

Notice of meeting and agenda

Corporate Policy and Strategy Committee

10.00am, Tuesday, 3 November 2015

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

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

Contact

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1. Order of business

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

2. Declaration of interests

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

3. Deputations

- 3.1 If any

4. Minutes

- 4.1 Minute of the Corporate Policy and Strategy Committee of 29 September 2015 (circulated) – submitted for approval as a correct record.

5. Forward planning

- 5.1 Corporate Policy and Strategy Committee Key Decisions Forward Plan December 2015 to February 2016 (circulated)
- 5.2 Corporate Policy and Strategy Committee Rolling Actions Log (circulated)
- 5.3 Committee Decisions – November 2014 to June 2015 (circulated)

6. Business Bulletin

- 6.1 Corporate Policy and Strategy Committee Business Bulletin 3 November 2015 (circulated)

7. Executive decisions

- 7.1 Welfare Reform - Update – report by the Deputy Chief Executive (circulated)
- 7.2 Corporate Resilience: Annual Report (1 October 2014 to 30 September 2015) – report by the Deputy Chief Executive (circulated)
- 7.3 Carbon, Climate and Sustainability Policies - Assurance Statement - report by the Deputy Chief Executive (circulated)
- 7.4 ICT Acceptable Use Policy – Annual Review - report by the Deputy Chief Executive (circulated)

- 7.5 Festival and Events Core Programme 2016 and Some Events in 2017 and 2018 - report by the Deputy Chief Executive (circulated)
- 7.6 Sustainable Energy Action Plan – report by the Executive Director, City Strategy and Economy (circulated)
- 7.7 Response to Scottish Government Consultation on the Circular Economy - report by the Executive Director, City Strategy and Economy (circulated)
- 7.8 World Creative Economy Summit - Shanghai – report by the Executive Director, City Strategy and Economy (circulated)
- 7.9 Encouraging Live Music in Edinburgh: Update – referral from the Culture and Sport Committee (circulated)

8. Routine decisions

If any

9. Motions

If any

Carol Campbell

Head of Legal and Risk

Committee Members

Councillors Burns (Convener), Howat (Vice-Convener), Burgess, Child, Edie, Godzik, Ricky Henderson, Hinds, Lewis, Main, Mowat, Rankin, Rose, Ross and Rust.

Information about the Corporate Policy and Strategy Committee

The Corporate Policy and Strategy consists of 15 Councillors and is appointed by the City of Edinburgh Council. The Corporate Policy and Strategy Committee usually meets every four weeks.

The Corporate Policy and Strategy Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Louise Williamson, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4264, e-mail louise.p.williamson@edinburgh.gov.uk .

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to www.edinburgh.gov.uk/cpol.

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Corporate Policy and Strategy Committee

10.00 am, Tuesday, 29 September 2015

Present

Councillors Burns (Convener), Howat (Vice-Convener), Burgess, Child, Day (substituting for Councillor Hinds), Edie, Godzik, Ricky Henderson, Lewis, Main, Mowat, Rankin, Rose and Ross.

1. Presentation on EUROCITIES

Elaine Ballantyne outlined the background to the Council's membership of EUROCITIES which was an influential network of cities within Europe established in 1991. Membership of the network had resulted in a range of benefits, projecting the city at a European level. Specifically, Edinburgh had been able to access new European funding streams and use the network to broker transnational funding.

Anna Lisa Boni, Secretary General of EUROCITIES highlighted projects such as the Edinburgh Guarantee and Procurement which were both unique and innovative. She felt that she now had a better understanding of Edinburgh's priorities and assets which could be taken back to EUROCITIES and promoted more strongly.

She gave an overview of the new institutional EU framework and stressed that the timing was now right for big cities to engage in EU projects. It was important for cities to be on board when policies were being conceived and developed and to be clear what cities were doing at local level.

2. Citywide Review of Council-owned Sports Facilities and Services – Key Findings and Recommendations

a) City of Edinburgh Basketball Club – Deputation

The deputation indicated that they had been established for 20 years and had about 300 members and 40 volunteers. They had been having discussions with the Council regarding their future as there would not be enough space for them at the new Portobello High School. At the moment the club spent about £35,000 per year on lets, but if the proposed new rental rates were introduced, the club would have to be restructured and the increased costs absorbed.

The deputation expressed concern at the future assurance of access and block bookings within the proposed structure which could lead to problems with access to and quality of facilities available. They urged the Council to look at the pricing for lets to community based and Not for Profit organisations.

b) SwimEasy Ltd – Deputation

The deputation expressed concern that they had not been consulted as part of the year long independent review of the management of Council-owned sports facilities and services. They stressed that it was important that parents be given a choice as to where their children should learn to swim and indicated that there was sufficient capacity within Edinburgh for private companies and the Council to provide this service.

The deputation indicated that they did not receive funding from any public sector source and were self-financing. They felt that private providers should be allowed to continue in partnership with Edinburgh Leisure.

c) Report by the Deputy Chief Executive

Details were provided on the findings of a review which had been carried out to establish the total cost, income and usage of Council-owned sports facilities and services, the assessment of supply against potential demand up to 2030 and proposals for improving the services.

Decision

- 1) To note the findings of this major year-long review, the first of its kind to be undertaken by a Scottish local authority.
- 2) To note that Max Associates had identified potential for over £2.1m in savings and new income.
- 3) To note that Max Associates had established that there was interest from external operators in managing the Council's portfolio.
- 4) To note that further work was required to comprehensively establish the full cost of the services in scope before any market testing could start.
- 5) To note that Max Associates recommended transferring the management of school sport facilities to Edinburgh Leisure, subject to approval by its Board, which would provide clarity on costs, generate more income, and improve customer service, access, participation, health and well-being.
- 6) To approve in principle the management transfer of school sport facilities to Edinburgh Leisure, ensuring that there was no detriment to the education provided to pupils, their ability to access school facilities, nor any financial detriment to the wider department and/or Edinburgh Leisure and to ensure that there was a mixed economy of delivery.
- 7) To instruct Council officers to work with Edinburgh Leisure to create a detailed specification and business case for this.
- 8) To request a progress report within six months, including a timeline for a phased changeover.

- 9) To note that this change in governance and management should also provide the full data that would be required in order to put the entire sport portfolio out to the market, if Council wished to test whether further savings could be achieved through that route.

(Reference: report by the Deputy Chief Executive, submitted)

Declaration of Interest

Councillor Lewis declared a non-financial interest in the above item, as a board member of Edinburgh Leisure.

3. Minute

Decision

To approve the minute of the Corporate Policy and Strategy Committee of 1 September 2015 as a correct record.

4. Corporate Policy and Strategy Committee Key Decisions Forward Plan November 2015 to January 2016

The Corporate Policy and Strategy Committee Key Decisions Forward Plan for November 2015 to January 2016 was presented.

Decision

To note the Key Decisions Forward Plan for November 2015 to December 2016.

(Reference – Key Decisions Forward Plan November 2015 to January 2016, submitted.)

5. Corporate Policy and Strategy Committee Rolling Actions Log

Details were provided of the outstanding actions arising from decisions taken by the Committee.

Decision

- 1) To agree to close the following actions:
- Action 2 - Policy Development and Review Sub-Committee Work Programme
 - Action 5 - Proposal for a New Meadowbank
 - Action 7 - Energy for Edinburgh
 - Action 8 - 2014 Employee Survey – Progress Report
- 2) To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

6. Business Bulletin

The Corporate Policy and Strategy Business Bulletin for 29 September 2015 was presented.

Decision

To note the Business Bulletin.

(Reference – report by the Deputy Chief Executive, submitted.)

7 Update on Proposal for a New Meadowbank: Improved Funding Package

Details were provided on the proposed financial packages for the development of a new Meadowbank together with development guidance for the surplus land which had been produced in consultation with the Planning Service and had found no significant issues on the site. A modified and re-costed design was outlined with an estimated funding gap of £6.8m, with scope to decrease this further.

Decision

- 1) To note that since February 2015, the project's costs had reduced by more than £1.5m (following a favourable ground survey and subsequent redesign, re-costing and adjustment of fees) while construction inflation on the project cost had risen by £923,000.
- 2) To note that the net effect of the above was a reduction in the total project cost from £43m to £42m.
- 3) To note that the potential for private sector borrowing had been analysed in detail and would not provide best value.
- 4) To note that significant progress had been made by Corporate Property on a disposal strategy for Meadowbank's surplus land, which had increased its potential value.
- 5) To agree to refer the disposal of surplus land held on the Culture and Sport account at Westbank Street, Portobello to the Economy Committee and the subsequent ringfencing of the receipt from this disposal to the Finance and Resources Committee for the Meadowbank project.
- 6) To note that the combination of the Meadowbank disposal strategy and sale of surplus land at Portobello was anticipated to lower the funding shortfall to £6.8m.
- 7) To note that a report would be presented to the Finance and Resources Committee as soon as possible, providing an update on the disposal process of the surplus land, detailing the outcome of ongoing discussions with potential partners and recommending how to address any remaining funding gap.
- 8) To agree to begin procurement now of the full Project Team for the new Meadowbank, noting that this process and appointment could be stopped without financial loss if the project did not proceed.
- 9) To note that if a Project Team was appointed by February 2016, and demolition began in autumn 2016, the updated timeline anticipated that a new Meadowbank would open in spring 2018.

- 10) To note that the deteriorating Meadowbank could not be refurbished to a satisfactory standard, and the negative impact on participation in physical activity and sport in the city would be significant if a solution for a new Meadowbank was not found.
- 11) To note from the report by the Deputy Chief Executive the potential to sell Council land at Meadowbank to the Housing Revenue Account in order to build new Council housing, which as well as generating a capital receipt would provide an ongoing revenue stream from Council rents.

To therefore agree that this option should be fully explored as a priority and the conclusions reported back as part of the forthcoming report to the Finance & Resources Committee.

- 12) To request an update report at the next Gateway stage to this Committee.

(References – Corporate Policy and Strategy Committee 20 January 2015 (item 5); report by the Deputy Chief Executive, submitted.)

Declaration of Interest

Councillor Lewis declared a non-financial interest in the above item, as a board member of Edinburgh Leisure.

8. Managing Customer Contact in a Fair and Positive Way – Annual Review

The Committee had previously approved the amended Unacceptable Actions and Behaviour Policy the title of which had been changed to better reflect the objectives and the best practice guide supporting it.

Details were provided on the progress with the implementation and use of the Council's policy – Managing Customer Contact in a Fair and Positive Way, which had been launched on 1 September 2014.

Decision

- 1) To note the completed and planned activities to implement the policy and good practice guidance.
- 2) To agree to receive an annual update.

(References – Corporate Policy and Strategy Committee 5 August 2014 (item 12); report by the Deputy Chief Executive, submitted.)

9. Public Bodies Climate Change Duties Report 2014/15

The Committee had approved the Council's response to the Scottish Government's proposed mandatory reporting for public sector organisations in relation to sustainability and climate change.

Details were provided on the Council's proposed first annual report on compliance with the Public Bodies Climate Change Duties.

Motion

- 1) To approve the submission to the Scottish Government of the Public Bodies Climate Change Duties Report 2014/15 as appended to the report by the Deputy Chief Executive.
- 2) To agree to encourage members and officers to take account of the Public Bodies Duties in all business activities and decision-making processes going forward.
- 3) To note the omission from the Council's Climate Change Duties Report of any carbon reduction projects and therefore request an update report on these projects once they were devised.

- moved by Councillor Burns, seconded by Councillor Howat

Amendment

- 1) To approve the submission to the Scottish Government of the Public Bodies Climate Change Duties Report 2014/15 as appended to the report by the Deputy Chief Executive.
- 2) To agree to **advise** and support members and officers to take account of the Public Bodies Duties in all business activities and decision-making processes going forward.
- 3) To recognise that the Council's carbon emissions had increased by about 8% in the last year, whereas acting in accordance with national targets requires year-on-year reductions in emissions.
- 4) To note the omission from the Council's Climate Change Duties Report of any carbon reduction projects and therefore requests an update report on these projects once they were devised.

- moved by Councillor Burgess, seconded by Councillor Main

Voting

The voting was as follows:

For the motion	-	11 votes
For the amendment	-	2 votes

Decision

To approve the motion by Councillor Burns.

(References – Corporate Policy and Strategy Committee 12 May 2015 (item 8); report by the Deputy Chief Executive, submitted.)

10. Energy for Edinburgh

The Committee had approved the setting up of a Council Energy Services Company (ECSO).

An update was provided on progress of the legal documents and key elements of a draft three year Business Plan which had been developed.

Decision

- 1) To note the progress to date in the development of governance arrangements and a business plan for the ESCO.
- 2) To note that the business plan required additional work, including rigorous testing of the financial plans before being considered at Committee.
- 3) To note that the ESCO business plan would be brought to the Corporate Policy and Strategy Committee within three cycles at the latest.
- 4) To note the potential for district heating schemes to be developed through energy services companies and therefore calls for early exploration by 'Energy for Edinburgh' of this potential including in existing Council housing schemes.

(References – Corporate Policy and Strategy Committee 24 February 2014 (item 8); report by the Executive Director, City Strategy and Economy, submitted)

11. Lord Provost Visit to the United Arab Emirates

Details were provided on a proposed visit by the Lord Provost to the United Arab Emirates during November 2015 to promote Edinburgh as a place to visit, study and invest.

Decision

To approve the visit to the United Arab Emirates by the Lord Provost, a City Officer and an officer from Economic Development.

(Reference – report by the Executive Director, City Strategy and Economy, submitted)

Corporate Policy and Strategy Committee

December 2015 to February 2016

Item	Key decisions	Expected date of decision	Wards affected	Director and lead officer	Coalition pledges and Council outcomes
1.	Performance report – April to September 2015	1 December 2015		Deputy Chief Executive Lead officer: Gosia Szymczak, Senior Business Intelligence Officer gosia.szymczak@edinburgh.gov.uk Lead officer: Jo McStay, Corporate Manager jo.mcstay@edinburgh.gov.uk	CO24-26
2.	Filming in Edinburgh	1 December 2015		Executive Director, City Strategy and Economy Lead officer: Elaine Ballantyne, Head of External Relations and Investor Support elaine.ballantyne@edinburgh.gov.uk	CO24-26
3.	City Brand	1 December 2015		Executive Director, City Strategy and Economy Lead officer: Elaine Ballantyne, Head of External Relations and Investor Support elaine.ballantyne@edinburgh.gov.uk	CO24-26

Item	Key decisions	Expected date of decision	Wards affected	Director and lead officer	Coalition pledges and Council outcomes
4.	Corporate Debt Policy Annual Report	23 February 2016		Deputy Chief Executive Lead officer: Fraser Rowson, Principal Accountant – Corporate Accounts fraser.rowson@edinburgh.gov.uk	CO24-26
5.	Citywide Review of Council-Owned Sports Facilities and Services - Key Findings and Recommendations - Progress Report	23 February 2016		Deputy Chief Executive Lead officer: Stephanie–Anne Harris, Strategic Development Manager stephanie-anne.harris@edinburgh.gov.uk	CO24-26

Corporate Policy and Strategy Committee

3 November 2015

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	06.11.12	The Future Management and Ownership of Easter Craiglockhart Hill Local Nature Reserve (LNR) – motion by Councillor Burns (Agenda for 6 November 2012)	To provide information on the possibility of community ownership and management of the woodland and open space in the area in the longer term and how this might be achieved, with ownership transferring to the Council as an interim measure, with a view to the eventual transfer of ownership and management, to a community organisation.	Deputy Chief Executive and Acting Director of Services for Communities	Spring 2016 or earlier if appropriate		The Craighouse planning permission conditions require the developer to carry out landscaping works in the woodland areas within 12 months of the start of site development. The Council must be satisfied with these works prior to the developers transferring ownership to the Council.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
							A report will then be forthcoming to look at longer term options for the ownership and management of the woodland.
2	22.01.13	Welfare Reform - Further Update	To ask the Director to provide members with update briefings on a regular basis.	Deputy Chief Executive	Ongoing		Bi monthly updates to the Committee. Changed to quarterly reports on 30 September 2014.
3	30.09.14	Corporate Debt Policy - Annual Update	To note the intention to present to Council an updated policy, incorporating a number of minor changes to the level of late-payment fees and relevant responsible officers, as part of a wider governance update later in the year.	Deputy Chief Executive	February 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
4	24.02.15	Sustainable Energy Action Plan	To note that a further report on stakeholders contributions would be submitted to Committee in October 2015.	Executive Director, City Strategy and Economy	October 2015		
5	12.05.15	Follow-up Report 2014 Edinburgh People Survey	To request that regular reports are made to the relevant Committees on each of the areas of concern detailing improvements and that the Transport and Environment Committee considers how street cleanliness can be measured because current measures show a static or improving situation whilst the survey shows growing dissatisfaction with the cleanliness of streets.	Deputy Chief Executive	October 2015 (Report proposed for Transport and Environment Committee)		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
6	12.05.15	Physical Activity for Health Pledge	To note that an update on progress will be presented to this Committee in May 2016.	Director of Health and Social Care	May 2016		
7	12.05.15	Edinburgh's Multi Agency Sexual Exploitation Policy	To agree that details of the further strategies be submitted to the Committee in August 2015.	Chief Social Work Officer	November 2015		
8	09.06.15 Minute of 9 June 2015 (items 6 and 16) 01.09.15	Safecall CEC 114 - Update Report on Management Action B Report	1) To note the report by the Chief Executive and to accept all the recommendations in Appendix 2 and that progress on their implementation be reported to the Education, Children and Families Committee.	Chief Executive	Ongoing		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>2) To recognise that no further disciplinary action would be instigated in relation to these matters until all relevant information was available.</p> <p>3) To agree that a further report would thereafter be considered by Committee advising of any further management action.</p>				
9	09.06.15	Sustainable Edinburgh 2020 Annual Report 2014-15	To acknowledge the work programme for SE2020 for the coming year 2015/16, and add a request to the Edinburgh Sustainable Development Partnership that a clear Action Plan setting out aims,	Deputy Chief Executive	Not specified		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			objectives, targets, timescales and responsibilities from the present to 2020 be developed and presented as soon as possible.				
10	04.08.15	Bullying and Harassment at Work Policy	To agree to a review of the policy 6 months after implementation.	Deputy Chief Executive			
11	04.08.15	Policies - Assurance Statement	To note that a further report on wider Council policies would be submitted to	Deputy Chief Executive	Not specified		
12	04.08.15	Common Good Assets Register	1) To note that further reports would be brought to Committee a) once Scottish Ministers' guidance about common good registers had been issued; and	Acting Director of Services for Communities	2016		Scottish Ministers guidance is not expected until summer 2016.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>b) to consider the implications arising from compliance with the Land Registration (Scotland) Act 2012.</p> <p>2) To note that the common good definition in Section 3 of the report by the Acting Director of Services for Communities was not intended to be exclusive and that there would be clarification of the definition with the next report to Committee.</p>				<p>Reports to Committee will not be able to be submitted until Q3 2016 earliest. Consequently, completion of the register itself will not take place until sometime 2017.</p>
13	04.08.15	Eurocities AGM and Conference	To note that further information on the benefits of attendance would be provided after the event.	Executive Director, City Strategy and Economy	Not specified		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
14	01.09.15	Smoke Free Policy	To call for an update on the developing evidence on e-cigarettes as it related to this smoke free policy, in 2 cycles.	Deputy Chief Executive	3 November 2015		
15	29.09.15	Citywide Review of Council-owned Sports Facilities and Services - Key Findings and Recommendations	To request a progress report within six months, including a timeline for a phased changeover.	Deputy Chief Executive	March 2016		
16	29.09.15	Update on Proposal for a New Meadowbank - Improved Funding Package	1) To note from the report by the Deputy Chief Executive the potential to sell Council land at Meadowbank to the Housing Revenue Account in order to build new Council housing, which as well as generating a	Deputy Chief Executive	Not specified		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>capital receipt would provide an ongoing revenue stream from Council rents.</p> <p>To therefore agree that this option should be fully explored as a priority and the conclusions reported back as part of the forthcoming report to the Finance & Resources Committee.</p> <p>2) To request an update report at the next Gateway stage to this Committee.</p>	Deputy Chief Executive	Not specified		
17	29.09.15	Managing Customer Contact in a Fair and Positive Way - Annual Review	To agree to receive an annual update	Deputy Chief Executive	Ongoing		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
18	29.09.15	Public Bodies Climate Change Duties Report 2014-15	To note the omission from the Council's Climate Change Duties Report of any carbon reduction projects and therefore request an update report on these projects once they were devised.	Deputy Chief Executive	Not specified		
19	29.09.15	Energy for Edinburgh	To note that the ESCO business plan would be brought to the Corporate Policy and Strategy Committee within three cycles at the latest.	Executive Director, City Strategy and Economy	January 2016		

Corporate Policy and Strategy Committee

10.00am, Tuesday, 3 November 2015

Committee Decisions – November 2014 to June 2015

Item number	5.3
Report number	
Executive/routine	
Wards	All

Executive summary

Following the decision of the Governance, Risk and Best Value Committee on 19 June 2014, to strengthen existing arrangements and provide greater assurance with regard to the dissemination of committee decisions, a quarterly review of actions has been undertaken by directorates to ensure that all decisions taken by the Corporate Policy and Strategy Committee, the executive committees and the Governance, Risk and Best Value Committee are progressing as expected and to highlight any exceptions. This report outlines the assurance work undertaken and details the implementation of Corporate Policy and Strategy Committee decisions covering the initial period from November 2014 to June 2015.

