the EDG in the table on page 61.

There are two factsheets currently being developed for publication in late Spring 2019 which are relevant to cycle parking:

- C6 Cycle Parking in New Developments; and
- C7 Cycle Parking.

**Question** (2) What consultation was carried out prior to its publication?

**Answer** (2) Development of the ESDG has been undertaken over a period of several years and extensive consultation was carried out during the development of Parts A and B.

We are keen to publish the technical factsheets as quickly as possible, to assist designers in implementing the ESDG, and further consultation is not therefore being undertaken as part of their production.

The Detailed Design Manual is intended to be a 'live' document and will be updated to reflect best practice, policy and legislative change. As part of this, the factsheets will be reviewed regularly in response to comments received.

**Question** (3) Will the Convener please provide the URL for download of this factsheet from the Council website?

**Answer**

- (3) The technical fact sheets that have been published to date can be viewed on the Council's website via the link below:

[http://www.edinburgh.gov.uk/info/20069/local\\_development\\_plan\\_and\\_guidance/1755/edinburgh\\_design\\_guidance](http://www.edinburgh.gov.uk/info/20069/local_development_plan_and_guidance/1755/edinburgh_design_guidance)

The two factsheets above will be added to this site when ready.

**Supplementary Question**

Thank you Lord Provost, I thank the Convener for his answer and while I am disappointed that the technical fact sheets on cycle parking for new developments haven't yet been published more than a year after the Edinburgh Design Guidance was approved, I am glad to hear that this work is in progress. Could I seek clarification from the Convener on the specific point of consultation. In his response he says that no further consultation is being undertaken since speed is of the essence, and while I welcome that speed is of the essence, I hope that he will consider approaching Sustrans and Transform Scotland for advice, since they already have published technical guidance on cycle parking.

**Supplementary Answer**

Thank you Lord Provost and thank you Councillor Booth for your question. In response, I don't want to reinvent the wheel and as these organisations have a degree of expertise in that area, I think it is quite appropriate that we should consider consulting with them and that would then enable this to move quickly and as I know Councillor Booth has an informal interesting timekeeping I'll restrict that to my answer right now thank you.

**QUESTION NO 8**

**By Councillor Laidlaw for answer by  
the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 13  
December 2018**

**Question** (1) Why was the retention of the St John's Primary School building and its repurposing as a community asset as part of the new Treverlen park not part of the Consultation on the St John's/Portobello High school site?

**Answer** (1) The statutory consultation for the new St John's Primary School was only progressed once the Parliamentary Bill which allowed the development of the new Portobello High School was in place. During the development of the new Portobello High School the Council committed to providing a park (not including retention of the old St John's building) around a new St John's Primary school if it was developed on the former site of Portobello High School. All the options in the statutory consultation for the new St John's Primary School honoured this commitment for a park.

**Question** (2) Can the Convener confirm if the new Treverlen park will still include a dedicated facility for skate sports and BMX and is the Council willing to engage with local participants in these activities to ensure the park best meets the requirements of those who will use this long-awaited facility? If not, can the Convener confirm why this was included in the Planning submission which stated, "the design team intend to work with a steering group and specialist skate park designers to develop proposals for this area which respond to the specific requirements of end users."

**Answer** (2) The park is to include a facility which can be used by all types of non-motorised wheeled vehicles, for example bikes, scooters and skateboards. If further engagement with specific user groups is required then I am happy to request this is progressed by the project team.

**Supplementary  
Question**

Thank you Lord Provost and I thank the Convener for his answer. I think we've all seen our in boxes being flooded with significant opposition to the demolition of the old St John's school building, and certainly the community feels that the initial consultation was perhaps not as thorough as it could be, particularly given the change in ward boundaries. It appears clear from your answer to the first part of my question, that it was not made clear in that consultation that the new park would entail the destruction of the historic St John's building and while work has begun on that demolition with regards the outbuildings, the main building does remain intact and obviously there is a changing context now with the removal of the artists from St Margaret's and the opportunity exists to provide alternative accommodation.

Clearly this campaign has built some momentum and has formed the Association of Friends to St John's as a registered company. So I wondered if in this context and given the lack of clarity in the consultation, if the Convener would consider a halt to the demolition while a Community Asset Transfer might be explored over the coming weeks which would absolve the Council of its financial obligations for the building and provide facilities for those artists. Thank you.