Links

Coalition pledges	
Council outcomes	CO25
Single Outcome Agreement	

Committee Decisions – November 2014 to June 2015

Recommendations

- 1.1 To note the position on the implementation of Corporate Policy and Strategy Committee decisions as detailed in the appendix to this report.
- 1.2 To note that an annual summary report would be presented to Committee in 12 months' time.

Background

- 2.1 The Governance, Risk and Best Value Committee on 19 June 2014 agreed increased monitoring for the dissemination and implementation of committee decisions by directorates.
- 2.2 It was agreed that an annual report outlining all decisions taken in the previous year and an update on the implementation of decisions and recommendations to discharge actions be presented to the Corporate Policy and Strategy Committee, executive committees and the Governance, Risk and Best Value Committee.

Main report

- 3.1 When a decision is taken at committee that requires further action this is tracked and monitored by various methods.
- 3.2 Since November 2012 for the Governance, Risk and Best Value Committee and April 2014 for other committees, if a decision requires a further report to committee, it is added to the forward plan, the report schedule and the Rolling Actions Log is updated. The Rolling Actions Log is then considered by committee each cycle, ensuring that there is clear oversight of the implementation of decisions by the committee. It is also published with the committee papers, resulting in the monitoring being carried out in a transparent manner. This ensures that there are clear linkages between the decisions taken at committee and the planning of new business.
- 3.3 However, a gap existed for committee decisions that did not request a further report to Committee. The implementation of these decisions was left with individual service areas and any monitoring was not publicly available.
- 3.4 The approach agreed by the Governance, Risk and Best Value Committee on 19 June 2014 aimed to address this gap. Following the meeting a committee decisions spreadsheet was introduced to track decisions that did not require further reporting and thus would not be covered by the Rolling Actions Log.

This new process aimed to ensure that the implementation of relevant actions would be recorded effectively, monitored and considered annually at each committee.

- 3.5 This spreadsheet is completed by Committee Services and directorate staff who are responsible for updating the status of actions attributed to each service area.
- 3.6 A similar report on all decisions taken in the previous year and an update on the implementation of decisions and recommendations to discharge actions will be presented to the Corporate Policy and Strategy Committee and to each executive committee annually.
- 3.7 The consideration of these reports will augment committee oversight of the implementation of decisions, resulting in an increase in accountable and transparent decision making.

Corporate Policy and Strategy Committee Decisions

- 3.8 A review of actions has been undertaken by directorates to ensure that all decisions not required to be reported back to committee are progressing as expected and to highlight any exceptions. A summary of decisions for the initial period November 2014 to June 2015, including status, is set out in the appendix to this report. This report will be submitted on an annual basis to Committee.
- 3.9 At the Corporate Policy and Strategy Committee there have been 15 decisions made which were recorded through the committee decisions spreadsheet.
- 3.10 All 5 actions remaining open are being progressed and there are no concerns to highlight to Committee.

Measures of success

- 4.1 Annual reporting ensures the effective implementation and monitoring of committee decisions.

Financial impact

- 5.1 There are no direct financial impacts as a result of this report.

Risk, policy, compliance and governance impact

- 6.1 The improvements in business processes help ensure increased transparency and assurance across the Council's decision making processes.

Equalities impact

- 7.1 There are no direct equalities impacts as a result of this report.

Sustainability impact

- 8.1 There is no direct sustainability impact as a result of this report.

Consultation and engagement

9.1 The spreadsheet described is completed throughout all service areas across the Council.

Background reading/external references

[Minute of the Governance, Risk and Best Value Committee – 19 June 2014](#)

[Report to the Governance, Risk and Best Value Committee - Committee Decisions – Dissemination and Implementation and Update to member/officer Protocol – Report by Director of Corporate Governance](#)

Alastair D Maclean

Deputy Chief Executive

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Gavin King, Committee Services Manager

E-mail: Gavin.King@edinburgh.gov.uk | Tel: 0131 469 4239

Links

Coalition pledges

Council outcomes CO25 - The Council has efficient and effective services that deliver on objectives.

Single Outcome Agreement

Appendices Appendix 1 - Corporate Policy and Strategy Committee - Committee Decisions – November 2014 to June 2015

Appendix 1 – Committee Decisions – Corporate Policy and Strategy Committee

Corporate Policy and Strategy Committee Decisions Overview			
Date	Number of Decisions	Open	Closed
04/11/14	2	1	1
20/12/14	6	0	6
24/02/15	3	2	1
24/03/15	2	2	0
09/06/15	2	0	2
Total	15	5	10

Breakdown of tasks by directorate			
Directorate	Number of Decisions	Open	Closed
Chief Executive's Office	2	2	0
Children and Families	1	1	0
Corporate Governance	9	1	8
Economic Development	3	2	1
Health & Social Care	1	1	0
Services for Communities	4	2	2

N.B: - Tasks can belong to more than one directorate, leading to slight disparity in figures.

Outstanding Tasks in full

Item no.	Date	Directorate	Item	Decision	Status	Comments
1	04-Nov-14	SfC	7.7 - Edinburgh Biodiversity Duty Report 2012-14	To publish the Edinburgh Biodiversity Duty Report 2012-14 on the website	Closed	The report was published on the website 30 March 15.
2	04-Nov-14	SfC	7.7 - Edinburgh Biodiversity Duty Report 2012-14	To sign up as a member of the Scottish Forum on Natural Capital	Closed	Council took up membership in December 2014.
3	02-Dec-14	CG	7.1 - ICT Acceptable Use Policy - Six Month Review	To approve the revised policy.	Closed	
4	02-Dec-14	CG	7.2 - Information Governance - update	To agree future initiatives to develop the Council's arrangements for of archives, records management, data protection and freedom of information.	Closed	
5	02-Dec-14	CG	7.3 - Edinburgh's Christmas and Edinburgh's Hogmanay 2014/14 Event Update	1) To approve the key performance indicators for Edinburgh's Christmas and Edinburgh's Hogmanay in Appendix 1 of the report. 2) To agree to monitor the impact and footfall at the event of the rest of the City.	Closed	

Item no.	Date	Directorate	Item	Decision	Status	Comments
6	02-Dec-14	CG	7.5 - Managing Retirement Policy - Additional Report	1) To agree to delete the Interim Policy on Preparation for Normal Retirement giving the required 4 months and notice and replace it with a provision for 13 'wind down' days in the last three months before normal retirement for all staff over 60. 2) To approve the new Managing Retirement Policy described in Appendix 1 of the report.	Closed	
7	02-Dec-14	CG	7.6 - Corporate Debt Policy - Amendments to Sundry Debt Policy	To approve the proposed changes to the Corporate Debt Policy in specific respect of legacy statutory notice debt.	Closed	
8	02-Dec-14	CG	7.7 - Lord Provost visit to Ajman Municipality, United Arab Emirates	To approve the visit of the Lord Provost to the UAE.	Closed	
9	24-Feb-15	ED	7.3 - Sustainable Energy Action Plan	To ask the Council Leader and Chief Executive to write to key stakeholders asking for sign up to the Plan by September 2015.	Closed	Letters were issued in June 2015 and responses received.
10	24-Feb-15	CG	7.1 - Annual Treasury Strategy	To refer the report to Council for its approval and remit to the Governance, Risk and Best Value Committee for scrutiny.	Closed	

Item no.	Date	Directorate	Item	Decision	Status	Comments
11	24-Feb-15	CE	9.1 - Parliament Hall - Common Good	Therefore requests that the Chief Executive writes to the Permanent Secretary seeking a voluntary resolution to restore ownership of this common good asset to the Council.	Closed	Chief Executive wrote to Sir Peter Housden (then Permanent Secretary) on 25 February 2015.
12	24-Mar-15	All	7.3 - Open Data Strategy Update	To instruct all services to identify data sets for early release using the types of data identified in Appendix 2 to the report by the Director of Corporate Governance and that clear protocols for the release of data by officers be produced.	Ongoing	To date 45 data sets have been identified and published as per the March report. When combined with the existing data sets the Council had already published this means the Council currently has 107 data sets available. Barriers have been encountered in terms of getting data sets released. The action from Committee should be mandated against all Council services with targets and timescales, to ensure service areas provide data sets for publication.

						Whilst work is underway aligning with the Information Asset register with protocols for future release and types of data, the action noted above is required to ensure continuing data publication by the Council.
13	24-Mar-15	ED	7.5 - Lasting Memorial to Nelson Mandela	<p>1) To delegate authority to the Director of Economic Development in consultation with all Group Leaders and the St James Quarter Sounding Board to determine what form the lasting memorial to Nelson Mandela should take.</p> <p>2) To delegate authority to the Director of Economic Development (or designate) in consultation with the Senior Responsible Officer to negotiate and enter into a formal agreement with TIAA Henderson Real Estate regarding the location for the proposed lasting memorial to Nelson Mandela within Edinburgh St James.</p>	Ongoing	<p>The design of the public realm associated with the St James development is in the process of being finalised by the developer.</p> <p>Preliminary plans have been received by the Council and it is expected that the final public realm plans will be received by the Council by the end of the year. Upon receipt of the plans, discussions will commence with the developer to inform options for the proposed lasting memorial with a</p>

Item no.	Date	Directorate	Item	Decision	Status	Comments
						view to entering into a formal agreement.
14	09-Jun-15	CG	Item 7.7 - Extraction of Unconventional Gas, Fracking and Coal Gasification	To therefore refer the report to the Planning Committee to consider whether the entire Edinburgh Council area should be an area that was not supported for unconventional gas and oil development (including shale gas, coalbed methane and underground coal gasification) in the forthcoming Strategic Development Plan 2, and to consider making representations to the SESPlan Joint Committee in this regard.	Closed	Referral report submitted to Planning Committee 6 Aug 2015.
15	09-Jun-15	SfC	Item 7.6 - Update: Review of Community and Accessible Transport - Stage 2	To agree to proceed with the review programme as outlined in Appendix 2 to the report by the Acting Director of Services for Communities.	Closed	Workstreams allocated as per agreed Workplan. On target to produce blueprint for service redesign.

Corporate Policy and Strategy Committee

10.00am, Tuesday 3 November 2015

Dean of Guild Courtroom, City Chambers, High Street, Edinburgh

Corporate Policy and Strategy Committee

Convener:	Members:	Contact:
<p>Councillor Andrew Burns</p>  <p>Vice Convener: Councillor Sandy Howat</p> 	<p>Councillors: Burns (Convener), Howat (Vice Convener), Burgess, Child, Rust, Edie, Godzik, Ricky Henderson, Hinds, Lewis, Mowat, Main, Rankin, Rose, Ross</p>	<p>Kirsty-Louise Campbell Governance Manager Tel: 0131 529 3654</p>

Recent news	Background
<p><u>Annual review of Working Groups</u></p> <p>The Corporate Policy and Strategy Committee on 3 December 2013, considered the number of working groups and a series of proposals to improve the governance arrangements surrounding them.</p> <p>The Committee agreed that the membership and remit of working groups should be appointed by committee and the membership should be re-appointed annually. The Corporate Policy and Strategy Committee would receive annual overviews.</p>	<p>For further information, please contact Gavin King, Committee Services Manager</p>

In December 2013 there were a total of 43 working groups in operation. Subsequently efforts were made to rationalise this figure and by August 2014 this figure had been reduced to 30. Currently all committees have now re-appointed their working groups and there is now a total number of 32 active working groups. This was made up by 7 new working groups and 5 having completed their workload since August 2014.

Many working groups are now short term, with a documented and specific work programme. The outcome of their discussions is then reported to committee directly or contributes to the content of a report to committee. The change from 30 to 32 working groups shows that their use has been broadly maintained at that rationalised level but it is still recognised that working groups can be an appropriate vehicle to help develop policy, consult and engage on certain areas of Council business.

Forthcoming activities:

Corporate Policy and Strategy Committee

10.00am, Tuesday 3 November 2015

Welfare Reform – Update

Item number 7.1
Report number
Executive/routine
Wards

Executive summary

The Department for Work and Pensions implemented Universal Credit for new single claimants in Edinburgh on 9 March 2015. As predicted, there have been low numbers of citizens who have claimed the new benefit in Edinburgh to date. The Council is involved in a Delivery Partnership Agreement (DPA) to support citizens through the transition into Universal Credit.

The Council continues to engage with tenants providing advice and financial support through Discretionary Housing Payments (DHP). In 2015/16 The Scottish Government allocated Edinburgh an additional £2,570,847 (initial allocation) to fully mitigate Under Occupancy for 2015/16, increasing our Discretionary Housing Payment fund to £3.91m. The final allocation of funding from the Scottish Government, following analysis of actual DHP spend figures of all Scottish Local Authorities will be made in May 2016.

Applications for both Crisis Grants and Community Care Grants are now being considered for medium and high priority cases. The priority levels and level of allocation to each element of the fund is reviewed on a monthly basis.

Links

Coalition pledges

Council outcomes [CO6; CO8; CO9; CO16; CO24; CO25; CO26](#)

Single Outcome Agreement [SO2](#)

Welfare Reform – Update

Recommendations

- 1.1 It is recommended that the Corporate Policy and Strategy Committee notes:
 - 1.1.1 the status of Universal Credit in Edinburgh;
 - 1.1.2 the Council's ongoing activities relating to Welfare Reform;
 - 1.1.3 note new welfare reforms, effective from April and additional paper on projected effects for Edinburgh Citizens
 - 1.1.4 the current projection of spend on Discretionary Housing Payments;
 - 1.1.5 the current projection of spend on Council Tax Reduction Scheme; and
 - 1.1.6 the current projection of spend on Scottish Welfare Fund.

Background

- 2.1 The Corporate Policy and Strategy Committee recommended on 22 January 2013 to continue to monitor the Council's actions relating to Welfare Reform and requested bi-monthly update reports.
- 2.2 Following discussions with relevant Councillors it was agreed to report the Welfare Reform update on a quarterly basis, to align with the Working Group meeting cycle. The last report was considered by Committee on 4 August 2015.

Main report

Universal Credit (UC) and Universal Support Delivered Locally

- 3.1 The Department for Work and Pensions (DWP) confirmed that Universal Credit (UC) was to be rolled out nationally to new single claimants from February 2015. This phased activity commenced in Edinburgh Job Centres (JC) from 9 March 2015 for new single claimants who would previously have been eligible for Job Seekers Allowance will now claim UC.
- 3.2 The report of [the Smith Commission](#) for further devolved powers to the Scottish Parliament was published 27 November 2014. The Welfare Reform team continue to monitor movement towards any implementation of these powers but no legislation has been introduced to allow variances described in the report to be adopted and none is expected until 2016.

- 3.3 The Council has entered into a Delivery Partnership Agreement with the DWP with effect 9 March 2015. As a result of this the Council has agreed to provide the following services
- Provide support to UC Service Centre staff around housing cost issues that may arise
 - Support claimants to get on-line and stay on line
 - Providing the necessary Management Information to support number of claimants assisted
 - Manual processing for Local Council Tax Reduction Scheme (current council activity)
 - Support for claimants with complex needs and in particular those who require personal budgeting support (PBS) by performing the acts, functions and roles assigned to it in the outline of the personal budgeting support arrangements
 - Work with Universal Credit Programme in preparing landlords for complex rent collection and direct payment of housing costs to customers.
- 3.4 The corporate cross council operational team have and are continuing to work in conjunction with DWP and JC staff to support citizens in the transition to the new UC system. Edinburgh's Registered Social Landlords (RSLs) and a member of the Council's Private Rented Sector team are also members of the operational board to ensure landlords outwith the Council are represented.
- 3.5 In order to maintain operational focus, and provide effective outcomes for the City's landlords, a separate landlord project team has been created which will report back to the operational group. It is hoped this will allow landlords to better prepare and engage with tenants entering UC, and protect income streams and payment management regimes.
- 3.6 The operational team is also the forum to agree processes to address emerging issues that arise. Escalation processes are in place and are controlled via the corporate Welfare Reform Team to ensure appropriate responses are made in relation to such issues, and to collate management information and data to share with the DWP and partners to measure the impact of the transition and roll out.
- 3.7 The collaboration between the Council and the DWP continues to work well at a local level, and this co-operation provides an effective means of access into the DWP operational service centres. As a result of this collaboration, specialised telephony services have been provided for Landlords to escalate enquiries and email access has been introduced into the process, where previously electronic communications were not accepted.
- 3.8 There continues to be issues within the process concerning the identification of UC claimants to Local Authorities and RSLs, however through sharing of information and identification of specific case studies, these issues are being addressed by local DWP partners escalating concerns through the UC national project team.

3.9 UC Caseload in Edinburgh

The latest UC figures available by caseload up to 10 September 2015 are as follows:

Job Centre	UC Claims
High Riggs	366
Edinburgh City	351
Leith	626
Wester Hailes	254
Total	1597

Scottish Welfare Fund and UC Claims

3.10 In order to assess the impact of Universal Credit waiting and assessment periods on alternative funding streams, separate information is collated on those claimants citing UC as a reason for applying for Crisis Grant from the Scottish Welfare Fund. Latest information up to 15 September 2015, show there have been a total of 15 UC related applications for Crisis Grants.

The value of the awards are as follows:

Cash Awards -	£ 1160
Vouchers -	£1200
Total -	£2360

3.11 In the first instance, customers are referred for a short term benefit advance from the DWP prior to the consideration of crisis grants. The Scottish Government, who have overall control of the SWF, are working with local authorities to monitor spend in this area.

PBS Referrals

3.12 The takeup of PBS has been disappointing, however, this reflects the national picture. This situation was raised at the Universal Credit Local Authority Steering Group at DWP headquarters in London on 30 September 2015. The lack of referrals for support, and subsequent low take up has been escalated for further consideration by DWP senior officials.

3.13 A pilot scheme is being undertaken involving co-location of the Council's Personal Budgeting Support officer with the DWP in an attempt to increase accessibility to citizens requiring this type of support. The pilot will involve a council officer working alongside DWP work coaches in Leith Job Centre Plus to encourage PBS take-up.

The figures for PBS engagement are as follows:

June	-	9
July	-	11
August	-	10

3.14 Further roll out of UC to additional client groups has not yet been announced. It is anticipated that owing to the success of digital pilots in the south of England, there could be more emphasis on rolling out the digital service to the current client group in an attempt to improve the product before expanding implementation to additional client groups.

3.15 The joint Operational Delivery Team have also agreed that Benefit Sanctions will become a standing meeting agenda item going forward. There is a strong commitment that both organisations work together in an attempt to support citizens avoid this action.

Management of UC Roll Out

3.16 Council operations supporting UC claims and payments continue to be delivered through the Customer Hub at 249 High Street. The Centralisation of this activity ensures

- knowledge and expertise to be established due to the small anticipated volumes of customers;
- data gathering on actual resource implications for delivery of this support for managing claims on line and Personal Budgeting Support (PBS);
- can more accurately record the demands for UC support and to assess the true cost of service delivery and to manage resources effectively;
- mitigation of the risk of failure to record UC support being delivered across multiple service points, therefore not properly assessing true cost of service delivery;
- single points of contact for UC virtual service centres and Job Centre Offices during this initial phasing period; and
- MI gathering to influence the future shape of UC and meet DWP reporting requirements.

3.17 The redevelopment of the Customer Hub accommodation has made this an appropriate environment to serve customers requiring digital access and support to complete UC claims. Customers can also gain access to additional support services such as Scottish Welfare Fund, housing options and council tax benefit. New self service kiosks have been installed to increase digital access for citizens.

3.18 Through the DPA and the legal framework for UC, data on new claims will be provided to the Council and RSLs. Council Tax Reduction Scheme (CTRS) is not part of UC and take-up may be impacted during the transition period, due to lack of customer knowledge. Processes have been agreed with the DWP to proactively advise UC applicants of the need to make a separate claim for CTRS with this being promoted through the DWP Service Centre responsible for processing UC claims. It is too early to determine if there has been an impact on CTRS take-up, and subsequently Council Tax collection rates, due to the relatively small numbers of claims with Universal Credit in payment at this time.

Communications

- 3.19 Communications surrounding the roll out of Universal Credit have been developed in conjunction with council officers, the DWP, and social sector landlords. This communication has been proportionate given the small numbers of customers who are actually affected by Universal Credit at this time.

Learning and Development

- 3.20 Council and DWP training teams continue to work together to deliver bespoke training to the small number of officers who will be involved in UC related service delivery. This training pack has been distributed to other RSLs, partners and stakeholders for their information.
- 3.21 Additionally, 2 e-learning modules have been launched and are available on the Council's intranet. This has also been shared in the same way as the training pack.
- 3.22 Edinburgh's development of procedures to support customers through the UC transition has been recognised as best practice at a national level. Information continues to be shared via the SHAW group briefing note, which now has a membership of around 80 organisations.
- 3.23 The Welfare Reform Team recently hosted a visit from Dundee City Council to share best practice as Dundee progresses towards the implementation of UC.

Job Shadowing

- 3.24 Leith Job Centre agreed to allow various council staff to shadow UC interviews in October 2015 to support smoother transition of citizens. Staff from house rents, advice and welfare reform attended these sessions.

Council Housing Services – Universal Credit (UC)

- 3.25 There are around 200 Council tenants receiving UC, with 49% of these tenants also affected by under occupation. To manage an effective transition to UC the following initiatives have been introduced:
- Inclusion of a financial assessment to determine tenancy sustainability
 - Assist tenants if required to make application for Discretionary Housing Payment to cover the reduction in Housing Costs due to under occupation.
- 3.26 The gradual roll out of UC continues to provide an opportunity to understand the changes and adapt our approach to income collection.
- 3.27 Improvements are being made in the identification of single tenants in receipt of UC who will be paid an element for housing costs as part of their claim. This is being carried out through collaboration between Job Centre Plus, Universal Credit Service Centre and the Councils own Benefit Service. This allows dedicated welfare reform and income maximisation services (Income Advice Team) to undertake early intervention with tenants to discuss their rent payment responsibilities and identify if additional support is required by them to claim and manage UC.

- 3.28 Procedures to manage the UC transition and secure rent payments require intensive effort. This has been the experience of other local authorities who have live UC implementation in their areas.
- 3.29 These procedures also include close scrutiny of arrears management in individual cases. The majority of tenants already have legacy arrears at the start of their UC claim and 71% of tenants have an alternative payment arrangement (APA).
- 3.30 APAs are intended as a temporary arrangement which require review at various points by the DWP to establish if tenants have become capable of making their own payments.
- 3.31 Council services will continue to be adapted as required while the roll out continues and number of tenants on UC is small. A joint approach to referrals for additional support is being managed through existing services. This includes support for personal budgeting as a result of UC which will be recorded as part of the management information return to the DWP to fully assess the impact of UC on the Council's delivery of services.
- 3.32 A Pilot scheme continues between Leith Job Centre and the Council to support customers through their initial claim process by providing confirmation of rent, thus speeding up the process of application. Leith Job Centre has entered into a similar test pilot with an RSL in the area.

Temporary and Supported Accommodations

- 3.33 Households in temporary accommodation that are affected by the Benefit Cap and/or Under Occupation, continue to be provided with advice and assistance to apply for Discretionary Housing Payments. Households are placed in temporary accommodation that reduces the likelihood of them being affected by the Under Occupancy regulations where this is practicable. They may on occasion be placed in a larger property to meet their emergency housing need. There are currently 33 households who are under occupying temporary accommodation.
- 3.34 Single people who are homeless would be exempt from moving on to UC under the current roll out if they are homeless on the date of any new claim. Once someone is on UC they will always be a UC claimant even if their circumstances change. This means that someone on UC may subsequently present for assistance from homeless services. In these instances detailed advice will be provided from the dedicated staff providing assistance to council tenants and an application will be made for an Alternative Payment Arrangement (APA). There have only been 5 such cases so far.
- 3.35 Two citizens have presented to the DWP to claim UC, and failed to declare their status as occupying temporary accommodation. The DWP have decided in these instances, customers will remain on UC even though, had they answered the application questions correctly, they would have been directed to an alternative benefit. Due to the funding implications this will cause, (possible additional pressure on DHP and other budgets) this has been escalated through

the joint Operational Delivery Group to be considered at a national level. Ministers in the DWP are currently taking this under advisement.

Advice Shop

- 3.36 The Advice Shop continues to respond to demand by ensuring efficient service delivery at the Advice Shop and developing outreach provision in community locations.
- 3.37 Average waiting time for an Advice Shop appointment is around 2 weeks. Drop-in facility for welfare rights customers is provided 3 half days per week and those in need of urgent debt advice have access to emergency appointments if threatened with legal action.
- 3.38 Close liaison takes place with funded advice agencies to understand how demand is being managed across the city.

Data submitted by advice providers partly funded through Council grants shows that:

- Debt Advice cases are down overall in the period April to June 2015, from 1,708 to 1,354 compared to the same period last year.
 - Welfare rights cases have also reduced from 3,442 to 3,134. However, it should be noted that both of these figures are impacted by the change to a new case management system that one organisation has adopted and so do not necessarily reflect accurately the change in demand being faced by these services.
- 3.39 The number of welfare rights tribunals have fluctuated slightly, with peaks in July and September, though are still well below figures from 18 months ago. Much of the increase has been due to Personal Independence Payment (PIP) claims being processed more swiftly.
- 3.40 We are undertaking advice work for some foreign nationals requesting assistance since regulations on entitlement began to change in January 2014. Further amendments to regulations since then have exacerbated complexities in establishing entitlements. These changes have affected new residents who have found it more difficult to establish entitlement to out of work benefits as well as housing benefit, but there have also been existing residents whose status has diminished because of the changes. Additionally, we are seeing some British nationals who have lived abroad for years and are now facing restrictions on when they can claim certain benefits on their return to the UK. Changes to regulations which require residency in the UK or EU common travel area for 3 months before they can claim JSA. are causing people to seek advice.
- 3.41 The Advice Shop are seeing a consistent average of £64k in rent arrears presented each month for support and assistance from citizens across the social rented housing sector.

Welfare Reforms – Summer Budget

- 3.42 In the Summer Budget presented to Parliament on 8 July 2015, the Chancellor of the Exchequer announced plans to achieve a budget surplus by 2019/20.

Central to this plan are £17 billion of measures designed to reduce the Government's budget deficit over the next six years, including £12 billion of net savings to be achieved through welfare reforms. Appendix 1 shows a report produced by the Business Intelligence Team of the projected potential impact on Edinburgh citizens.

- 3.43 This will support more targeted intelligence and information gathering, and so better inform the Council's ability to focus its support to citizens through the transition of multiple welfare reforms. This report will form a basis of cross council service responses and will be considered at the officers' Welfare Reform Core Group meeting. In line with current governance arrangements in the Council, mitigating actions will be referred through the Welfare Reform Working Group.

Pending Welfare Reforms – April 2016

Extension of Benefit Cap

- 3.44 The benefit cap is a limit on the total amount of income from certain benefits a household can receive. If they receive more than the benefit cap allows then their Housing Benefit will be reduced until they are brought back within the cap. Appendix 2 shows how this may affect citizens.
- 3.45 Other changes coming into effect in April 2016 are as follows:
- Tax Credit income disregards and taper rates will change from April 2016, meaning further Tax Credit reductions for those earning more than £3850p.a.
 - Working age benefits and tax credits will be frozen for four years
 - Universal Credit work allowance is being abolished for non-disabled, childless claimants and reduced for those with a disability Housing Benefit family premium will be withdrawn
 - Housing Benefit claimants requesting backdating of benefit will now be restricted to a 4 week period, as opposed to the current 52 weeks from April 2016. The new restriction does not apply to pensioner Housing Benefit cases. The UK parliament have not given any indication of exemptions or discretion to vary this limit for any category or group of working age claimants.
 - There has been no announcement by the Scottish Government as to whether they will apply the same rule to CTRS. However, it is widely anticipated this will be the case.

Council Tax Reduction Scheme (CTRS)

- 3.46 The DWP has confirmed that it will continue with the funding arrangement in place for 2015/16. This reflects the evolving nature of CTRS and that the implementation and migration of Housing Benefit to UC is being done as staged process. The Settlement and Distribution Group continue to consider the distribution of CTRS funding and will advise Local Authorities accordingly.

- 3.47 CTRS is not part of the UC package of benefits, with the fund being independently administered by each local authority. Every effort is being made to raise awareness of this and to ensure customers make the separate CTRS claim at the point of UC claim
- 3.48 The demand on the 2014/15 budget continues to be monitored monthly in line with changes to customers' circumstances. At 30 September 2015 the projected annual spend for the fund was 95.58% (Appendix 3).
- 3.49 No indication of further reductions in this budget have been announced by Scottish Government to date.

Scottish Welfare Fund (SWF) – Crisis Grants and Community Care Grants

- 3.50 Overall spend totals for the initial 6 months of 2015/16 on the fund continue to increase. (Appendix 4)
- The overall fund available has increased in 2015/16, owing to the carry forward of £343,808 of under spend from 2014/15.
 - Crisis Grant spend continues to rise at a higher rate and takes into account larger payments of up to 6 weeks being paid to customers as a result of Universal credit.

Applications for Crisis Grants are being considered within 2 days.

There were no 2nd tier Crisis Grant meetings in September 2015

- Approximately 85% of applications for Community Care Grants are being considered within the target of 15 days.
 - There have been four 2nd tier review panel meeting during September 2015 for Community Care Grants, all of which were upheld in favour the original decision.
- 3.51 The SWF budget for 2015/16 has been revised from 1 June 2015 to £2,531,436 which included £343,808 carried forward from 2014/15, at the advice of Scottish Government to transfer underspends into the current year's fund.
- 3.52 The Crisis Grant fund position for 2015/16, taking account of the revised budget is now as follows:
- £606,000 - Budget
 - £283,014 - Spend to 30 September 2015
- 3.53 The Community Care Grant fund for 2015/16 is now as follows:
- £1,925,436 - Budget
 - £826,540 - Spend to 30 September 2015
- 3.54 The 2015/16 spend profile for each fund is included in Appendix 4. Priority levels were reviewed in January 2015 to ensure spend of the total fund is ensure maximum utilisation of the available funding.

- 3.55 Both Crisis Grant and Community Care Grant applications have been considered for medium and high priority cases since January 2015 and this will continue for the immediate future in 2015/16. .
- 3.56 The monthly spend levels for both grants continue to be monitored on a daily basis to allow appropriate adjustments to be made to the priority levels or budget allocation.
- 3.57 The Furnishing Service has delivered approx 90% of ordered goods within agreed timescales. Positive feedback has been received from the SWF team and customers.

Discretionary Housing Payments (DHP)

- 3.58 The remaining £9m of the original £35m of Scottish Government funding available to Local Authorities to fully mitigate Under Occupancy will be distributed to councils based on actual DHP expenditure following the publication of the 2015/16 DHP statistics in May 2016. Edinburgh's additional allocation to allow for mitigation was originally estimated at £784,440, making the estimated total DHP fund £4.7m for 2015/16.
- 3.59 Edinburgh's total DHP spend for 2015/16 is estimated at around £4.6m. Therefore a proportion of the remaining £9m will be required to cover all of Edinburgh's DHP expenditure. The Council will continue to monitor DHP spend on a monthly basis and an appropriate claim will be made to the Scottish Government.
- 3.60 There have been 5,563 DHP applications for 2015/16 considered up to 30 September 2015 of which 383 were refused. The overall refusal rate is 6.89%. The most common reasons for refusal is in the situation where a customer's income exceeds their expenditure
- 3.61 At 30 September 2015, the Council's DHP financial position was:
- £3,914,405 total fund (£1,343,558 from the DWP & £2,570,847 from the Scottish Government, not inclusive of additional 20% to be allocated in 2016)
 - £4,106,487.24 spend
- 3.62 Appendix 5 outlines the Council's DHP spend profile at 30 September 2015. The additional Scottish Government funding is expected to mitigate under occupancy in 2015/16.

Foodbanks

- 3.63 The Council continues to work with foodbanks to address immediate crisis of citizens in need.
- 3.64 Discussions continue with foodbanks to signpost clients to these advice points to reduce repeat visits and address the issues which have lead citizens to require this type of support.

- 3.65 Cross-Council discussions are underway in an attempt to increase the number of referral agents to ensure easier access to emergency food provision where this is deemed the only alternative for a customer in need.
- 3.66 The previous welfare reform report advised that following discussions at a meeting of the NHS health promotion group looking at foodbanks, it was agreed that data would be gathered over a number of months to ascertain the usage of foodbanks by families with children, to inform the integrated plan for children and young people within the City of Edinburgh.
- 3.67 This has had limited success, however some foodbanks are reluctant to share their data to protect the anonymity of their customers. No personal information is being sought, and this exercise focuses purely on statistics in an attempt to develop early intervention strategies to reduce the dependency on emergency food aid. The Council continues to work with its partners in this sector to address the need of some citizens accessing these services
- 3.68 Through collaborative working with the DWP, a productive meeting was facilitated with Broomhouse Foodbank Plus in an attempt for staff in Job Centre Plus Edinburgh to produce improved information and support for those in hardship.
- 3.69 The map showing emergency food aid and related services such as advice agencies has been updated and is included again in Appendix 5. The map now identifies
- Foodbanks in Edinburgh
 - Foodbanks with CAB provision
 - CAB Locations
 - CAB Outreach at Housing Associations
 - CAB Outreach at GP surgeries
 - Food Co-ops
 - Community Health Initiatives
 - Employability Hubs

The updated map is also displayed on the Council website

Payday Loans

- 3.70 The Council continues to be actively involved in the issue of payday loans and the working groups meet regularly to look at ethical alternatives to payday loans and consider longer term, sustainable solutions. There will be a greater focus on this area given the qualification period for those customers claiming UC, and will become part of the personal budgeting service being undertaken as part of the Delivery Partnership Agreement with the DWP.
- 3.71 Members of the Welfare Reform team attended the International Credit Union Day on Thursday 8 October at the Scottish Parliament. This is an annual event which gives a great opportunity for MSPs, credit unions, stakeholders and supporters to meet and discuss the achievements and potential of the Scottish credit union movement.

The Welfare Reform Working Group

3.72 The Welfare Reform Working Group continues to meet quarterly to monitor the impacts of Welfare Reform on the Council and its service user. The group met on the 24 September 2015. Agenda items included:

- Budgeting Support/Financial Literacy
- Private Rented Services
- Summer Budget 2015
- Benefit Cap
- Gracemount Primary School – Advice Pilot
- Universal Credit Update
- Backdating to Housing Benefit

The Welfare Reform Core Group – Delivering Social Security in Edinburgh a strategic response to Welfare Reform

3.73 The new governance arrangements are now in place and the Welfare Reform Core Group continues to meet quarterly to agree the delivery of the key actions to achieve outcomes in terms of:

- Prevention of hardship and worsening inequality;
- Effective response to crisis needs for housing heat and food;
- Effective support for vulnerable individuals and families; and
- Partnership action to sustain Edinburgh’s social security.

The Communications Sub-Committee has been meeting regularly, particularly in the lead up to the roll out of UC to ensure key personnel, stakeholders and the public have an appropriate level of awareness.

The Welfare Reform Partners’ Forum

3.74 The Welfare Reform Partners’ relaunch is planned for 28 October 2015 and a full report of the outcome will be included in February’s update.

Child Poverty Initiative – Outreach Pilot

3.75 The head teacher of Gracemount Primary School is keen to engage with parents and introduce Welfare Rights/Debt Advice as a pilot. Early discussions have taken place with the Income Maximisation Team based in South area neighbourhood office to establish links for outreach work within the school from services already based at South Edinburgh Local Office.

3.76 Should the pilot be successful, Community Learning and Development colleagues are keen to extend this to other schools. It is not anticipated there would be an increased requirement of resource, merely co-ordination of the current resource to encourage engagement and produce better outcomes.

Measures of success

4.1 The success of the programme will continue to be measured through:

- reductions in forecast loss of income; and
- customer satisfaction with advice and advocacy services relating to benefit changes, including increased benefit take up and minimises losses by ensuring people get their full entitlement under the new arrangements.

Financial impact

5.1 The increase in numbers of people experiencing hardship has led to increased demand for services across the Council and also partner advice agencies. There is a risk to Council income, particularly in relation to rent arrears, changes to subsidy levels for temporary accommodation and service charges. Known risks include:

- loss of rental income to the Housing Revenue Account (HRA) arising from Housing Benefit under Occupation reforms and Direct Payment under Universal Credit;
- Scottish Welfare Fund and Discretionary Housing Payment budget will be insufficient to meet demand longer term;
- the spend on Council Tax Reduction Scheme exceeds the available funding;
- reduced DWP Administration Subsidy due to the abolition of Council Tax Benefit, the phasing out of Housing Benefit and Central Government budget savings;
- increased demand on advice and advocacy both for the Council and Third Sector advice agencies; and
- Increase in homeless population where delays in payment of rent due to assessment periods for UC in the private sector.

Risk, policy, compliance and governance impact

6.1 The financial risk to the Council as well as the risk to the Council's reputation is being monitored regularly. Actions taken to assess and mitigate these risks and ensure effective governance include:

- bi-monthly updates were provided to Corporate Policy and Strategy and Finance and Resources Committees, however, these will now be reported on a quarterly basis, to align with the Working Group meeting cycle;
- annual update to the Governance, Risk and Best Value Committee;
- dedicated teams introduced to provide support and assistance;
- quarterly meetings with Elected Members, Council Officers and External Partners; and
- a strategic approach and action plan for delivering Social Security in Edinburgh (A strategic response to Welfare Reform in Edinburgh).

Equalities impact

- 7.1 The UK Government has prepared Equalities and Human Rights assessments for the welfare reform proposals. The Council will undertake an EHRIA when necessary for any of its proposals.

Sustainability impact

- 8.1 Welfare Reform is expected to have general implications for environmental and sustainability outcomes, for example in relation to fuel poverty and financial exclusion.

Consultation and engagement

- 9.1 Council officials continue to engage with the UK and Scottish Governments, directly and through COSLA, with the DWP, the Third Sector, the NHS and other partners. The Council is also engaging with citizens, both in and out of work, who rely on benefit income and tax credits.
- 9.2 The Council continues to participate in groups with the looking at the impacts of Welfare Reform, namely Local Authority Transition Working Group (LATWG), and COSLA's Welfare Reform Local Authority Representative Group.

Background reading / external references

Recent reports to committee:

Welfare Reform – Update – Corporate Policy and Strategy Committee 20 January 2014

[Strategic Response to Welfare Reform in Edinburgh](#) – Corporate Policy and Strategy Committee 30 September 2014

[Welfare Reform – update](#) – Corporate Policy and Strategy Committee 30 September 2014

[Welfare Reform – update](#) – Finance and Resources Committee, 28 August 2014

[Discretionary Housing Payment Policy](#) – Corporate Policy and Strategy Committee, 5 August 2014

[Welfare Reform – update](#) – Corporate Policy and Strategy Committee, 5 August 2014

[Welfare Reform – update](#) – Finance and Resources Committee, 5 June 2014

[Welfare Reform – update](#) – Corporate Policy and Strategy Committee, 13 May 2014

[Smith Commission](#)

[SLAB Annual Report](#)

Alastair D Maclean

Deputy Chief Executive

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Links

Coalition pledges

Council outcomes

Single Outcome Agreement **SO2** – Edinburgh’s citizens experience improved health and wellbeing, with reduced inequalities in health

Appendices

- Appendix 1 – Summer Budget 2015 Briefing Note
- Appendix 2 – Changes to the Benefit Cap from 2016
- Appendix 3 - Council Tax Reduction Scheme Spend
- Appendix 3 – Scottish Welfare Fund Spend
- Appendix 4 – Discretionary Housing Payment Spend
- Appendix 5 – Foodbanks mapped with support services

Briefing note – Summer Budget 2015

Appendix 1

Business Intelligence

August 2015

Introduction

This note provides an overview of UK welfare reforms announced by the Chancellor of the Exchequer in the 2015 Summer Budget. The note assesses the total value of planned cuts to welfare payments announced in the budget, and provides a high level estimate of the potential value of these cuts for benefits claimants in the City of Edinburgh.

Main findings

In the Summer Budget presented to Parliament on 8th July 2015, the Chancellor of the Exchequer announced plans to achieve a budget surplus by 2019/20. Central to this plan are £17 billion of measures designed to reduce the Government's budget deficit over the next six years, including £12 billion of net savings to be achieved through welfare reforms.

The budget sets out details of 14 specific policy measures through which these net savings will be made, including cuts to the value of current benefit payments, measures to reduce the number of eligible claimants, measures to limit the rate of growth in the value of benefit payments, and a lowering of the cap on the total value of benefits which can be claimed by any household.

Overall, these policy measures amount to a total reduction in welfare payments of £46.5 billion over six years compared against a baseline position which assumes no change in policy. These cuts are phased in over the period, rising from an annual reduction of £4.9 billion in 2016/7 to £12.99 billion in 2020/21. For context, these cuts are made from total UK Government benefits and personal tax credit payments of £207.6 billion in 2014/15.