**Supplementary  
Answer**

The short answer is no. The long answer is I think the confusion may have come in because in the original consultation about moving Portobello to the park, there was not the original discussion about building a new primary school. So the original part was going to go on the old Portobello site. However, those further discussions said could we then build a new primary school. That was agreed so we moved the primary school to where the secondary school was, the park would then be on the primary school. This has gone through planning, if anybody would want object then they should have objected at that stage, but I assure you, the communities were all well versed in what we are trying to do in terms of building a new primary school and moving the park to a different site. The size of the park has remained the same it's just on a different site.

**QUESTION NO 9**

**By Councillor Laidlaw for answer by the Convener of the Housing and Economy Committee at a meeting of the Council on 13 December 2018**

**Question**

Can the Convener detail which specific businesses, groups, organisations or associations she has met across public, private or third sector since her appointment to the Convenership?

**Answer**

Since becoming Convener of the Housing and Economy Committee in March 2018, I have met with many organisations and key stakeholders across the public, private and third sector.

Over the last nine months I have met with housing associations; Government Ministers; MPs and MSPs; small businesses; third sector organisations working across homelessness, housing, employability, children's services, advice services and women's services; social enterprises; private sector stakeholders; private enterprise and business across a range sectors including businesses involved in sciences, finance, communications, design, hospitality, corporate property, developers and house builders; industry bodies; international investors; other local authorities; public bodies; tenant representatives; the NHS; universities and union representatives in order to listen to the priorities of stakeholders, share our strategy and objectives and to build the relationships we need to deliver the best outcomes for every resident in every neighbourhood in the city.

**QUESTION NO 10**

**By Councillor Jim Campbell for  
answer by the Convener of the  
Finance and Resources Committee at  
a meeting of the Council on 13  
December 2018**

For each High School, please provide the ICT provision for student learning in terms of:

- Question**           **(1)** The number of
- a)     desk top computers
  - b)     lap top computers
  - c)     tablet computers
  - d)     any other type of computer

**Answer**           **(1)** Please refer to the table below.

<b>High School</b>	<b>Desktop</b>	<b>Laptop</b>	<b>Tablet</b>	<b>Other Types Desktop</b>	<b>Other Types Laptop</b>
	<b>(1a)</b>	<b>(1b)</b>	<b>(1c)</b>	<b>(1d)</b>	<b>(1d)</b>
Balerno Community High	139	36	78	116	13
Boroughmuir High	228	19	155	26	201
Broughton High	201	1	251	100	46
Castlebrae Community High	81	8	323	1	2
Craigmount High	239	20	415	114	5
Craigroyston Community High	136	13	358	10	

Currie Community High	171	15	249	70	53
Drummond Community High	148	3	584	59	10
Firrhill High	201	21	29	83	108
Forrester High	151	23	821	90	38
Gracemount High	110	60	896	29	187
Holy Rood RC High	286	18	561	3	35
James Gillespie's High	285	19	151	109	66
Leith Academy	229	23	870	42	14
Liberton High	156	14	429	114	
Portobello High	267	12	2039	65	89
Queensferry Community High	162	16	44	29	1
The Royal High	214	220	1817	20	21
St Augustine's RC High	169	14	764	112	12
St Thomas of Aquin's RC High	108	32	83	65	45
Trinity Academy	179	18	146	104	45
Tynecastle High	223	15	845	44	22
Wester Hailes Education Centre	165	7	417	38	43



**Question** (2) The number of computers CGI are contractually obliged to replace as part of the agreed refresh programme, where no additional payments are required for upgrade or maintenance, that are:

- a) desk tops
- b) lap tops
- c) tablets
- d) of any other type

**Answer** (2) a) 4,248

b) 627

c) This is not applicable to be replaced by CGI. These are not centrally managed devices.

d) This is not applicable to be replaced by CGI. These are not centrally managed devices

**Question** (3) The number of computer suites, to include the following information:

- a) the number of individual computer / terminals for students use per suite
- b) the principle area of the curriculum supported by the suite
- c) any additional charges CGI are entitled to make, to refresh and maintain each suite?

**Answer** (3) a) 20 for pupils plus 1 for the Teacher (NB: exception is Boroughmuir which is 25 for pupils plus 1 for the teacher).

b) Computing, Business Studies and CDT (Graphics Comms courses mainly). These suites are also used for general IT use by other subjects when available.

c) No additional charges are applicable, unless these suites are made up of non-centrally managed devices, which would be a school consideration for replacement.