Figure 1: Summer Budget 2015 - Value of planned welfare cuts per annum, £ million

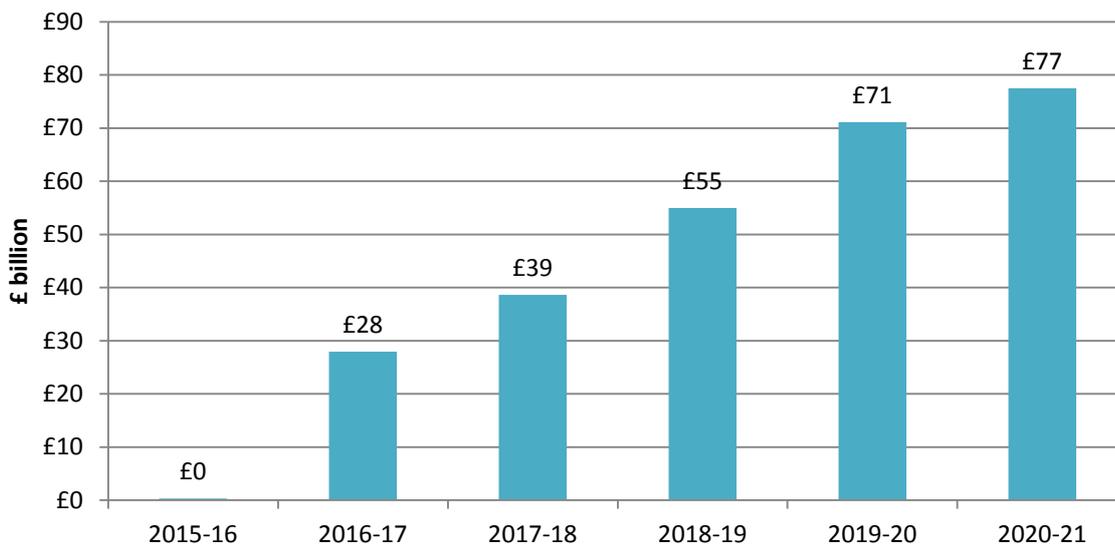


Source: [HM Treasury – Summer budget policy decisions](#)

No analysis is provided by HM Treasury or the Office for Budget Responsibility on the likely geographical pattern of these spending cuts. This paper aims to provide a high level estimate of the share of total UK cuts likely to be felt by benefits recipients in the City of Edinburgh. These estimates are provided for illustrative purposes only and are based on available data on the number of Edinburgh based benefits claimants in each group affected by policy measures announced in the Summer Budget.

Overall, the analysis estimates that of total UK welfare payment cuts of £46.5 billion over six years, the total value of cuts to recipients based in City of Edinburgh is estimated at some £270 million, or 0.6% of the UK total. These cuts are expected to phase in over time, rising from some £28 million in 2016/17 to £77 million in 2020/21. No data is published on the actual value of current benefits and tax credit payments to recipients in Edinburgh, but based on available data on the number of benefits recipients in the city it is estimated that these cuts are made from current benefits payments of some £1.6 billion per annum.

Figure 2: Summer Budget 2015 – Potential value of planned welfare cuts for Edinburgh recipients, £ million per annum



Source: City of Edinburgh Council estimates

Welfare cuts by policy measure

Table 1 provides an estimate of the total impact of planned welfare cuts over the period 2015/16 to 2020/21 by policy measure. The table also shows the method used to estimate potential Edinburgh effects based on city's share of total UK claimants in each affected benefits group.

Of total estimated welfare cuts of £270m in Edinburgh over the period, two policy measures account for almost 64% of all cuts. These include measures to:

- **Freeze working-age benefits, tax credits and Local Housing Allowances** - This policy freezes the cash value of most working-age benefits for four years from 2016-17. Affected benefits

include Jobseeker's Allowance, Employment and Support Allowance, Income Support, Child Benefit, applicable amounts for Housing Benefit, Child Tax Credit and Working Tax Credit and equivalent rates in Universal Credit. Local Housing Allowance (LHA) rates determine the maximum amount of Housing Benefit payable to most claimants in the private rented sector. Pensioner-specific benefits, benefits relating to the additional costs of disability or care, and statutory benefits and maternity allowance are excluded from the freeze.

The policy is projected to save a total of £11.25 billion in payments across the UK as a whole, and some £81.9 million of payments in Edinburgh.

- **Reduce income thresholds in tax credits and work allowances in UC** - This measure will reduce the work allowance in Universal Credit for non-disabled households without children to zero and simplify all other work allowances to a rate of £192 per month for households with housing costs and £397 per month for households without housing costs.

The policy is projected to save a total of £15.87 billion in payments across the UK as a whole, and some £90.1 million of payments to claimants in Edinburgh.

Alongside these two measures, a further five measures account for total estimated welfare cuts of almost £86 million in Edinburgh over the period. These include measures to reduce the overall benefits cap for households, limit the child element to 2 children in new tax credit claims, remove the family element in tax credit claims, increase the tax credit taper rate, and additional payments associated with the Employment and Support Allowance Work-related Activity Component.

Table 1: Potential impact by policy measure

Policy Measure	Total UK Exchequer Impact (£m)	Benefits group affected	No. Edinburgh claimants	UK claimants	Edinburgh as % of UK	Potential impact on Edinburgh claimants (£m)
Uprating: freeze working-age benefits, tax credits and Local Housing Allowances for 4 years from 2016-17	£11,250	All DWP working age benefits	36,310	4,990,300	0.73%	£81.9
Benefit cap: reduce to £20,000, and £23,000 in London	£1,670	Households who have had Housing Benefit capped to May 2015	714	62,571	1.14%	£19.1
Limit child element to 2 children for new births in tax credits and new claims in UC	£3,435	Tax credits recipients (000s)	26	4,528	0.57%	£19.5
Remove family element in tax credits and UC, and the family premium in Housing Benefit, for new claims	£1,915	Tax credits recipients (000s)	26	4,528	0.57%	£10.9

Policy Measure	Total UK Exchequer Impact (£m)	Benefits group affected	No. Edinburgh claimants	UK claimants	Edinburgh as % of UK	Potential impact on Edinburgh claimants (£m)
Increase tax credits taper rate to 48%	£3,700	Tax credits recipients (000s)	26	4,528	0.57%	£21.0
Reduce income thresholds in tax credits and work allowances in UC	£15,870	Tax credits recipients (000s)	26	4,528	0.57%	£90.1
Reduce income rise disregard in tax credits	£935	Tax credits recipients (000s)	26	4,528	0.57%	£5.3
End automatic entitlement for out-of-work 18-21 year olds	£135	Housing benefit recipients	38,106	4,846,207	0.79%	£1.1
Reduce social sector rents by 1% each year for 4 years from 2016-17	£4,280	N/a				£0.0
Pay to stay: higher income social housing tenants to pay market rents	£1,035	N/a				£0.0
Limit backdating awards to 4 weeks	£10	All DWP working age benefits	36,310	4,990,300	0.73%	£0.1
Support for Mortgage Interest: change from welfare payment to loan; maintain capital limit at £200,000	£715	All DWP working age benefits	36,310	4,990,300	0.73%	£5.2
Align Work-Related Activity Group rate with JSA for new claims	£1,365	ESA Work related activity group recipients	5,440	483,380	1.13%	£15.4
UC parent conditionality from when youngest child turns 3	£55	Tax credits recipients (000s)	25.7	4,528	0.57%	£0.3
Fraud, error and debt: tax credits changes	£145	Tax credits recipients (000s)	25.7	4,528	0.57%	£0.8
Total impact (£m) 2015/16 - 2020/21	£46,515					£270

Notes and Caveats

These estimates are made for illustrative purposes and with a number of important caveats:

- The analysis considers only the value of benefits cuts announced in the Summer Budget 2015 and does not include any analysis of other changes to tax thresholds, minimum wage and other measures which may impact on the income of benefits recipients

- The analysis is presented only as a broad estimate of the potential share of benefits cuts likely to be felt by Edinburgh claimants, and does not represent a full analysis of the economic impact of welfare reforms or of the measures introduced in the Summer Budget. For instance, no analysis has been made on potential behaviour effects of welfare reforms, either on employment status of claimants, spending patterns, or on applications for other benefits.
- Edinburgh level estimates are based only on available data on the number of benefits claimants in the city in each affected benefits group. This approach provides only a broad guide to the potential impact of cuts in the city, and expenditure pattern may not precisely follow the spatial pattern of claimant numbers.
- The data presented here are projections built from a number of modelling assumptions made by HM Treasury in production of the Summer Budget. In particular, the estimates made here are considered highly sensitive to assumptions made around CPI inflation over the next six years and to assumptions made around the likely scale of Universal Credit caseloads.

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Changes to the Benefit Cap From April 2016

For a couple or single person with children the benefit cap is currently £500 per week. The limit for single people with no children is £350 per week.

It was announced in the July Budget that the benefit cap would be reduced and would be set at a different level depending on whether claimants live inside or outside London.

From April 2016 the Benefit Cap will be set at:

- £442 for a couple or single with children and living in London
- £335 for a couple or single with children and living outwith London
- £296 for a single person and living in London
- £258 for a single person and living outside London

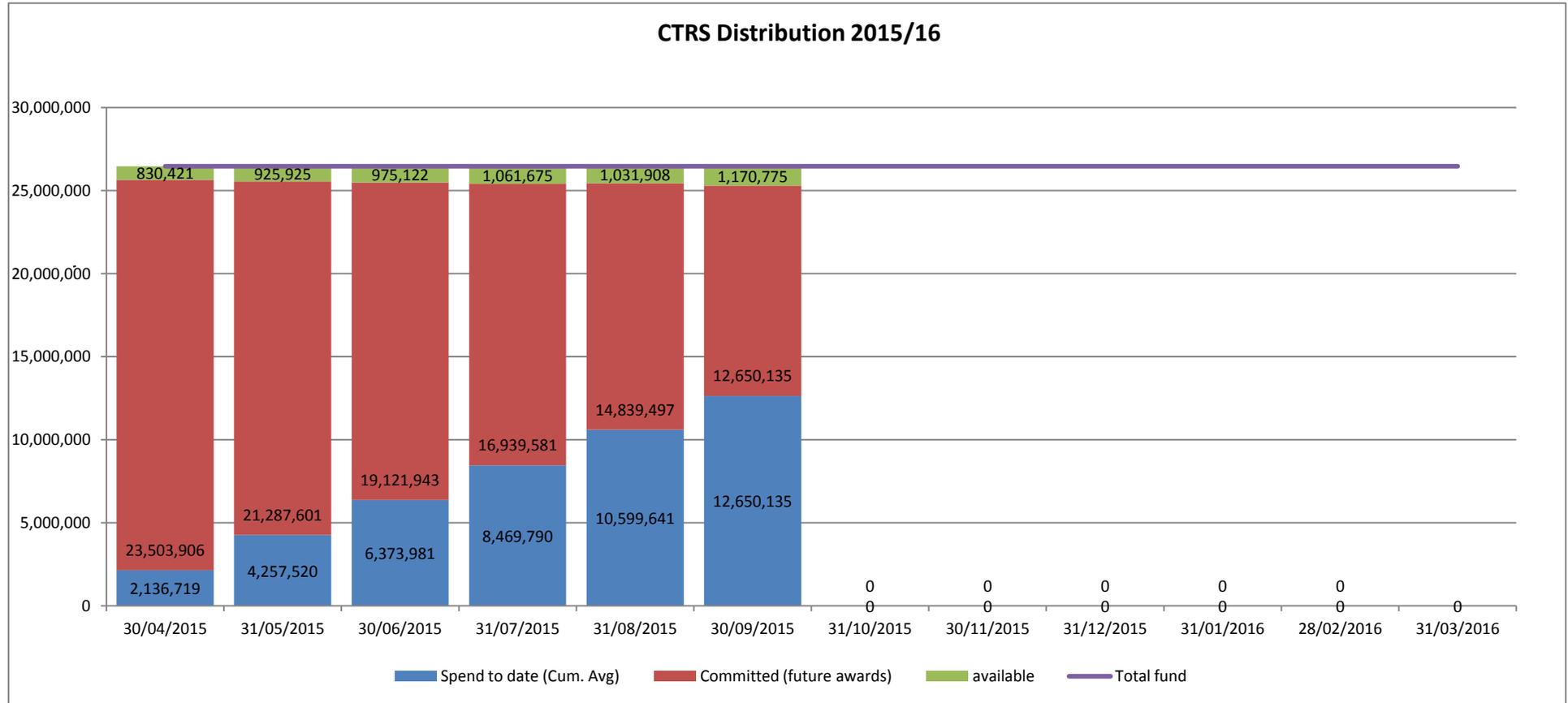
The benefits included in determining if benefit income is exceeding the benefit cap are:

- Carer's Allowance
- Child Benefit & Guardian's Allowance
- Child Tax Credit
- Housing Benefit
- Incapacity Benefit
- Income Support
- Jobseeker's Allowance
- Employment and Support Allowance (except when in the support group)
- Maternity Allowance
- Severe Disablement Allowance
- Widowed Parent's Allowance & Bereavement Allowance

Those affected by the reduction in the Benefit Cap will see their Housing Benefit reduced at some point after April 2016. When this happens will depend on where citizens live, and as yet no schedule has been released.

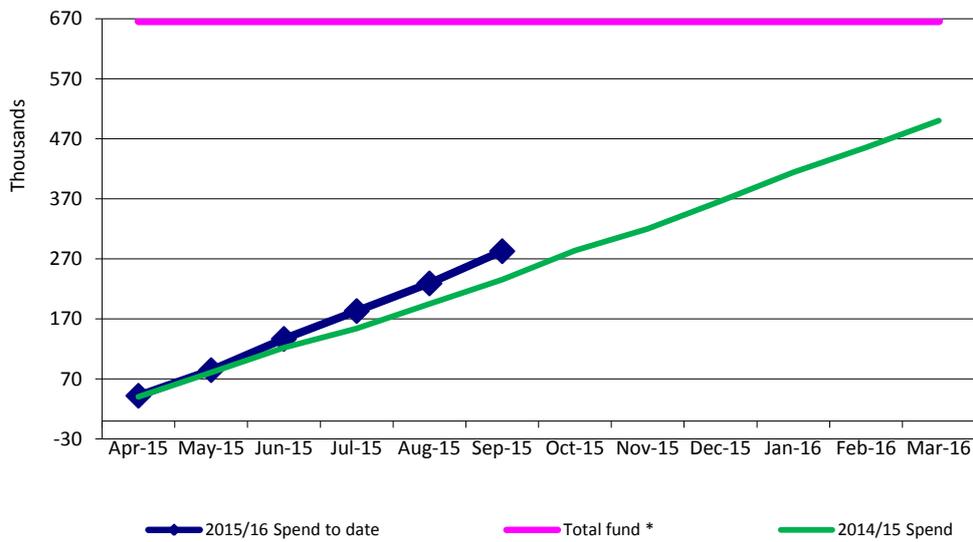
In the terms of UC the same reduction will apply with.

Council Tax Reduction Scheme (30 September 2015)

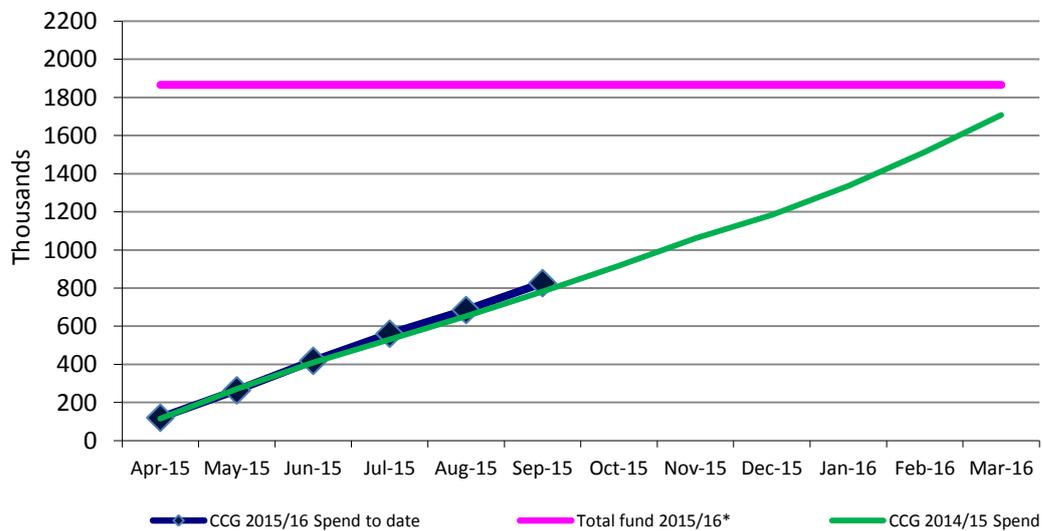


Scottish Welfare Fund Payments (31 August 2015)

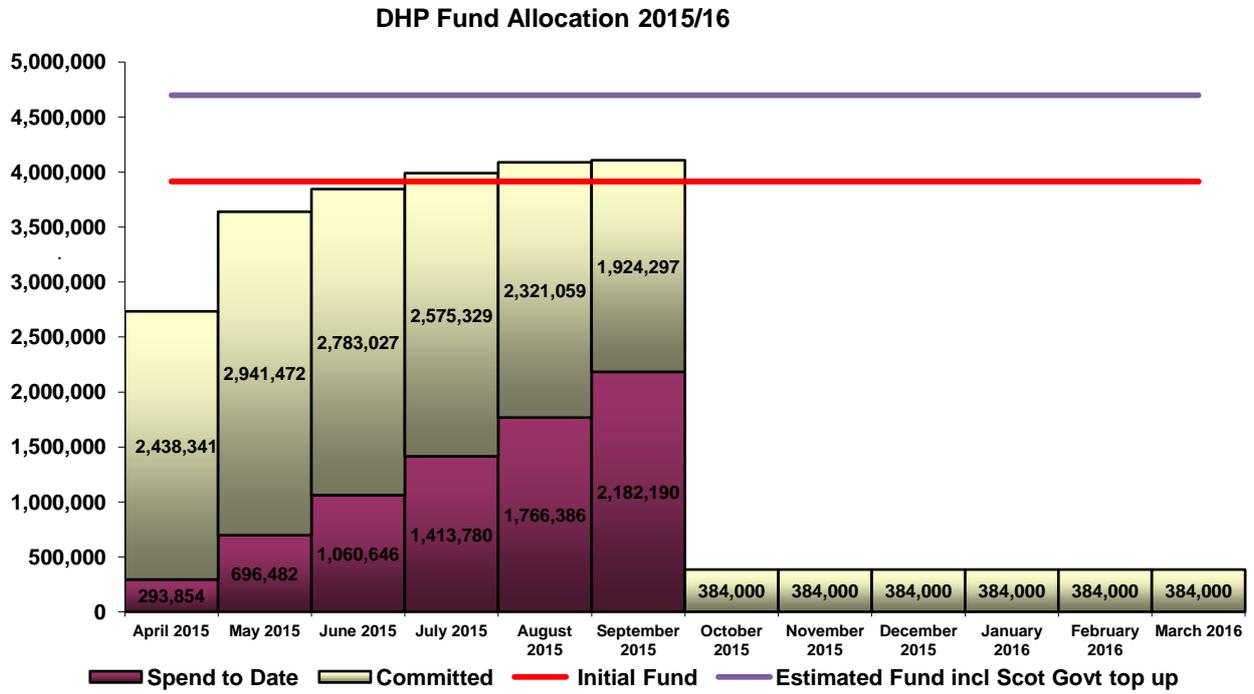
Crisis Grant Allocation 2015/16



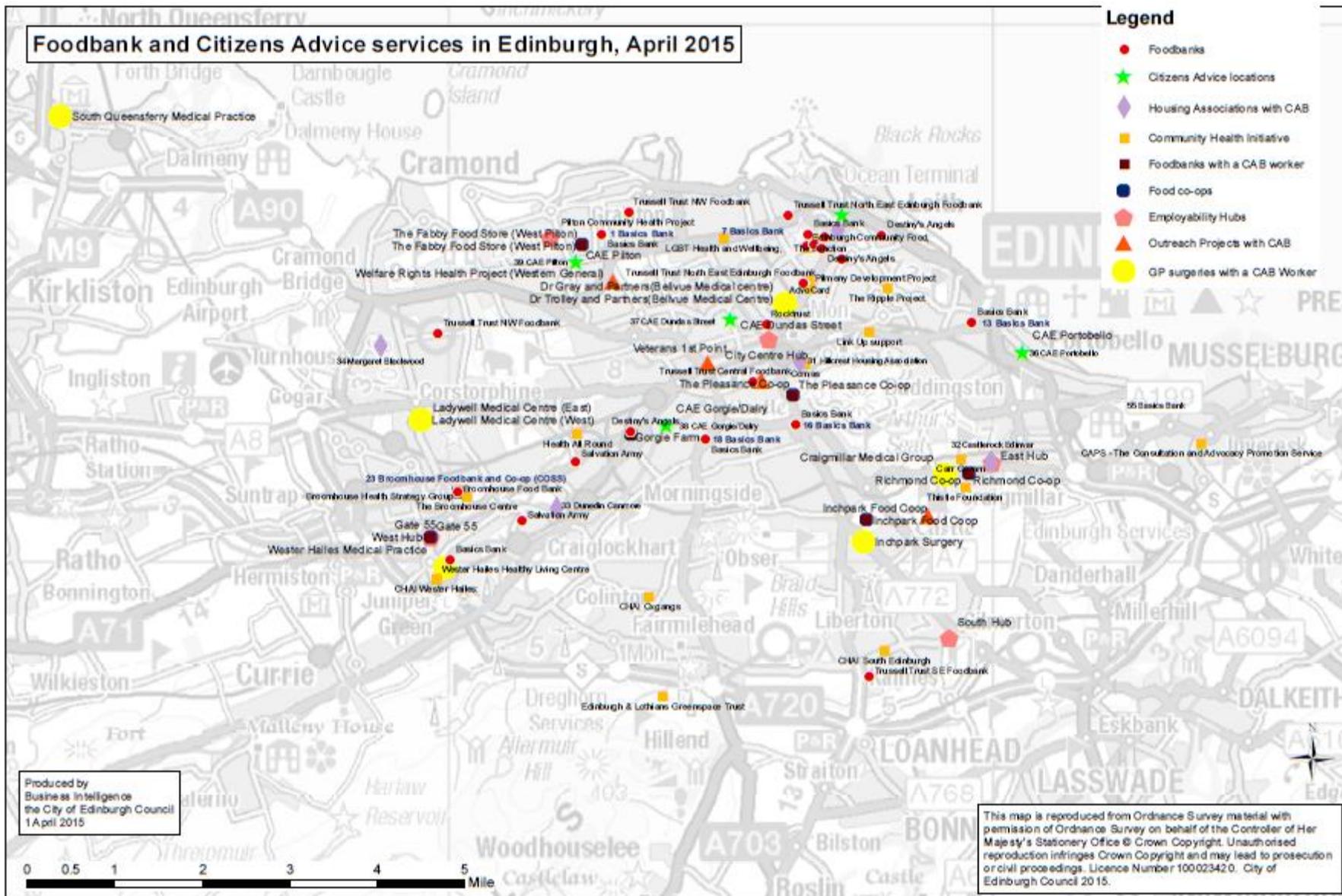
Community Care Grant Allocation 2015/16



Discretionary Housing Payments (30 September 2015)