**Supplementary  
Question**

Thank you Lord Provost and I thank the Convener for his answer. Last night I circulated to the Convener just a data table and I asked him if he was confident in the figures that had been provided to him because it does seem to show up a number of very strange anomalies; for example there are 9 secondary schools where the number of tablets exceeds the number of students and yet in our least well provided secondary school 3.4 students have to share each piece of equipment whether that's a tablet, a laptop or a PC and in the case of 1 secondary school they are going to have to fund 227 new computers just to maintain a level of provision that is half that of the city average. So I wonder if the Convener could just confirm that the figures he has been provided with are accurate?

**Supplementary  
Answer**

Yes they are accurate. I appreciate what you say about the number of tablets exceeding the number of pupils. That's partly because the number of pupils in any school varies from year to year and the tablets are held by the school. If there is a way of doing this more efficiently, like redistributing some to another school then I'm sure that's something that the relevant officers will look at.

**QUESTION NO 11**

**By Councillor Jim Campbell for  
answer by the Convener of the  
Transport and Environment  
Committee at a meeting of the  
Council on 13 December 2018**

Since the introduction of the new waste collection rounds at the beginning of October, can the Convener break down by home waste depot:

- Question**
- (1) a) The number of unique property references recorded on Routesmart at the point the new routes went live.
- b) The number of unique property references recorded on Routesmart on 7th December 2018.
- c) Any instances where all domestic properties on a street and had previously received waste uplifts, were omitted from Routesmart at the point the new routes when live?
- Answer**
- (1) a) There were 130,581 properties on Routesmart for the kerbside service at the point the new routes went live (which increases to 156,488 when this includes properties which only have a kerbside food waste collection).
- b) On the 6 December 2018 there were 132,433 properties on Routesmart (a 1.4% increase from the 130,581 at the point when the new routes went live).
- c) The addition of the properties above has impacted 124 streets, bringing the total street numbers on Routesmart to 3,628. This will include a mix of streets that had individual properties and full streets omitted.

- Question**
- (2) a) The average time between a failed waste uplift reference being generated and it being closed.
- b) The number of unique properties recorded on Routesmart that have had more than one failed waste uplift reference generated.
- c) The number of failed waste uplift reference that appear to have been closed before the remedial uplift took place?

- Answer**
- (2) a) For the period 8 October to 2 December 2018 the average time between a service requested being opened and closed was 9 days (including weekends) for kerbside collections. It is important to note that service requests are not closed at the point when collection takes place. Notification of uplift is provided to a central team who will then close the service request.
- b) Missed bin reports are managed via the Confirm system rather than Routesmart. However, 2,077 unique households have reported two or more missed kerbside collections between 8 October and 2 December. These totalled 5,833 reports (0.19% of the scheduled uplifts during this period).
- c) It is not possible to identify reports that have been closed before the remedial uplift took place.

**Supplementary Question**

Thank you Lord Provost and I thank the Convener for her answer. I've actually got a lot of sympathy for the Convener having read this answer and to discover that the omission of a mere 1.4% of properties from the new waste rounds has created so much difficulty for us as a Council and generated so many complaints from residents. So what I would say to the Convener is that you know the margins between success and failure are extremely narrow in this case and I just wonder in retrospect, what oversight we should have put in place given that we now learn that the difference between success and failure with such a small percentage?

**Supplementary  
Answer**

Thank you Councillor Campbell for your supplementary. I find it interesting when you express sympathy that such a small margin of error has produced really an opportunity for the opposition to make hay with this particular instance. It's certainly been exploited quite dramatically, I would have suggested in the pages of the Evening News and indeed in some of the questions that have come forward. I think in terms of governance and oversight, on this rather I should say oversight, I think we tend to forget, very clearly, that whenever a major service like this, particularly in a capital city of our size takes place, there is inevitably going to be those teething problems. There doesn't seem to be an acceptance of that element of reality in any of these questions that come forward and I would suggest therefore that actually we're managing the process relatively well. We see that the complaints are coming down again this week. From the latest complaints figures we're returning to below the 2015 levels, this week we've seen them drop by 12% and over the last four weeks has dropped by 47%.

I would counsel though when we're looking at the whole question of waste collections and the wider issues that are attached to this is that we are likely to see stresses again on the system over Christmas - it happens every year. Given that that is the case, I have already asked officials and I will be expecting to see a return to the levels that we were having in the earlier part of this year before this transition took place and I will be watching very carefully for those as we move through January, thank you.

**QUESTION NO 12**

**By Councillor Staniforth for answer  
by the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 13  
December 2018**

**Question** (1) Is it the case that children living on Council school bus routes, not normally eligible for home to school transport, have recently been barred from taking up empty seats on school buses?

**Answer** (1) In certain circumstances pupils who are not eligible for home to school transport support can be offered transport places if one is available. As the contracts and means of providing home to school transport changes depending on supply, demand and procurement so does the opportunity to provide places to non-eligible pupils.

**Question** (2) What is the reason for any change in school busing policy and how was this change considered and approved?

**Answer** (2) There has been no recent change in the home to school transport policy and any proposed change to the policy would have to be subject of appropriate Committee reports for consideration.

**Question** (3) Has there been any assessment of the environmental impact from the increase in car journeys to and from school as a result of empty seats on school buses not being filled?

**Answer** (3) No. The provision of home to school transport for non-eligible pupils is not a consideration taken into account when the home to school transport provision is determined or procured. The most efficient solution for eligible pupils is put in place in line with policy without an assessment of environmental impact that may result from no longer providing travel support for non-eligible pupils.

**Supplementary  
Question**

Lord Provost, thank you and I thank the Convener for his answer, but some parents in my ward will be puzzled by the answer to Question 2. Parents in my ward have regularly in August applied for spare places on school buses and received their answer on whether or not they will get them by the end of the October break. This year they've applied in August as usual and yet, as of right now, have received no response either way. If there's been no change in the home-to-school transport policy, can the Convener explain this discrepancy and if not will he look into it?

**Supplementary  
Answer**

Thank you for your supplementary question. The short answer is no I can't explain it and I will look into it. What I thought you were going to do is ask me to explain the Answer 3 which I don't understand, but reading between the lines which may help the answer to Question 2 is, this is quite a difficult thing logistically to do and I think they're saying it's far too difficult therefore they don't want to try. However, I will give the assurance, I will get officials to look at this again and see if we can open some of these places up.

**QUESTION NO 13**

**By Councillor Mowat for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 13 December 2018**

**Question**

To ask the Convener how much money in grants and project funding has been received by the Place Directorate in the last 24 months;

- a) which organisation has this money/benefit in kind come from;
- b) what this money has been used for ie to which project it has been assigned;
- c) how much of the grant has been spent?

**Answer**

It has not been possible to prepare the requested information within the timescale to respond to Council Questions. A report, detailing all of the requested information, will be prepared for the Finance and Resources Committee on 1 February 2019.

**Supplementary Question**

Thank you Lord Provost and I thank the Convener for his answer and for the promise of a report coming to the Finance and Resource Committee on 1 February 2019. I'm not sure my colleagues on the Finance and Resources Committee will thank me for that. I wanted to ask the Convener if he shared my concern that this information was not easily accessible from the council accounts and had to have a special report prepared to in order to secure this information and make it public, thank you.

**Supplementary Answer**

Thank you Lord Provost and I thank Councillor Mowat for her question. We obviously hold a wealth of statistics and financial figures within the Council and you can cut them in various different ways and it seems that this particular request means we're having to look at the data in a way that we don't regularly and that's the reason why it's proven to be more complicated, why it will take longer. I'd be happy to give Councillor Mowat as early a copy of that report as would be helpful.



**QUESTION NO 14**

**By Councillor Burgess for answer by  
the Leader of the Council at a  
meeting of the Council on 13  
December 2018**

**Question**

Given the recent UN report on the need for urgent action to reduce climate-changing pollution, what progress has been made towards providing climate change literacy training for council staff and councillors?

**Answer**

The Transport and Environment Committee received an update on the Carbon Literacy Project in [August 2018](#).

The Corporate Policy and Strategy Committee considered the independent review of sustainability carried out by Professor Andy Kerr of the Centre for Carbon Innovation at the University of Edinburgh sustainability audit on [4 December 2018](#). The recommendations contained in the research will be responded to by the Council with a follow up report at Corporate Policy and Strategy committee in February. Leadership, skills and training in the Council will form part of that response.

**Supplementary  
Question**

I thank the Council Leader for his answer. It's welcome that the Council will be considering leadership skills and training on sustainability at corporate policy committee in February but can I just clarify that at this time of a global call to action to reduce climate changing pollution that the Leader will ensure specifically that training on carbon literacy is considered so that our staff and members are supported to be as effective as possible in contributing to action on climate changing pollution?