Foodbanks/Advice Service Map



Corporate Policy and Strategy Committee

10.00am, Tuesday, 3 November 2015

Corporate Resilience: Annual Report (1 October 2014 to 30 September 2015)

Item number	7.2
Report number	
Executive/routine	
Wards	All

Executive summary

This report provides information on corporate resilience activities and initiatives undertaken during the period 1 October 2014 to 30 September 2015.

Corporate Resilience: Annual Report (1 October 2014 to 30 September 2015)

Recommendations

- 1.1 To note the resilience activities undertaken during the period of this report;
- 1.2 To note the reporting structure outlined in Appendix 4; and
- 1.3 To approve the proposed forward Corporate Resilience Workplan set out in Appendix 5.

Background

- 2.1 This report provides a summary of resilience activities across the City of Edinburgh Council, in liaison with partner and stakeholder organisations, in the period from 1 October 2014 to 30 September 2015.

Main report

- 3.1 In the United Kingdom, there is a statutory duty on Category 1 Responders to carry out contingency planning as defined in the Civil Contingencies Act 2004. The term Category 1 Responders includes Local Authorities, the Emergency and Health Services and the Scottish Environment Protection Agency (SEPA). The Act, together with the supporting regulations and guidance, sets out the roles and responsibilities of those involved in emergency preparedness and response at the local level.
- 3.2 The Emergency and Health Services together with Local Authorities and SEPA are at the core of the response to most incidents. They are subject to the full range of civil preparedness activities including:
 - assessing the risk of incidents occurring and using these assessments to inform contingency planning;
 - putting in place emergency response plans;
 - putting in place business continuity management arrangements;
 - putting in place advance arrangements to make information available to the public about emergencies and maintaining arrangements to warn, inform and advise the public in the event of an incident;

- providing advice and assistance to businesses and voluntary organisations in relation to business continuity management (this duty applies to Local Authorities only);
- sharing information with other local responders to enhance coordination; and
- co-operating with other local responders to enhance coordination and efficiency.

Organisations designated as Category 2 Responders have a duty to cooperate and share information with Category 1 Responders. These organisations include the Utilities (gas, water, electricity and telecommunications) and Transport authorities (such as Edinburgh Airport Ltd, Network Rail and Forth Ports Ltd).

- 3.3 The Council's Corporate Resilience Unit, within Corporate Governance, comprises both the corporate business continuity and emergency planning functions.

Resilience Planning - National Input

- 3.4 The following table details the Council's resilience input into national and associated planning. Exercising initiatives associated with these activities is provided at Appendix 3.

Lead Organisation/Group	Activity	City of Edinburgh Council Lead
UK Government National Emergency Plan for Fuel	Contributing to UK and Scottish Government planning arrangements for incidents involving disruption to fuel supplies	Corporate Resilience Unit (Various)
UK Government MCA National Contingency Plan	Contributing to MCA planning arrangements for maritime incidents involving oil and chemical pollution	Corporate Resilience Unit (Various)
Scottish Government Animal and Plant Health Agency	Contributing to Scottish Government and wide area contingency arrangements for animal disease outbreaks	Corporate Resilience Unit (Various) and Trading Standards (Section Head)

Lead Organisation/Group	Activity	City of Edinburgh Council Lead
Scottish Government Mass Fatalities Working Group	Contributing to the development of arrangements for managing incidents involving large numbers of fatalities	Corporate Resilience Unit (Various) and Bereavement Services
British Standards Institute BCM/1 Committee	Development of BSI Standards including BS 25999 and ISO22301	Resilience Manager
British Standards Institute Organisational Resilience Committee	Development of new standard for organisational resilience	Resilience Manager
Scottish Government Resilience Advisory Board for Scotland (RABS) Critical Infrastructure Group	Improve the protection and resilience of assets and systems critical to Scotland	Resilience Manager
CONTEST Counter Terrorism Prepare Sub-Group	Mitigate the impact of a terrorist incident in Scotland where it cannot be stopped and recover from its aftermath	Resilience Manager
CONTEST Counter-Terrorism Protect Sub-Group	Strengthen Scotland's protection against terrorist attacks in the UK or against interests overseas and reduce vulnerability	Resilience Manager
UK Business Continuity Cities Group (business continuity group for eight largest cities in UK outwith London)	Sharing and promoting best practice in Business Continuity Management	Council Business Continuity Officer
Edinburgh - Cardiff Resilience Partnership	Sharing of best practice on resilience issues	Resilience Manager/Corporate Resilience Unit

Resilience Planning – Regional and Local Resilience Partnerships

- 3.5 In April 2013, the formation of a single Police Force and a single Fire and Rescue Service for Scotland resulted in a review of Scottish resilience co-ordination structures. The review led to the formation of three Regional Resilience Partnerships (RRPs) covering the East, West and North of Scotland, effective from 1 November 2013.
- 3.6 The RRP's bring together senior representatives from the emergency and health services, local authorities, SEPA and organisations such as the utilities and transport sectors. Representatives from the voluntary, commercial and other agencies are invited to attend as required.
- 3.7 The City of Edinburgh Council is a member of the East of Scotland Regional Resilience Partnership. The East of Scotland RRP is chaired by the Assistant Chief Constable (East), Police Scotland.
- 3.8 The East of Scotland RRP remit extends across the areas served by the former Lothian and Borders, Fife and Central Strategic Coordinating Groups. (The former Central area is now known as Forth Valley).
- 3.9 Beneath the overarching structure of the East of Scotland RRP, three Local Resilience Partnerships (LRPs) have been formed for the Lothian and Borders, Fife and Forth Valley areas. The LRP's continue to provide a tactical level, co-ordinating structure within their respective boundaries.
- 3.10 The East of Scotland RRP normally meets three times a year or more often if required. The agenda of the East of Scotland RRP is coordinated by a Business Coordinating Group which includes the Chairs and Resilience Coordinators of the Lothian and Borders, Fife and Forth Valley LRP's plus the chairs of themed Capability Groups.
- 3.11 A diagram showing the structure of the East of Scotland Regional Resilience Partnership, the three Local Resilience Partnerships, the six Regional Capability Groups and the current work streams are shown at Appendix 2.

Resilience Planning - The City of Edinburgh Council

- 3.12 Resilience Planning in the City of Edinburgh Council is managed through four main Groups, each of which addresses a key resilience issue, integrating emergency planning and business continuity. The four Groups are the:
- Council Resilience Group;
 - Edinburgh Resilience Partnership;
 - Council CONTEST Group (CONTEST is the abbreviated form of the UK Government Counter Terrorist Strategy); and

- Edinburgh Resilience Forum Advisory Board.

Each Group is chaired by the Resilience Manager, except for the latter, which is chaired by the Council Business Continuity Officer. A diagram showing the structure, meeting frequency and proposed reporting lines is at Appendix 3.

- 3.13 The Council Resilience Group drives and manages the Council's Corporate Resilience Management Programme. The Group is the focus for the Council's resilience activities, including planning, training and exercise initiatives and facilitates the sharing of information across the Council on business continuity, emergency planning and contingency preparations for major events. The Group includes representatives from all Council Services and key cross-council specialist functions. Designated representatives are responsible for the co-ordination of resilience activities within their respective Service Areas.
- 3.14 The Edinburgh Resilience Partnership includes representatives from the Emergency and Health Services, together with Resilience Co-ordinators, of the Lothian and Borders Local Resilience Partnership, who are invited to attend meetings with members of the Council Resilience Group. Other agencies can be co-opted as required.
- 3.15 The Council CONTEST Group includes representatives from Police Scotland and key Council Service areas. The remit of the Group is to identify, develop, coordinate and monitor the Council's activities for the UK Counter Terrorism Strategy (CONTEST) through an agreed programme to address the strategy's Protect, Prevent and Prepare strands and relevant legislation such as the Counter Terrorism and Security Act 2015. Working with Police Scotland, the Council seeks to raise awareness of the terrorist threat, enhance resilience and the Council's ability to respond to a threat or incident, develop activities in accordance with Emerging and Residual Threat Local Profiles (or equivalent) and to regularly update the Edinburgh CONTEST group, through the Chair, and contribute to the development and monitoring of Edinburgh's Counter Terrorism Local Implementation Plan.
- 3.16 The Edinburgh Resilience Forum was formed to improve Edinburgh's community resilience through various training initiatives related to business continuity and to help fulfil the Council's legislative duty to provide business continuity management advice and assistance. The Forum currently has approximately 150 members from a range of sectors, including the commercial, business and voluntary sectors and tertiary education providers in the City. The Forum's Advisory Board, whose members represent Edinburgh's diverse sectors, agrees the training and events programme.
- 3.17 To support the Corporate Resilience Management Programme, the following key outputs have been delivered:

- 3.17.1 Successful maintenance of the Council's corporate registration to ISO22301 (the International Standard for business continuity).
- 3.17.2 Service Resilience Groups are in operation for Service Areas.
- 3.17.3 Emergency communications requirements have been reviewed and procured for the Corporate Resilience Unit, Council Resilience Group members and other key colleagues.
- 3.17.4 Resilience Training Needs Analysis for those with a resilience responsibility completed and 2015 Training Programme agreed.
- 3.17.5 'In Case of Emergency' ('ICE Pack') provided for all Chief Officers on Call.
- 3.17.6 Resilience Management System reviewed and updated.
- 3.17.7 2015 Resilience Exercise Programme.
- 3.17.8 2015 Resilience Training Programme.
- 3.17.9 Review, validation and sign off as appropriate Resilience plans and procedures, including:
 - Council Emergency Plan;
 - Corporate Severe Weather Plan;
 - Council 4x4 (vehicle) Agreement;
 - Incident Notification Procedure;
 - Human Communicable Disease (Viral Hemorrhagic Fever) Plan
 - BP Dalmeny Off-Site Emergency Plan;
 - Major Accident Pipelines Emergency Plan;
 - Oil and Chemical Pollution Emergency Plan;
 - Council Incident Coordination Centre (CICC) Operations Guide
- 3.17.10 Resilience Competencies Framework reviewed;
- 3.17.11 Key Performance Indicators (KPIs) reported monthly.
- 3.17.12 Corporate Resilience Risk Register reviewed quarterly.
- 3.17.13 Council CONTEST Group objectives and priorities agreed.
- 3.17.14 Seventh annual Edinburgh Community Resilience Week delivered.
- 3.17.15 Procurement of new Resilience Management Information System.
- 3.17.16 Funding achieved for Edinburgh Community Resilience Project.

3.18 The Council's primary Incident Coordination Centre (CICC) is located within the City Chambers. The Council Headquarters at Waverley Court has an area of accommodation on the Courtyard level that is linked to the building's back up

generator which could be used to augment the space available to assist with the co-ordination of a prolonged or serious incident, should the need arise. Other Council venues that could provide alternative incident coordination facilities, should they be required for any reason, are being explored as part of the Corporate Loss of Premises Plan project.

- 3.19 In addition to its primary role as the Council's dedicated Incident Coordination Centre, the CICC is used to facilitate resilience training events and exercises on a regular basis. The facilities are also available to the Council's Public Safety function to assist in the planning, co-ordination and monitoring of major public events in the City. Exceptionally, the CICC has also been made available to other Council services to facilitate the coordination of significant projects or planned major operations in the City.
- 3.20 The Council's responsibility for the safe delivery of significant, planned events in the City is coordinated by the Council's Public Safety function through a series of Events Planning and Operations Groups (EPOGs) with representatives from key stakeholders. Where it is decided that specific contingency arrangements are required for a particular event, the Resilience function, in liaison with all appropriate organisations, is responsible for preparing a multi-agency Contingency Plan to augment existing arrangements for dealing with the occurrence of serious incidents during a public event.
- 3.21 During the period considered by this report, event Contingency Plans were completed by the Corporate Resilience Unit for Edinburgh's Hogmanay Street Party (31 December 2014 to 1 January 2015) and the Edinburgh Festival Fireworks (31 August 2015). Specialist contingency planning input for the Scottish Independence Referendum (18 September 2014) and the UK Parliamentary General Election (7 May 2015) was also provided.
- 3.22 The Corporate Resilience Unit prepares an annual Corporate Resilience Work Plan each year in liaison with the Council Resilience Group. A copy for 2015 to 2016 is attached at Appendix 5.

Measures of success

- 4.1 The City of Edinburgh Council continues to be viewed as a progressive Authority in the development of the Scottish and UK resilience agenda.

Financial impact

- 5.1 There are no significant, new financial implications arising from this report.

Risk, policy, compliance and governance impact

- 6.1 The actions and outputs described in this report adhere to the risk compliance policy and governance arrangements. In addition the recommendations in the report do not impact on any existing policies of the Council.

Equalities impact

- 7.1 The development of resilience initiatives contributes to the delivery of the Equality Act 2010 public sector duties, in advancing equality of opportunity and fostering good community relations. In addition, resilience activities contribute towards the preservation of life, a key human rights article.

Sustainability impact

- 8.1 The report describes the multi-agency and internal planning, training and exercise work undertaken across the Council, in liaison with stakeholder organisations, to make Edinburgh more resilient to the effects of serious incidents and major disruptions which impact on social cohesion and community wellbeing.
- 8.2 The activities set out in this report contribute to the city's resilience to climate change by promoting greater awareness and preparedness of impacts caused by severe weather and other adverse incidents and putting in place plans and procedures to reduce or ameliorate the effects.
- 8.3 The initiatives described in this report contribute to making Edinburgh more sustainable by promoting inter-agency working with partner organisations to minimise or mitigate the effects of serious emergencies on the environment.

Consultation and engagement

- 9.1 Resilience is a statutory, cross-council activity involving internal and external consultation and engagement with a range of partner organisations and stakeholder interests. There is an emergency preparedness structure in place across the UK. Within Scotland, three strategic, multi-agency Regional Resilience Partnerships (North, West and East) coordinate resilience planning, training and exercise initiatives. Each of the three Regional Resilience Partnerships (RRPs) is chaired by an Assistant Chief Constable, Police Scotland. The City of Edinburgh Council is a partner organisation in the East of Scotland RRP.

Background reading/external references

The Civil Contingencies Act 2004;

The Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005

The Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Amendment Regulations 2013;

Preparing Scotland: Scottish Guidance on Preparing for Emergencies.

Alastair D Maclean

Deputy Chief Executive

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Links

Coalition pledges

Council outcomes

CO15 – The public is protected

CO21 - Safe – Residents, visitors and businesses feel that Edinburgh is a safe city.

Single Outcome Agreement

SO4 – Edinburgh’s communities are safer and have improved physical and social fabric

Appendices

Appendix 1 – East of Scotland Regional Resilience Partnership - Partner Organisations

Appendix 2 – East of Scotland Regional Resilience Partnership – Coordinating Structure

Appendix: 3 - Events, Exercises and Incidents from 1 October 2014 to 30 September 2015

Appendix 4 – Council Planning Groups –Structure and Reporting Lines

Appendix 5 - Corporate Resilience Work Plan 2015 - 2016

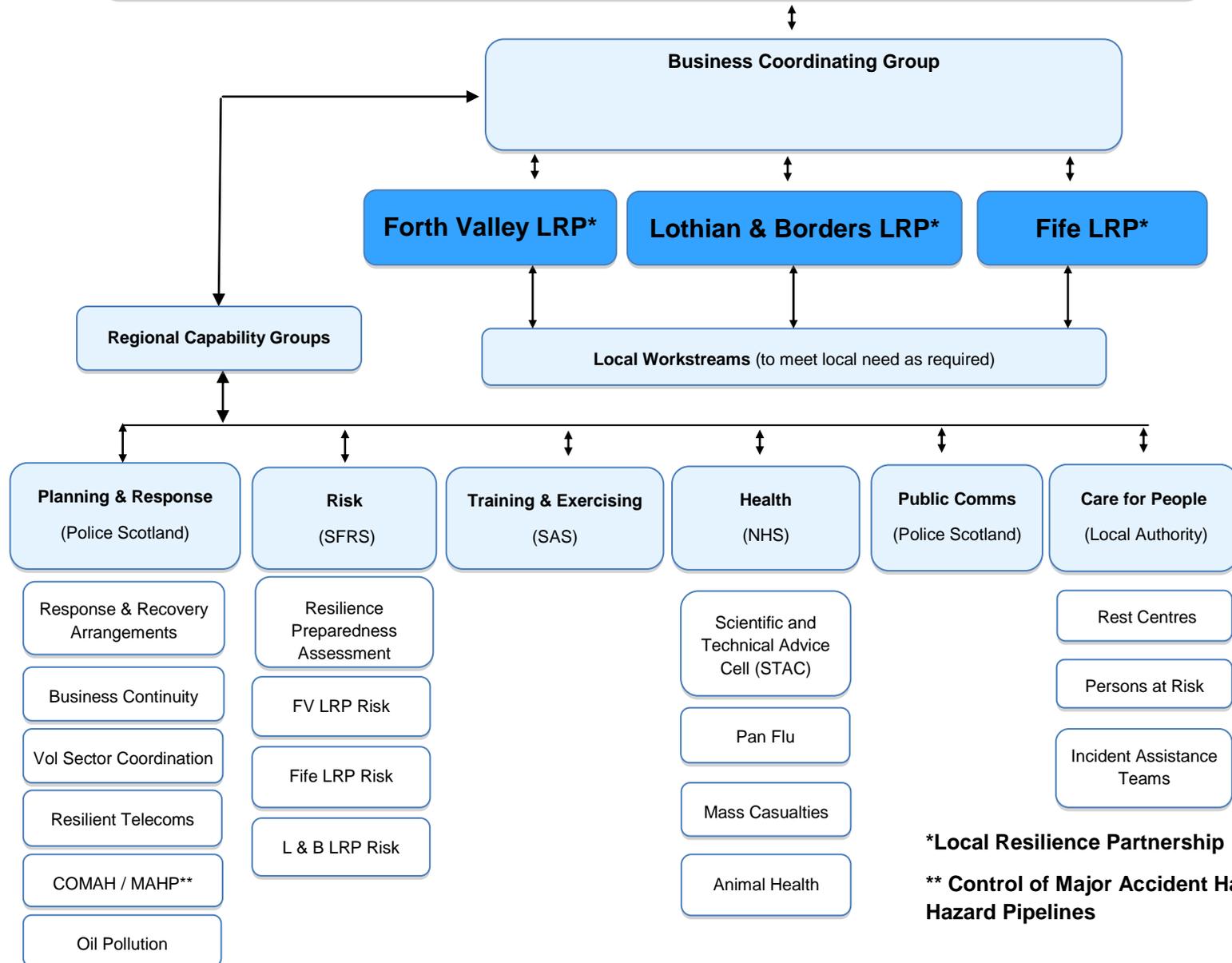
**East of Scotland Regional Resilience Partnership
Member Organisations**

Police Scotland (Chair)
The City of Edinburgh Council
Clackmannanshire Council
East Lothian Council
Falkirk Council
Fife Council
Midlothian Council
Scottish Borders Council
Stirling Council
West Lothian Council
NHS Borders
NHS Fife
NHS Forth Valley
NHS Lothian
Scottish Fire and Rescue Service
Scottish Ambulance Service
HM Coastguard
Scottish Environment Protection Agency
Scottish Water (representing all the Utilities)
Military Liaison
British Transport Police
Civil Nuclear Constabulary
Health and Safety Executive
Animal Health and Veterinary Laboratories Agency
Crown Office Procurator Fiscal Service
Edinburgh Airport Ltd
Forth Ports Ltd
Network Rail

NOTE: The Scottish Government Resilience Division is invited routinely and other agencies are co-opted as necessary.