**Supplementary  
Answer**

I thank Councillor Burgess for that supplementary. The report, which was very thorough by Professor Andrew Kerr which was presented to the last Corporate Policy and Strategy Committee outlined a whole range of issues and I've named just 3 of them actually in terms of leadership skills and training. The full plethora of ways that we take that forward in those 3 regards are the most relevant in terms of carbon literacy training. It will be part of the consideration of overall package that we respond with. The Council's response to that report will not be an isolated document looking at one or two specific proposals but hopefully should identify a full range of actions for us to fully take account of Professor Andrew Kerr's fantastic work. Also thank I should say to Councillor Booth, Councillor Burgess' colleague for getting a commitment from Professor Andrew Kerr that he would continue to help us and our endeavours in this regard.

**QUESTION NO 15****By Councillor Young for answer by  
the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 13 December 2018**

The bus gate camera on Kirklands Park Street is understood to continue to generate a significant number of penalty fines on a monthly basis. Please provide the following statistics where known:

**Question** (1) The number of vehicles fined, each calendar month from 1st January 2018 until 30th November 2018?

**Answer** (1) The number of vehicles fined, each calendar month from 1 January 2018 until 30 November 2018:

Jan 18	198
Feb 18*	173
March 18*	0
April 18*	69
May 18	103
June 18	193
July 18	136
Aug 18	176
Sept 18	162
Oct 18	150
Nov 18	147

\* camera was not operational between 26 February and 17 April due to winter weather and a subsequent equipment fault.

- Question** (2) How many of these vehicles are repeat offenders versus first time fines?
- Answer** (2) 1,032 were first time offenders, 477 were repeat offenders.
- Question** (3) How many of the drivers fined, have paid within the deadline and prior to passing for third party collection?
- Answer** (3) 1,095 Bus Lane Charge Notices were paid before being passed to the Sheriff Officers.
- Question** (4) How many drivers appeal the fine?
- Answer** (4) Between 1 January and 30 November 2018, five cases were appealed at the Parking Adjudicator.
- Question** (5) How many appeals are successful?
- Answer** (5) Of these five cases, four were not successful and one is awaiting a decision from the Adjudicator.

**QUESTION NO 16**

**By Councillor Young for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 13 December 2018**

As we reach the end of the 2018, can you please provide information on events and projects which have taken place this year, up until 30th November by the Convenor/Vice Convenor, by the Council Leader and by the Young People Champion, specifically in relation to the “Year of young people” (YoYP)celebration, broken down as follows:

**Question** (1) Number of events hosted by any of the above councillors specifically for YoYP, split by Host.

**Answer** (1) Numerous events throughout the year have been hosted and attended by the Councillors mentioned. A report to the Education, Children and Families Committee in March 2019 will include a detailed programme of events and the involvement of elected members but much more importantly, the gathered issues that matter to the young people and the action we have taken in response.

**Question** (2) Number of external YoYP events attended by each of the councillors above.

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

**Question** (3) List of projects or initiatives specifically dedicated to YoYP objectives or commitments, and whether these have concluded or continue into 2019.

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

YoYP objectives were incorporated into existing events for young people to make use of networks and ensure a holistic approach, reaching a wide range of young people and collecting a breadth of opinion.

YoYP 2018 has inspired a number of plans to further involve and consult with young people which will be realised in 2019

and beyond. This includes work that is already underway to more directly involve schools and young people in the policies of the Education, Children and Families Committee, and legacy projects are beginning to emerge with schools and lifelong learning partners in arts, sport, and third sector partners, and also with planning, transport and city development colleagues and partners.

Child Friendly City will also be officially launched in 2019 as a key legacy to the YOYP, embedding the rights of children and young people into all related decision making across the life of this city.

What Kind of Edinburgh will also end in March 2019 and the youth participation team are currently in discussion with Youth Talk (leads) in localities to explore the potential for creating a citywide group of young people who would meet with the What Kind of Edinburgh Champions.

Further details on the above will also be included in the March 2019 report

<b>Question</b>	<b>(4)</b> Budget allocated and spent to cover each of items 1-3.
<b>Answer</b>	<b>(4)</b> There was no budget allocated to Year of Young People 2018 and all activity was covered from within service budgets and with reduced staff capacity.
<b>Supplementary Question</b>	Thank you very much to the Education Convener for the answer. I very much appreciate the advice on how to improve my question to make it more important but I'm quite happy to wait until the March report that's coming to the Education, Children and Families Committee if I can just get assurances that the statistics I've requested will be included in that report.
<b>Supplementary Answer</b>	They will.