East of Scotland Regional Resilience Partnership

Chair, ACC (Police Scotland)



*Local Resilience Partnership

** Control of Major Accident Hazards/Major Accident Hazard Pipelines

**Key Resilience Events, Training, Exercises and Incidents –
1 October 2014 to 30 September 2015**

Date	Event	Location	Lead / Representation	Remarks
1 October 2014	Torness Off Site Emergency Plan Exercise	Torness Strategic Coordination Centre, Cockenzie, East Lothian and Other Participating Coordination Centres	EDF Energy, East Lothian Council	Level 2 Exercise, part of the UK Government's Nuclear Installations exercise programme
2 October 2014	Severe Weather and Flooding Exercise	Callendar House, Falkirk	BP, Forth Valley Local Resilience Partnership	Multi Agency, Syndicate, Table Top Exercise
21 October 2014	Chief Officers' Resilience Awareness	Council Incident Coordination Centre, City Chambers, Edinburgh	Corporate Resilience Unit	Resilience awareness for new Chief Officers in preparation for being on the Council's Chief Officers' On-Call Rota
23 October 2014	Lothian Pension Fund Resilience Awareness	LPF Offices, Edinburgh	Corporate Resilience Unit	Awareness raising and scenario planning
25 October 2014	Community Resilience Event	Brunton Hall, Musselburgh, East Lothian	East Lothian Council	Scottish Government sponsored event to promote resilience in local communities
29 October 2014	New Forth Crossing Exercise	Transport Scotland HQ, Queensferry, Edinburgh	Transport Scotland, Scottish Government	Multi Agency, Syndicate, Table Top Exercise
30 October 2014	Edinburgh Airport Ebola Exercise	Airport Hilton Hotel, Edinburgh	Edinburgh Airport Ltd, NHS Lothian	Multi Agency, Syndicate, Table Top Exercise
6 November 2014	Ebola Communications Exercise	Lothian Chambers, Edinburgh	Corporate Resilience Unit	Internal Table Top Exercise
11 November	Business Continuity	Norton Park Conference	City of Edinburgh Council,	Seminars designed to assist Voluntary

2014	Seminars	Centre, Edinburgh	Standard Life, Edinburgh Voluntary Organisations Council (EVOC)	Organisations with Business Continuity activities
13 November 2014	BP Dalmeny Installation Off Site Emergency Plan Exercise	Midlothian Suite, Lothian Chambers, Edinburgh	Corporate Resilience Unit, BP, Emergency Services	Multi Agency, Syndicate, Table Top Exercise
15 November 2014	Community Reassurance Event	Main Chamber, City Chambers, Edinburgh	Corporate Resilience Unit, Police Scotland	
25-26 November 2014	External Audit for ISO22301:2012	Waverley Court, Edinburgh	Corporate Resilience Unit	External audit to ensure ongoing corporate compliance against International Standard (ISO22301:2012 Business Continuity)
2 December 2014	Corporate Severe Weather Resilience Plan Exercise	European Room, City Chambers, Edinburgh	Corporate Resilience Unit, the City of Edinburgh Council	Multi Agency, Syndicate, Table Top Exercise
9-11 December 2014 - INCIDENT	Severe Weather (Wind, snow and ice)	Local area and Scotland wide	City of Edinburgh Council	Council Incident Management Team and Service Incident Management Teams convened to coordinate response
15 December 2014	Management Information System (MIS) Training	Council Incident Coordination Centre, City Chambers, Edinburgh	Corporate Resilience Unit, the City of Edinburgh Council	Training for Council service Resilience Coordinators, Deputes and Specialists in computerised software package.
18 December 2014	Workshop to Raise Awareness of Prevent* (WRAP) *Prevent strand of UK Counter Terrorist (CONTEST) Strategy	Old Council Chamber, City Chambers, Edinburgh	Police Scotland	Training for Council CONTEST representatives and designated Resilience staff.
31 December 2014/1	Edinburgh's Hogmanay Street	City Centre, Edinburgh	City of Edinburgh Council	Staff support to Council Gold

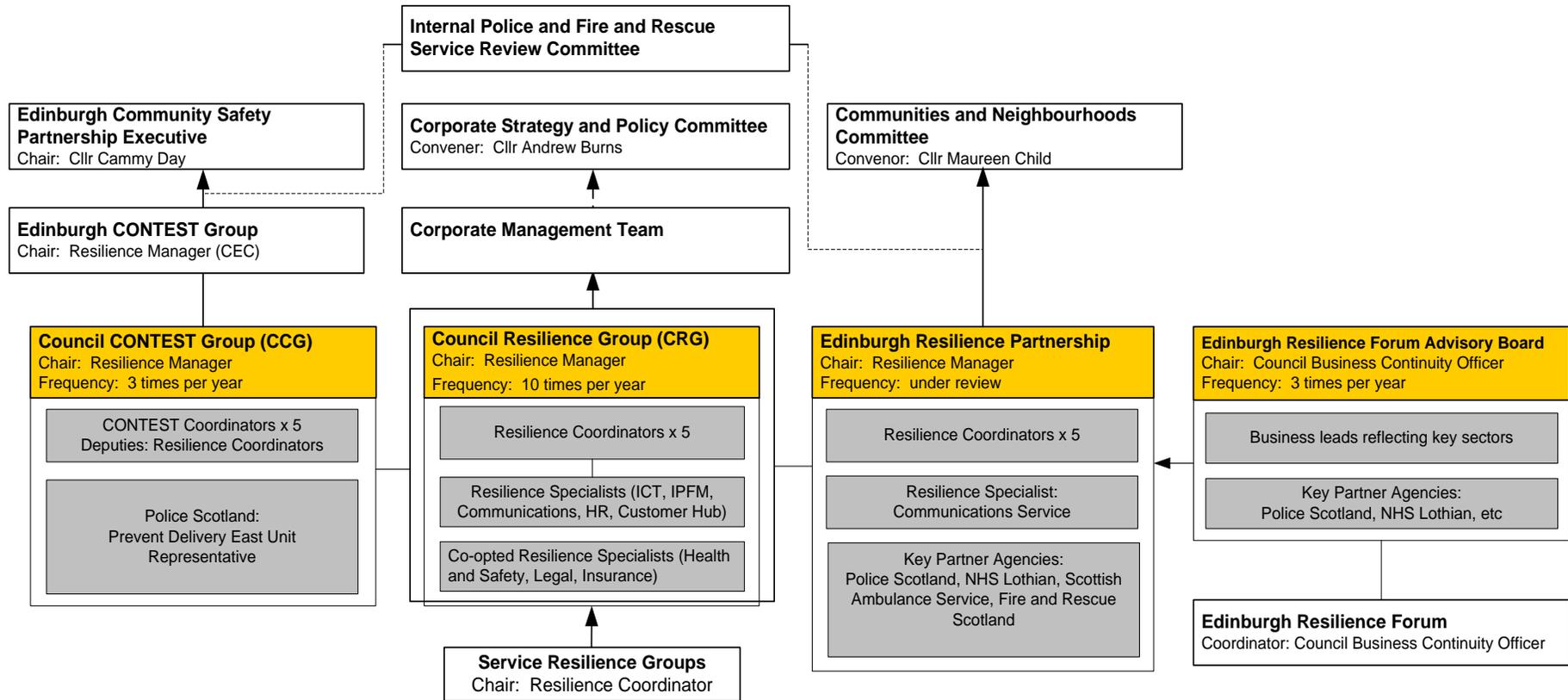
January 2015	Party			
8/9 January 2015 - INCIDENT	Severe Weather (Storm)	Local area and Scotland wide	City of Edinburgh Council (Local Area)	
4 February 2015 - INCIDENT	Email Disruption	Corporate	City of Edinburgh Council	
Various dates from 10 February 2015	Management Information System (MIS) Training	Council Incident Coordination Centre, City Chambers, Edinburgh	Corporate Resilience Unit, the City of Edinburgh Council	Training for Council service Resilience Coordinators, Deputes and Specialists in computerised software package.
13 February 2014 - INCIDENT	Westfield Court Loss of Gas and Hot Water	Westfield Court, Edinburgh	City of Edinburgh Council	
27 February 2015	Exercise Forth Explorer	Scottish Government Offices, Victoria Quay, Leith	Exercise Planning Sub Group of East of Scotland Regional Resilience Partnership	Major Scottish Government sponsored Multi Agency, Syndicate, Table Top Exercise to test arrangements for responding to a maritime disaster in the Firth of Forth)
5 March 2015	Elected Members Resilience Workshop	Mandela Room, City Chambers, Edinburgh	Corporate Resilience Unit, the City of Edinburgh Council	
9 March 2015 - INCIDENT	Alleged Malicious Bomb Threat	East Neighbourhood Office, Craigmillar, Edinburgh	Police Scotland and City of Edinburgh Council	Temporary evacuation of Neighbourhood Office
10 March 2015	Collaborative Resilience Learning Project	Scottish Resilience Development Service (ScoRDS), Perth	ScoRDS	Multi Agency Workshop
24 March 2015	UK Parliamentary General Election Tabletop Exercise	European Room, City Chambers, Edinburgh	City of Edinburgh Council (Elections Team)	
24/25 March 2015 -	Fire at Mortonhall Crematorium	Mortonhall, Edinburgh	City of Edinburgh Council	Substantial overnight fire causing significant structural damage

INCIDENT				
30 March – 1 April 2015	Community Resilience Week	City Chambers, Edinburgh	Corporate Resilience Unit, the City of Edinburgh Council, Police Scotland and Edinburgh Chamber of Commerce	Annual programme of events aimed at Edinburgh's business community to raise awareness of business continuity and resilience issues
13 April 2015	Torness Strategic Coordination Centre Training	Penston House, East Lothian	East Lothian Council, EDF Energy	Multi Agency Awareness Session and Tour
16 April 2015	Military Study Day	HQ Army, Scotland, Craigiehall, Edinburgh	Army, Scotland	
21 April 2015	Post Aircraft Crash Incident Management Study	Police Scotland Training Facility, Tulliallan	Military Joint Regional Liaison Officer, Police Scotland	Multi Agency, Training Workshop
29 April 2015	Major Incident Evacuation Plan Exercise	Midlothian Suite, Lothian Chambers, Edinburgh	Police Scotland and Corporate Resilience Unit, City of Edinburgh Council	Multi Agency, Syndicate, Table Top Exercise
6 May 2015	Training for Council Rest Centre Managers	Council Incident Coordination Centre, City Chambers, Edinburgh	Health and Social Care and Corporate Resilience Unit, City of Edinburgh Council	
11-12 May 2015	External Audit for ISO22301:2012	Waverley Court, Edinburgh	British Standards Institute, the City of Edinburgh Council	External audit to ensure ongoing corporate compliance against International Standard (ISO22301:2012 Business Continuity)
14 May 2015	Exchange visit by SEPA to Council Customer Hub and Out of Hours Service	Waverley Court and Captain's Road facilities, Edinburgh	Customer Services, Social Care Direct and Corporate Resilience Unit, City of Edinburgh Council	
20 May 2015 - INCIDENT	Water Supply Incident (Local Area Flooding and Supply Disruption)	Bruntsfield area, Edinburgh	Scottish Water, City of Edinburgh Council	

27 May 2015 - INCIDENT	Water Supply Incident (Local Area Flooding and Supply Disruption)	Liberton area, Edinburgh	Scottish Water, City of Edinburgh Council	
3 June 2015	Scottish Government Care for People Seminar	City Chambers, Glasgow	Scottish Government	Scottish national seminar and workshops
4 June 2015	Military Seminar	HQ 51 Infantry Brigade, Forthside, Stirling	Joint Regional Liaison Officer (Military) Scotland	Presentation and input by Corporate Resilience Unit, City of Edinburgh Council
12/13 August 2015 - INCIDENT	Water Supply Incident (Supply Disruption)	Ravelrigg and Corstorphine, Edinburgh	Scottish Water, City of Edinburgh Council	
13 August 2015 - INCIDENT	Alleged Malicious Bomb Threat Incident	Longstone, Edinburgh	Police Scotland, Military and City of Edinburgh Council	Temporary evacuation of local residents
21 August 2015	Borders Railway Table Top Exercise	Lasswade Centre, Midlothian	Midlothian Council	Multi Agency, Syndicate, Table Top Exercise
31 August 2015	Mapping Flooding Disadvantage in Scotland	Scottish Government (Environmental Quality Division)	Dundee University	
1 September 2015	Exercise Silver Swan - Health and Social Care Aspects	Our Dynamic Earth, Edinburgh	Scottish Government Resilience Division, NHS Scotland	Major Scottish Government sponsored Multi Agency, Syndicate, Table Top Exercise to test arrangements for responding to an influenza pandemic
4 September 2015	Marauding Terrorist Firearms attack (MTFA) Seminar	Police Scotland Offices, Glenrothes	Police Scotland	
10 September 2015	Aviation Fuel Depot Fire Seminar	Airport Hilton Hotel, Edinburgh	Edinburgh Airport Ltd	

28 September 2015	Exercise Silver Swan – Excess Deaths Aspects	Our Dynamic Earth, Edinburgh	Scottish Government Resilience Division, NHS Scotland	Major Scottish Government sponsored Multi Agency, Syndicate, Table Top Exercise to test arrangements for responding to an influenza pandemic
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Council Resilience Planning Groups



Corporate Resilience Work Plan 2015 to 2016

Item	Description	Task
1	Resilience Management Information System (MIS)	Deploy/Implement/Train
2	Unit Business Continuity Arrangements	Develop/Input on MIS
3	Corporate Pandemic Influenza Plan	Review/Validate/Exercise
4	Corporate Loss of Premises Plan	Develop/Validate/Exercise
5	Corporate Severe Weather Plan	Annual Review/Validate/Exercise
6	Community Resilience Project Pilot	Pilot/Implement
7	Training Needs Analysis	Annual Analysis
8	Virtual Council Incident Coordination Centre	Develop/Validate Operations Guide
9	ISO22301 BSI Audits	Biannual Continuing Assessment Audits
10	CT Corporate / Interagency Arrangements	Develop/Validate/Exercise
11	Resilience e-Learning Module	Develop/Launch
12	CT Staff e-learning Modules	Develop/Launch
13	Edinburgh Major Incident Evacuation Plan	Review/Validate/Exercise

14	Edinburgh's Hogmanay 2015 Resilience Arrangements	Review/Validate/Exercise
15	City of Edinburgh Resilience Risk Register	Review
16	Key Suppliers Business Continuity Protocol Project	Complete
17	Edinburgh Community Resilience Week 2016	Annual
18	Training Programme	Annual
19	Exercise Programme	Annual
20	Rest Centre Plan	Review/Validate/Live Exercise
21	Edinburgh Festival Fireworks Contingency Arrangements 2016	Annual Review/Validate/Exercise
22	Resilience Reserves Staffing Project	Develop/Launch
23	Council Premises Emergency Procedures Project	Develop/Train/Exercise

Corporate Policy and Strategy Committee

10.00am, Tuesday, 3 November 2015

Carbon, Climate and Sustainability Policies – Assurance Statement

Item number	7.3
Report number	
Executive/routine	
Wards	

Executive summary

Council policies are key governance tools. They help realise the Council's vision, values, pledges and outcomes and are critical to the Council's operations, ensuring that statutory and regulatory obligations are met in an efficient and accountable manner.

To strengthen governance arrangements in this area, a policy framework has been developed to ensure that all current policies are easily accessible and created, revised and renewed in a consistent manner and to an agreed standard.

To ensure that Council policies remain current and relevant, all directorates are required to review these policies on an annual basis. The following report sets out the main results of this review for policies falling within the carbon, climate and sustainability remit of Corporate Governance. Other Council policies relevant to carbon, climate and sustainability will be reviewed through the Policy Register assurance process by the appropriate service leads across the organisation.

Links

Coalition pledges	
Council outcomes	CO25
Single Outcome Agreement	

Carbon, Climate and Sustainability Policies – Assurance Statement

Recommendations

- 1.1 To note that the seven carbon, climate and sustainability policies detailed in this report have been reviewed and five are considered as being current, relevant and fit for purpose; and
- 1.2 To agree to update the Fair Trade Policy and Resource Use Policy for committee consideration within 12 months.

Background

- 2.1 Council policies are key governance tools. They help realise the Council's vision, values, pledges and outcomes and are critical to the Council's operations, ensuring that statutory and regulatory obligations are met in an efficient and accountable manner.
- 2.2 To strengthen governance arrangements in this area, a policy framework has been developed to ensure that all current Council policies are easily accessible and created, revised and renewed in a consistent manner and to an agreed standard. These arrangements include the development of a comprehensive register of Council policies and introduction of a policy template to provide the Council with a standardised format in terms of content and style.
- 2.3 The Corporate Policy and Strategy Committee [agreed the approach](#) detailed above on 3 September 2013.

Main report

- 3.1 A critical element of the Council policy framework is to ensure that all policies are fit for purpose. This requires each directorate to review, on an annual basis, all policies relating to its services and to provide the necessary level of assurance that these policies remain current and relevant.
- 3.2 The Council has a range of policies relating to carbon, climate change and sustainable development and these are reviewed by the most appropriate team through the rolling programme of assurance reporting.

- 3.3 This report outlines consideration of seven policies relating to carbon, climate change and sustainable development that have been reviewed by Corporate Governance. The focus of the reviews has been to determine whether or not each policy is still fit for purpose. A short commentary on each policy is set out below.

Sustainable Edinburgh 2020 (“SE2020”)

- 3.4 This policy framework guides the decisions made by the City of Edinburgh Council and its officers so as to optimise the sustainable development of the city. [SE2020](#) captures the Council’s obligations as a signatory of the [Aalborg Charter](#) of ‘European Cities towards Sustainability’ as well as supporting compliance with the [Public Bodies Duties](#) set by the Climate Change (Scotland) Act 2009.
- 3.5 A wide range of related Council policies deliver on specific aspects of the framework; these include the Carbon Management Plan, outlined in paragraph 3.10 below, the [Sustainable Energy Action Plan](#), the [Transport Vision 2030](#) and [Edible Edinburgh-A Sustainable Food City Plan](#).
- 3.6 SE2020 was designed to set the direction of travel from 2011 to 2020 and this policy is fit for purpose.

Resilient Edinburgh 2015-2020

- 3.7 [Resilient Edinburgh](#) is the Council’s framework for action to adapt to the known impacts of climate change.
- 3.8 This framework takes a risk-based approach, identifying the essential city services and sectors that may be affected by existing and future risks and/or opportunities. The framework’s action plan – Edinburgh Adapts – is currently at the co-production stage, and is considering a number of high level actions to address the most significant risks.
- 3.9 The policy was developed in line with the statutory duties in the Climate Change Act and is fit for purpose.

Carbon Management Plan 2015/16 to 2020/21 (“CMP”)

- 3.10 The Council’s [Carbon Management Plan](#) frames action to comply with the Public Bodies Duties by reducing carbon emissions - both within the Council and in the wider community - and to report on the actions taken to comply with these duties.
- 3.11 This policy is an important component of the Council’s overall approach to climate change, helping to meet city-wide targets outlined in Sustainable Edinburgh 2020 and contributing to mandatory Public Bodies Climate Change Duties reporting requirements.

- 3.12 The CMP, first adopted in 2008, was revised for the period to March 2021 and is fit for purpose.

Energy Policy for Council Buildings

- 3.13 The Council's [Energy Policy for Council Buildings](#), which has targets to reduce energy consumption by 20% by 2020, was developed with assistance from Carbon Trust Scotland and key stakeholders within the Council.
- 3.14 The policy and its supporting procedures cover energy efficiency for Council buildings; and stair and street lighting. Effective implementation of this policy will support the Council to directly reduce liability for annual Carbon Reduction Commitment payments.
- 3.15 The Energy Policy is fit for purpose.

Water Management Policy

- 3.16 The purpose of this policy is to increase efficiency and reduce the Council's consumption of water, since this constitutes a significant amount of our utilities expenditure.
- 3.17 By effectively managing this resource the Council will not only cut costs but also act in compliance with the Climate Change Act to contribute to national carbon reduction targets, since clean water supply and waste water processing have one of the largest carbon footprints.
- 3.18 The Council's [Water Policy](#) is fit for purpose.

Fair Trade Policy

- 3.19 Edinburgh was awarded Fair Trade City status in 2004 by the Fair Trade Foundation and the Council's [Fair Trade Policy](#) was adopted the following year to help meet the obligations of the award. Government procurement policy of the time was an additional driver.
- 3.20 In the 10 years since the policy was adopted the landscape has developed. The Council's Edible Edinburgh and Food for Life initiatives are active and its 2012 [Sustainable Procurement Policy](#) incorporates fair trade. Also in 2012 Scotland attained the criteria to become a Fair Trade Nation, and last year the Scottish Government introduced the Procurement Reform Act which requires a contracting authority to state its policy on the procurement of fairly and ethically traded goods and services.

- 3.21 It is anticipated that the Scottish Government will publish statutory guidance on implementing the Act towards the end of this year and the Council's Fair Trade Policy will be updated to ensure it is compliant and remains fit for purpose. The revised policy will be submitted to Committee for approval within 12 months.

Resource Use Policy

- 3.22 The Council's Resource Use Policy was approved in 2000. The purpose of the policy is to reduce consumption of material resources and to minimise the amount of waste the Council produces from its own operations. Types of waste named in the policy are paper, printer toner cartridges, ICT equipment, drink cans, timber, office furniture, fluorescent light bulbs, batteries and waste vehicle oil.
- 3.23 The policy and its action plan were revised in 2006 but uncertainties over resourcing requirements prevented presentation to committee. Despite this, improvements in the way the Council tackles materials consumption and disposal have been made over the years. These include increased provision of workplace recycling facilities (including food waste), greater landfill diversion and reduced volumes of waste from construction and demolition activities, the introduction of highly effective office furniture re-use and recycling practices and the adoption of a [Sustainable Timber Policy](#).
- 3.24 As well as these improvements, the Council's [Waste and Recycling Strategy 2010-2025](#) is currently under review, both Waverley Court and City Chambers are benefiting from a (free) external audit of waste and recycling facilities and practices, and Waste Services and Facilities Management are collaborating on the roll out of a corporate recycling service to all Council properties.
- 3.25 A further revision of the policy to optimise the opportunities offered by these latest changes is underway and this will be presented to committee for consideration by the end of March 2016.

Measures of success

- 4.1 Access to up-to-date and relevant Council policies, for internal and external stakeholders, which are quality assured and reviewed on an annual basis.

Financial impact

- 5.1 There are no direct financial impacts as a result of this report, although implementation and promotion of policies can incur costs.

Risk, policy, compliance and governance impact

- 6.1 Increased accountability, transparency and efficiencies concerning Council actions and operations.

Equalities impact

- 7.1 There are no direct equalities impacts as a result of this report, although the individual policies mentioned above all take equalities impacts into account.

Sustainability impact

- 8.1 All corporate strategies and policies instigated, co-produced and mainstreamed by the Corporate Policy and Strategy Team are designed to help achieve a sustainable Edinburgh and are in accordance with the Climate Change (Scotland) Act 2009 Public Bodies Duties. This is because, collectively, they improve governance of Council action to reduce carbon emissions, to increase the city's resilience to climate change impacts and to improve social justice, economic wellbeing and environmental good stewardship.

Consultation and engagement

- 9.1 Consultation was undertaken with directorates and service areas as part of the development of a policy framework for the Council.
- 9.2 All corporate strategies and policies instigated by the Corporate Policy and Strategy Team are formulated on a consultative basis. Such consultation involves not only Council staff but also, where appropriate, external partner organisations and citizens.

Background reading/external references

[Corporate Policy and Strategy Committee Report 3 September 2013 – Review of Council Policy](#)

[Governance, Risk and Best Value Committee Report 22 May 2014 – Review of Council Policy: up-date](#)

Relevant links to the policies mentioned are included within the main report.

Alastair D Maclean

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Links

Coalition pledges

Council outcomes CO25 the council has efficient and effective services that deliver on objectives.

Single Outcome Agreement

Appendices

Corporate Policy and Strategy Committee

10.00am, Tuesday 3 November 2015

ICT Acceptable Use Policy – Annual Review

Item number	7.4
Report number	
Executive/routine	
Wards	

Executive summary

The ICT Acceptable use Policy (the Policy) is required to be reviewed annually. The last version of the policy went to Corporate Policy and Strategy Committee on 2 December 2014.

A review of the Policy has been undertaken and a copy of the revised policy is attached at Appendix 1.

Links

Coalition pledges	P27
Council outcomes	CO24; CO26; CO27
Single Outcome Agreement	

ICT Acceptable Use Policy – Annual Review

Recommendations

- 1.1 To approve the revised Policy;
- 1.2 Note that the Policy will continue to be reviewed annually unless otherwise requested; and
- 1.3 Note that the next review should be undertaken with a view to reporting to Committee in November 2016.

Background

- 2.1 The Policy was formally introduced on 1 May 2014.
- 2.2 The Policy was introduced by way of Manager Briefing Sessions and mandatory e-learning.
- 2.3 The Policy is also a mandatory component of Induction Training and the Annual Refresher Training.

Main report

- 3.1 The policy is reviewed annually and was last approved at the Corporate Policy and Strategy Committee on 2 December 2014.
- 3.2 Elected members agreed that the policy be reviewed annually and this has now been undertaken.
- 3.3 The review has consisted of:
 - i) considering if the policy requires any adjustment;
 - ii) consultation with the Joint Trades Unions;
 - iii) consultation with HR & OD officers; and
 - iv) consultation with ICT officers.
- 3.4 There have been some minor clarifications made to the policy in relation to specifically naming the legislation referred to and updating references to some systems and technologies.
- 3.5 The policy has been amended at section 6.4 to clarify issues relating to the use of social media. This has also been referred to in a new bullet point in Appendix 2.

- 3.6 Appendix 2 has also been amended to include responsibilities relating to specific information governance requirements which were recommended by the Information Compliance Officer.

Measures of success

- 4.1 The Policy continues to be clearly understood. This is assisted by annual refresher training.

Financial impact

- 5.1 No financial impact.

Risk, policy, compliance and governance impact

- 6.1 No risk, policy, compliance or governance impact.

Equalities impact

- 7.1 There are no adverse equalities issues.

Sustainability impact

- 8.1 None

Consultation and engagement

- 9.1 The Trades Unions have confirmed that they support the Policy and have not raised any specific issues in relation to the operation of the Policy in the last 12 months.
- 9.2 ICT officers have provided a number of small amendments as detailed in Appendix 1 and some minor clarifications on roles and responsibilities.
- 9.3 HR and Organisational Development officers have confirmed that they have no comments on the Policy, other than some minor clarifications which have been addressed in Appendix 1.

Background reading / external references

[ICT Acceptable Use Policy](#) – Corporate Policy and Strategy, 25 February 2014

[ICT Acceptable Use Policy](#) – Corporate Policy and Strategy, 25 March 2014

Alastair Maclean

Deputy Chief Executive

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Links

Coalition pledges	P27 - Seek to work in full partnership with Council staff and their representatives
Council outcomes	CO24 - The Council communicates effectively and internally and externally and has an excellent reputation for customer care CO26 - The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives. CO27 - The Council supports, invests in and develops our people
Single Outcome Agreement	SO1 – Edinburgh’s economy delivers increased investment, jobs and opportunities for all
Appendices	Appendix 1: ICT Acceptable Use Policy (as revised)

INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) ACCEPTABLE USE POLICY

(Covering all employees, agency staff, consultants & contractors)

Contents	Page
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September 2015

1. INTRODUCTION

- 1.1 Effective use of technology enhances the Council's efficiency and reputation, providing opportunities to communicate and interact internally, with partners and with the public. The use of electronic equipment, technology and information carries certain risks that can affect the Council in terms of legal liability, reputation and business effectiveness.
- 1.2 To maximise the benefits, manage the risks and protect the Council and its employees, this Policy outlines the standards of conduct that are required of you when using all electronic communications and systems. There are some helpful factsheets on the Orb for guidance on Do's and Don'ts when using Council ICT Systems.

2. SCOPE

- 2.1 This policy applies to all City of Edinburgh Council employees **whether or not you are provided with or use Council ICT systems as part of your job.**
- 2.2 Agency staff, consultants and contractors are required to comply with the standards outlined in this policy while they are working for the Council. Any issues of concern or where potential misconduct is identified will be dealt with under their respective organisations' employment policies and/or the contract.

3. DEFINITIONS

- 3.1 **Electronic equipment and technology** includes all computer and telephone equipment including mobile phones, multi media devices, PCs, laptop computers, tablets, fax machines, and any other form of electronic equipment. It also applies to any **personally-owned computers, laptops, tablets and/or smartphones** that an employee uses in the course of their employment. The Council's electronic equipment and technology will be referred to as "Council ICT systems".
- 3.2 **Electronic communications** include e-mail, text messages, instant messaging, images, fax messages, phone calls and messages, intranet and internet content/messages including social media sites.
- 3.3 **Social Media** includes websites and online tools that allow users to share content, express opinions or interact with each other e.g. Facebook, Twitter, LinkedIn, forums, blogs, podcasts and content communities e.g. YouTube, Flickr, Knowledge Hub.
- 3.4 **Data** includes any electronic or paper information stored or processed on Council networks or equipment including documents, pictures and/or photographs, music and/or video clips.

These definitions are not exhaustive.

4. STANDARDS OF CONDUCT – USE OF COUNCIL ICT SYSTEMS

- 4.1 Any information created or held on Council ICT systems will be considered to be Council property. You should not consider any electronic information to be private if it has been created or stored on Council ICT systems. This includes e-mail and internet communications, whether for business or personal purposes.
- 4.2 You must make sure that you communicate in a way that supports the Council's policies including those on equalities. You should therefore make sure that you **do not** send/upload/post information on-line which:
- is unlawful including unlawful under the Equalities act 2010
 - damages the Council's reputation or undermines public confidence in the Council;
 - supports political activity (other than any required in your role);
 - includes any defamatory material or statements about any individual, firm, body or organisation; or
 - harasses, bullies or stalks another person.
- 4.3 You should not use personally-owned computers, laptops, tablets and/or smartphones for work unless you have permission from your manager. You are not allowed to use personal equipment to process Government Connect Secure Extranet (GCSX) secure email or access web-based systems that are published on the Public Services Network (PSN), for example Department of Work and Pensions, EAS, DWP CIS, Bluebadge or FER. If permission has been given, the standards of conduct in this policy will apply to your personally-owned computers, laptops, tablets and/or smartphones when you are using them for work purposes.
- 4.4 You must not process or store Council information on non-Council equipment unless you have appropriate permission from your manager or you are using an ICT service that has been approved by the ICT Solutions Team.
- 4.5 If you make an electronic comment on the internet (blogs, social media, twitter etc.) on a personal basis, you must be aware that, as an employee of the Council, you are expected to comply with the standards of conduct and behaviour in this policy, the Employee Code of Conduct and the Disciplinary Code. You must read these policies and understand what that means for you.
- 4.6 You must not claim to represent the views of the Council unless you have permission to do so as part of your job. Similarly, you must not try and pass off your own comments or views as being from someone else by, for example, falsifying your email address or using someone else's email address.
- 4.7 You must not use social media, the internet, intranet, media, or social media sites to make complaints about your employment. If you want to make a complaint about any aspect of your employment with the Council you must use the appropriate employment procedure (e.g. Grievance, Avoidance of Bullying and Harassment at Work, Whistleblowing).
- 4.8 You must make sure that any data stored and/or processed using Council ICT systems complies with the Data Protection Act (1998) and copyright laws, is

shared only with the intended recipient(s) and only when permission has been given or the information is already widely available in the public domain.

- 4.9 Data that involves images of people is covered by the Data Protection Act (1998). Strict rules apply to the use of sensitive data on children and vulnerable adults. You should therefore check any available guidance relating to your job and work area before using this type of data.
- 4.10 You must not email, upload or post confidential or sensitive data relating to individuals, partner organisations or any aspect of the Council's business on the internet or the Orb, or remove it from Council property without appropriate permission from your manager.
- 4.11 You must maintain security of information by, for example, logging off. Accidental disclosure of personal information can occur if unattended computers are left logged on to systems or a computer printout is not shredded prior to disposal. You should not leave any mobile equipment unattended unless it is absolutely necessary and if you do so you must ensure that it is secure and protected from risk of theft or use by others. Laptops must be shut down when being taken home or otherwise transported in public. Simply closing the lid or suspending the computer does not allow the disk encryption to protect the computer while in transit.
- 4.12 You must keep your password(s) confidential (don't share them with anyone else) and comply with password security arrangements.
- 4.13 All employees who use the Council's computer systems and equipment are subject to the Computer Misuse Act 1990. You are not authorised to use or access any part of the Council's ICT systems, data or networks that you do not have permission to access or deliberately do anything that would disrupt or damage them in any way.
- 4.14 You must not download or install any software, hardware or other devices to Council ICT systems or equipment unless this has been agreed through ICT change procedures. Only the ICT team and the Council's ICT provider may install software and equipment on the council network. This includes free software, screensavers and games.
- 4.15 It is a criminal offence to use a mobile device whilst driving and a conviction will attract a fixed penalty and a license endorsement. If, in connection with your employment, you are caught driving while using a mobile phone or device you may be subject to disciplinary action and will be responsible for the payment of any fines/penalties imposed on you.

5. STANDARDS OF CONDUCT - PERSONAL USE OF COUNCIL ICT SYSTEMS

- 5.1 Personal use of Council ICT systems will be permitted on a limited basis, subject to the standards of conduct outlined in this policy. The Council reserves the right to restrict personal use of its ICT systems.
- 5.2 Personal use of Council e-mail and telephones: it is accepted that you may occasionally need to use Council systems to make an important personal call or

to send an important personal email during working time but these should be kept to a minimum. Personal calls/emails/texts must, wherever possible, be conducted in your own time. This also applies to personal calls/emails/texts using your own personal equipment during working time.

- 5.3 Personal calls/text messages on Council-owned telephones: the Council can charge you for the cost of these. The Council reserves the right to charge for personal use of any other ICT systems provided for business use.
- 5.4 Personal use of the internet: this is permitted in your own time i.e. outside normal working hours or any additional working hours approved by your line manager. If you clock in and out under the Council's 'flexitime scheme' (Scheme of Flexible Working Hours) you must be 'clocked out' of the system before using the internet for personal purposes. If you require to use the internet for personal purposes during working time, you must get consent from your manager.
- 5.5 Personal use of social media sites: the Council will determine which social media sites may be accessed by staff for personal use. Some sites may not be accessed on ICT systems and these will appear as 'blocked' on your screen.
- 5.6 Any personal use of Council ICT systems must not expose the Council's security, systems or data to risk. You must not:
 - circulate non-business e-mails;
 - allow non-Council employees (including family members) to use Council equipment; or
 - attach any personal equipment to Council ICT systems without the approval of the ICT Solutions Team.
- 5.7 You must not knowingly access or try to access inappropriate internet sites, materials or downloads. Pornographic, illegal or other sites which would breach the Council's Employee Code of Conduct, Disciplinary Code or equality standards, must not be accessed from Council ICT Systems or from personal equipment when it is used for work purposes or in work time.

6. STANDARDS OF CONDUCT - USE OF SOCIAL MEDIA

- 6.1 Your manager will decide if you need access to social media sites to carry out your duties at work and you will be given access to them. In order to access them you will have a personal social media account. When you are using social media you must behave in accordance with the standards set out in this policy.
- 6.2 When using social media sites, you must not publish or post any information that you have received or have access to as a result of your employment, unless you have permission to as this is confidential to your work.
- 6.3 You must not use social media sites in any way that may undermine public confidence in the Council, bring the Council into disrepute, or would be discriminatory or defamatory e.g. publish or post any information, including

comments, jokes, illegal or prohibited images or other materials, which would put the Council at risk of legal action being taken against it.

6.4 You must be aware that social media websites are public and that everything you post can be seen by others. We will take disciplinary action against any employee who posts anything on a social media website that could bring the Council into disrepute or could undermine public confidence in the Council. We will take action whether the material is posted to a personal account, a corporate account or an account owned by a third party.

6.5 You should avoid informal personal contact with pupils or service users you work with directly, or their carers, through social media sites (e.g. do not add them as a 'friend', 'follow' them or link with them), or by using your own personal computer, laptop, tablet and/or smartphone (e.g. e-mail, text, calls).

6.6 You must not use social media to harass, bully, stalk or behave in any other way that could damage your working relationships with your colleagues, members of the public or elected members.

7. MONITORING

7.1 The Council will record the use of its systems to measure system security, performance, whether employees are meeting the standards of conduct in this policy and for the prevention and detection of crime.

7.2 The Council will log all internet and e-mail activity and reserves the right to access, retrieve and delete:

- all e-mails, including drafts, sent or received;
- all private and shared directories;
- all use of intranet, internet and other communication techniques using the Council's ICT systems e.g. Twitter, blogs etc; and
- all software and computer equipment.

7.3 Use of the Council's telephone, fax systems and mobile telephones will also be logged and may be recorded.

7.4 The Regulation of Investigatory Powers (Scotland) Act 2000 sets out the circumstances when it is legal for an organisation to monitor or record communications when they enter, or are being sent within, the organisation's ICT systems. These are where:

- the employer reasonably believes that the sender and person intended to receive it have consented to the interception; and/or
- the employer may monitor without consent in certain circumstances, for example, to prevent crime, protect their business or to comply with financial regulations.

The Act applies to public and private communication networks. It gives the person who sends or receives a communication the right to claim damages against the organisation for the unlawful interception of communications.

- 7.5 The Council does not routinely monitor or access user activity logs. Where access to these logs is required, it must be as part of a formal disciplinary or monitoring process. Access will be co-ordinated through the ICT Security Team, who will handle all requests in confidence.

8. FAILURE TO FOLLOW THE STANDARDS OF CONDUCT

- 8.1 If you fail to follow the standards of conduct set out in this policy (see sections 4, 5 and 6), you may have your access to the Council's ICT systems withdrawn and/or disciplinary action taken against you, up to and including dismissal. Appendix 1 gives some examples of activity and behaviour which may be considered unacceptable.

9. LOCAL COLLECTIVE AGREEMENT

- 9.1 This policy is a local collective agreement between the Council and the recognised trade unions. Every effort will be made by both parties to make sure that this policy is reviewed regularly and amended by agreement, if required, to meet future needs. In the event of a failure to reach agreement both parties reserve the right to end this local agreement by giving four months notice in writing. In such circumstances, the terms of the local agreement will no longer apply to existing and future employees.

10. REVIEW OF ICT ACCEPTABLE USE POLICY

- 10.1 This Policy will be added to the Council's policy register and will be reviewed after 6 months and thereafter annually.

September 2015

UNACCEPTABLE USE OF COUNCIL ICT SYSTEMS

1. This Appendix gives some examples of activity and behaviour which may be considered to be unacceptable use of Council ICT systems. The behaviours and activities described below may affect whether you can continue in your job and may also result in disciplinary action being taken against you, which can include dismissal from your post.
2. In certain circumstances, failure to follow the standards of conduct may also be unlawful and your activities may be reported to the police and may result in criminal proceedings against you.
3. Certain jobs are also governed by external registration requirements and professional standards of conduct. The Council is required to notify certain external registration bodies of any misconduct by and/or disciplinary action taken against staff.

Examples of Unacceptable Activity and Behaviour

Personal Behaviour

- ✗ Using working time to send personal e-mails, telephone calls or text messages over and above the limited use described in paragraph 5.2 of the policy.
- ✗ Accessing the internet for personal use during working time.
- ✗ Circulating non-business e-mails.
- ✗ Allowing people not employed by the Council (including family members) to use Council equipment.
- ✗ Harassing, bullying or stalking another person online.
- ✗ Sending any material that is discriminatory or defamatory to others such as jokes, comments, pictures or other material.
- ✗ Knowingly accessing or trying to access inappropriate internet sites, materials or downloads such as pornographic, illegal or other sites. This applies to Council ICT Systems and to your own personal electronic equipment and technology when it is used for work purposes or in working time.
- ✗ Sending, uploading, posting or publishing online any information or comment about an individual, company or organisation which is defamatory or libellous.
- ✗ Connecting or linking with service users, their carers or pupils that you work with on social media sites (such as Facebook, LinkedIn etc.).
- ✗ Using a mobile device while driving.

Security

- ✗ Sharing your password(s) or failing to comply with other security arrangements.
- ✗ Attaching any personal equipment to Council ICT systems without the approval of the ICT Solutions Team.

- ✘ Using your own computer, laptop, tablet and/or smartphone for work without permission.
- ✘ Downloading or installing software, hardware etc onto ICT systems without permission.
- ✘ Trying to access a part of the Council's ICT systems which you do not have permission to access or deliberately trying to damage or disrupt them.

Public Activity

- ✘ Making public information that you have received or have access to as part of your employment – this is confidential to the Council.
- ✘ Giving information to the media if you are not authorised to do so by your manager.
- ✘ Posting (publishing) any information on the internet or social media sites as a representative of the Council unless you have permission from the Council Web and New Media Board.
- ✘ Claiming that you represent the views of the Council without permission from your manager.
- ✘ Making public any information which may undermine confidence in the Council or damage the Council's reputation.
- ✘ Carrying out internet based searches on applicants or candidates for jobs in the Council, unless you are asked to by the candidate.
- ✘ Making a complaint about your employment publicly through the internet, intranet, media, or social media sites.

This list is not exhaustive.

ROLES AND RESPONSIBILITIES

The Council may be held liable for any statements made or contractual arrangements entered into by its employees through electronic means. It also has a responsibility to make sure the information we hold on clients, citizens and employees is held confidentially and securely. Therefore:

1. All employees will be responsible for:

- making sure you have read and understood the ICT Acceptable Use Policy and other relevant policies such as the Council's information governance policies;
- meeting the standards of conduct set out in this Policy (see sections 4, 5 and 6) and any associated guidance which will be published on the intranet;
- if you have responsibility for information or data systems you may be nominated as a Data Steward to help promote and support the management of information in your service area;
- undertaking any training as directed by your manager or required by the Council's Information Governance Unit if you are a Data Steward, to make sure you understand how to use ICT systems correctly, including communication and use of language;
- making sure that any Council ICT equipment that you take outside the work place including but not limited to laptops, mobile phones, iPads, are kept securely so that they cannot be used by others and are kept out of sight if unattended;
- reporting any content, comment or information relating to the Council which you know or think could be illegal, defamatory, discriminatory or supports corruption or bribery to your line manager;
- reporting to your line manager faulty equipment and the loss or theft of any equipment;
- reporting actual or potential breaches of the Council's ICT security and/or loss of confidential data to the Information Security team directly or through your line manager;
- returning any Council ICT equipment to your manager when you leave the Council; and
- understanding that any damaging, defamatory or discriminatory comments you make about your employer or your colleagues using your own social media accounts will be in the public domain and may be a breach of the Council's Employee Code of Conduct and/or this policy.

2. All managers will also be responsible for:

- making sure that your staff, including new recruits to the Council, are inducted in, aware of and understand the Policy and associated guidance and the consequences of any breach of the Policy;
- deciding which employees will have access to the Council's electronic equipment, data and information technology, to assist them in carrying out their duties and responsibilities, and to keep this under review;
- making sure that employees using ICT to carry out their duties have appropriate training in the use of the Council's ICT systems. This includes appropriate training on Data Protection and Information;
- taking action at the earliest signs of a breach of the Policy and /or Data Protection regulations;
- taking action when any breach or potential breach of security or confidentiality or loss or damage to ICT equipment is reported to you;
- authorising employees' use of personally-owned computers, laptops, tablets and/or smartphones for work purposes when it is required to carry out their duties effectively;
- authorising employees' remote access to Council's networks and communications (e.g. e-mail/webmail) to allow occasional working from home;
- making sure that all personal information is processed in accordance with Data Protection legislation;
- supporting the monitoring arrangements (see section 9) on the use of the Council's ICT systems; and
- managers must make sure the procedures that need to be carried out when staff leave the Council and staff transfer to other Council posts are completed to ensure that employees are removed from the Council's ICT systems and any Council equipment is returned to the ICT solutions team when employees leave the Council.

3. The ICT Solutions Team is responsible for:

- defining the Council's ICT Strategy, approving ICT systems, equipment, networks and websites and making them available to staff to use during the course of their employment;
- approving any other systems which are not maintained by ICT Solutions, for use by staff (including e-mail systems), equipment (including personal phones or computers), networks or websites; and
- setting up, maintaining and managing a security configuration (set up) for Council ICT equipment.

Corporate Policy and Strategy Committee

10.00am, Tuesday, 3 November 2015

Festivals and Events Core Programme 2016 and some events in 2017 and 2018

Item number	7.5
Report number	
Executive	
Wards	All

Executive summary

This report is presented to secure the Committee's strategic oversight of the proposed core programme of Festivals and events for 2016, before the Culture and Sport Committee of 30 November is asked to approve funding contributions towards some of the events and Festivals.

The report also notes that *Thundering Hooves 2.0, A Ten Year Strategy to Sustain the Success of Edinburgh's Festivals*, was launched this summer, and that a corporate response to supporting this Strategy is in preparation.

Links

Coalition pledges	P24
Council outcomes	CO20
Single Outcome Agreement	SO1

Festivals and Events Core Programme 2016 and some events in 2017 and 2018

Recommendations

- 1.1 To note that a corporate response to *Thundering Hooves 2.0, A Ten Year Strategy to Sustain the Success of Edinburgh's Festivals*, is in preparation and will be reported to the Culture and Sport Committee, and this Committee, in due course.
- 1.2 To provide strategic oversight of the proposal to make a sum of £200,000 available to the Festivals over the period 2015/16 to 2017/18 to enable forward planning and commissioning for the 70th anniversary year of Edinburgh's Festivals in 2017.
- 1.3 To provide strategic oversight of the following planned events and the proposed funding contributions towards them:
 - 1.3.1 a third public art light installation in St Andrew Square Garden in spring 2016 – note that to enable timely procurement of a suitable partner, a contribution of £42,000 was approved under delegated authority by the Deputy Chief Executive, in consultation with the Festivals and Events Champion and Convener of Culture and Sport;
 - 1.3.2 Euro 7 Nations Junior Diving Championships in the RCP in March 2016 – proposed funding contribution of £15,000;
 - 1.3.3 British Diving Championship in the RCP in June 2016 – proposed funding contribution still to be confirmed at the time of writing;
 - 1.3.4 Sport Relief Mile in Princes Street Gardens in March 2016 – proposed funding contribution of £15,000;
 - 1.3.5 Guinness Pro 12 Rugby Final in May 2016 at BT Murrayfield – funding contribution still to be negotiated;
 - 1.3.6 European Professional Club Rugby (EPCR) Finals in May 2017 at BT Murrayfield – funding contribution still to be negotiated;
 - 1.3.7 Climbing World Cup in the Edinburgh International Climbing Arena (EICA) in September 2016 – proposed funding contribution of £50,000;
 - 1.3.8 European Climbing Championships in the Edinburgh International Climbing Arena in September 2017 – proposed funding contribution of £50,000;
 - 1.3.9 Challenge Edinburgh Triathlon in the city and East Lothian, in July 2017 – proposed funding contribution of £62,500; and

1.3.10 European sports Championships in August 2018 – funding contribution still to be negotiated.

- 1.2 To refer this report, as amended by any decision taken by this Committee, to the Culture and Sport Committee of 30 November 2015 for approval.

Background

- 2.1 On 24 October 2013, as part of the Review of Political Management Arrangements, the Council agreed that the strategic overview of Council events should be added to the remit of the Corporate Policy and Strategy Committee to enhance the corporate oversight of high profile strategic city events.
- 2.2 The core programme of major events and festivals for 2015 was considered by this Committee on 2 December 2014 and subsequently approved by the Culture and Sport Committee on 16 December 2014. This included funding of £12,000 towards a new event called Choirfest, which the organiser decided not to run this year, and funding of £10,000 towards the anniversary event Writing on the City, which had to be postponed by the UNESCO World City of Literature Trust because of the unavoidable late withdrawal of a key artist from the project. The Trust is in negotiation with an alternative writer and the event, now renamed Writer in the City, is scheduled for autumn 2016 (subject to the final writer's existing diary commitments).
- 2.3 Scotland's National Strategy for Events has just been reviewed and relaunched. *Scotland – the Perfect Stage*, covering 2015 – 2025, is available to view and download [here](#). The events described in this report support the aims of this national strategy, as well as the Council's own Events Strategy.

Main report

- 3.1 Field of Light, a contemporary light-based art work by British artist Bruce Munro, was installed in St Andrew Square Garden in February 2014, where it remained until 27 April. This was commissioned by the Council in line with the 'Live after 5' campaign to promote the city centre as a vibrant, beautiful and accessible place. In February this year, the Council partnered with the Edinburgh International Science Festival on a second public art installation, which viewers were able to adjust using digital technology. In order to secure a suitable partner in time to plan a fully immersive third installation, the Deputy Chief Executive and Convener of Culture and Sport approved a waiver for total expenditure of £42,000 from the Events budget (incorporating the £12,000 released from the Choirfest project). This third **light-based art work** will be installed in the same location from February to March 2016. The details will be announced in due course as part of the event's communications plan, to secure maximum coverage.

- 3.2 British Swimming, the sport's national governing body, plans to bring two important diving events to Edinburgh for the first time next year. The first of these is the **Euro 7 Nations Junior Diving Championships**, planned to take place in the RCP from 17 to 21 March. The total cost of this international event is £150,000; the Council has been asked to make a contribution towards this of £15,000. Media coverage and positive reputational impact for the RCP and Edinburgh is expected, and it is anticipated that this may stimulate interest in diving at the RCP. The second British Swimming event is the **British Diving Championships**, scheduled for the RCP in June 2016. This will be a qualifier event for the Rio Olympic Games. Again, this event for senior divers should enhance the prestige of the RCP as an excellent diving venue, and increase interest in diving groups which train in the RCP. National and specialist media coverage is expected, and some of the action may be broadcast. The full details of the financial package are not yet available at the time of the writing, but any impact on Council services is expected to be minimal.
- 3.3 Scottish Rugby has secured two major rugby events for Edinburgh: the Guinness Pro 12 Rugby Final in May 2016 and the European Professional Rugby Club Finals in May 2017. Both of these will take place at BT Murrayfield. Scottish Rugby has asked the Council and Event Scotland to work in partnership to deliver these events and discussions on appropriate support are under way. The European Professional Rugby Club Finals will be similar in scale to a Six Nations Rugby weekend, and there may be some impact on other Council services. The Pro 12 event is smaller, featuring UK and Irish clubs only.
- 3.4 On 20 March 2016, the Comic Relief charity plans to bring the **Sport Relief Mile** back to West Princes Street Gardens. The charity is contributing £4,500 to the cost of staging this event, and has requested funding of £15,500 from the Council. A funding contribution of £15,000 is recommended.
- 3.5 Following several successful years of hosting European Youth Climbing Championships at the EICA, Edinburgh Leisure has secured the **Climbing World Cup** for 2016 – the first time this major event will be held in Edinburgh. Working with the International Federation of Sport Climbing and the British Mountaineering Council, the world and British governing bodies of climbing, Edinburgh Leisure will host this world series event in speed and lead climbing disciplines at the EICA from 24 to 25 September 2016. The total cost of this event is £300,000; the Council has been asked to make a contribution of £50,000 towards this, and discussions with Event Scotland are ongoing. The event will have a minimal impact on Council services. National and specialist media will cover this, and the event will be streamed on the internet. As well as enhancing the EICA's profile and Edinburgh's reputation, this event should stimulate local interest in climbing.
- 3.6 Edinburgh Leisure has also secured the **European Climbing Championships** in another first for Edinburgh. This event is scheduled to take place at the EICA in September 2017, and will cover the same speed and lead climbing disciplines at senior level. The event is expected to cost £600,000, and the Council has

been asked to make a contribution of £50,000 towards this. Discussion is ongoing with potential private sponsors and Event Scotland. The same benefits are expected as from the Climbing World Cup, and impact on Council services will be minimal.

- 3.7 An events company with an excellent track record, [Durty Events](#), has developed the **Challenge Edinburgh Triathlon** (an [Ironman](#) distance triathlon), which it plans to hold in July 2017 in the city and East Lothian. This new participation event is expected to cost £600,000, and the Council has been asked to make a contribution of £62,500 towards it. Other funding will be provided by East Lothian Council (value in kind), Event Scotland and private sector sponsors. It is expected that this will attract some live broadcast coverage, wide media coverage, and will help to stimulate local interest in the triathlon's three constituent sports. Some road closures will be required, although at this stage the details are not yet available.
- 3.8 *Thundering Hooves 2.0* calls on the Council and other stakeholders to support the Festivals to sustain their success by making Edinburgh a festival-friendly city. Services across the Council are currently considering the actions within this new Strategy and details of the proposed Council response will be reported in due course.
- 3.9 In the lead up to the 2012 Olympic Games and 2014 Commonwealth Games in London and Glasgow respectively, the Festivals worked together, with support from the Council and other external partners, to take advantage of this significant opportunity to promote the city and to attract visitors to Edinburgh. As reported in November 2011, the Council's Events budget was prioritised and the sum of £0.65m was ringfenced to enhance Festival programme content across the 2012 to 2014 period.
- 3.10 *Thundering Hooves 2.0* acknowledges that this enhanced and coordinated programming was successful, and recommends that it be used as a model in the run up to 2017, the **70th anniversary of Edinburgh as Festival City**, to mark this important moment and renew the Festivals' "international ambition and purpose in response to the 21st century global challenges". The Festivals intend to work with city partners to develop open and innovative programmes; to cultivate young talent; and to bring Scotland to the world and the world to Scotland, in person and on digital platforms. A collaborative cross-agency partnership approach is proposed to support this important anniversary. The Council contribution proposed is £200,000 over 2015/16 to 2017/18.
- 3.11 Scotland and Germany are to co-host the first **European Sports Championships** in August 2018. This is expected to attract a television audience of 850 million, thanks to a deal with the European Broadcasting Union, which has 72 members in 56 countries. The athletics element will take place in Berlin. Swimming will be at Tollcross in Glasgow, open water swimming will be in Loch Lomond, while diving and synchronised swimming will take place at the RCP. Cycling disciplines, triathlon and rowing will also take place in the west of

Scotland, while golf will be held in Gleneagles. The Scottish Government and Glasgow City Council are working with European and national governing bodies of sport, Visit Scotland, **sportscotland**, and other local authorities, including the City of Edinburgh Council (and its partner Edinburgh Leisure), to deliver those elements of the European Sports Championships which will take place in Scotland. Discussions are ongoing about delivery and funding, some of which is likely to be in kind.

- 3.12 Appendix 1 details the full programme for 2016, which of course includes the city's 12 major Festivals, and the other events mentioned above which will take place in 2017 and 2018. This includes annual events run by the Council and by external promoters. The Culture and Sport Service is in contact with event promoters to provide logistical advice and ensure that where necessary, events are overseen by the Event Planning and Operations Group.

Measures of success

- 4.1 The success of these events and festivals will be assessed by the most appropriate measures for each individual project, including number of spectators, number of participants, sustained physical activity by residents, social media profile, economic impact and equivalent advertising values of any media coverage and partnership funding.

Financial impact

- 5.1 The proposed contributions to events listed in paragraph 1.1 can be contained in the Events and Activity budgets for 2015/16 to 2017/18. The level of charge likely to be levied by Police Scotland in relation to the Challenge Edinburgh Triathlon is unknown at this stage, but would be covered by the event organiser.

Risk, policy, compliance and governance impact

- 6.1 All the events described in this report meet the selection criteria of the Council's Events Strategy and fit with the aims of the relaunched national events strategy. The sporting events are all consistent with the aims and objectives of the Council's Physical Activity and Sport Strategy and the Scottish Government's Active Scotland Outcomes Framework. There are no compliance or governance impacts arising from this report.

Equalities impact

- 7.1 The proposed events described in this report were selected using criteria which include quality of life for people across the city.

Sustainability impact

- 8.1 The impacts of this report have been considered in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties, and the outcomes are summarised as follows: the proposals in this report will have no significant impact on carbon emissions; be neutral in relation to climate change; and will help achieve a sustainable Edinburgh through the promotion of the city nationally and internationally, positive economic impact, and contributions to the quality of life and well-being of residents.

Consultation and engagement

- 9.1 The Council has engaged with various partners and event promoters to discuss these proposals. All of these proposals have been discussed with the Festivals and Events Champion.

Background reading/external references

[Thundering Hooves 2.0 Ten Year Strategy to Sustain the Success of Edinburgh's Festivals](#) report to Culture and Sport Committee on 18 August 2015

[Edinburgh International Culture Summit: 2016 and 2018](#) report to Culture and Sport Committee on 18 August 2015

[Festivals and Events Core Programme for 2015](#) report to Corporate Policy and Strategy Committee on 2 December 2014

[Festivals and Events Core Programme for 2015](#) report to Culture and Sport Committee on 16 December 2014

[Tour of Britain and Tour Series](#) report to Culture and Sport Committee on 21 October 2014

[Additions to the Festivals and Events Programme for 2014 and 2015](#) report to the Culture and Sport Committee on 27 May 2014

Scottish Government [Active Scotland Outcomes Framework](#)

Event Scotland [Scotland – the Perfect Stage 2015 - 2025](#)

European Sports Championships [website](#)

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Links

Coalition pledges	P24 Maintain and enhance support for our world famous festivals and events
Council outcomes	C020 Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens.
Single Outcome Agreement	S01 Edinburgh's economy delivers increased investment, jobs and opportunities for all
Appendices	1. Festivals and Events – Core Programme 2016 (and some 2017 events)

Festivals and Events – core programme 2016 (and some 2017 events)

January	
Morrison's Great Edinburgh Cross Country Run	Sport – spectator event featuring elite athletes
Morrison's Great Winter Run	Sport – participation event
February to March	
Public art installation in St Andrew Square	Cultural – new installation
The Edinburgh Award 2015	Cultural and civic
March	
Euro 7 Nations Junior Diving Championships	Sport – spectator event featuring elite junior divers. New for Edinburgh
Sport Relief Mile	Charity and Sport – participation event
March to April	
Edinburgh International Science Festival	Major Festival
April	
Morrison's Great Edinburgh Run	Sport – participation event
April to May	
TradFest Edinburgh	Cultural
May	
Guinness Pro 12 Rugby Final	Sport – spectator event featuring
Tour Series city centre cycle event	Sport – spectator event featuring elite cyclists
Edinburgh Marathon Festival	Sport – participation event
May to June	
Imagine Festival	Major Festival

June	
British Diving Championships	Sport – spectator event featuring elite senior divers. New for Edinburgh
Moonwalk	Charity – participation event
Festival of Cycling	Sport – participation event
Edinburgh International Film Festival	Major Festival
Armed Forces Day	Civic
July	
Edinburgh Jazz and Blues Festival	Major Festival
July to August	
Edinburgh Art Festival	Major Festival
August	
Edinburgh International Culture Summit	Civic and cultural
Royal Edinburgh Military Tattoo	Major Festival
Edinburgh International Festival	Major Festival
Edinburgh Festival Fringe	Major Festival
Edinburgh International Book Festival	Major Festival
Edinburgh Mela	Major Festival
Autumn – date to be confirmed	
Writer in the City	Cultural. New for Edinburgh.
September	
Festival of Sport	Sport – participation event
Pedal for Scotland	Sport – participation event
Edinburgh Riding of the Marches	Civic – participation event
Climbing World Cup	Sport – spectator event featuring elite senior climbers. New for Edinburgh.

October	
Scottish International Storytelling Festival	Major Festival
November 2016	
Previously... Scotland's History Festival	Cultural
November 2016 – January 2017	
Edinburgh's Christmas	Civic and cultural
Edinburgh's Hogmanay	Major Festival
Morrison's Great Edinburgh Cross Country Run	Sport – spectator event featuring elite athletes
Morrison's Great Winter Run	Sport – participation event
2017	
70th anniversary of the Edinburgh Festivals Celebrations will take place throughout the year	
May 2017	
European Professional Club Rugby Finals	Sport – spectator event featuring professional rugby players
July 2017	
Challenge Edinburgh Triathlon	Sport – participation event. New for Edinburgh.
September 2017	
European Climbing Championships	Sport – spectator event featuring elite senior climbers. New for Edinburgh.
August 2018	
European Sports Championship	Sport – spectator event featuring elite divers and swimmers. New event, and new for Edinburgh.

Corporate Policy and Strategy Committee

10.00am, Tuesday, 3 November 2015

Sustainable Energy Action Plan

Item number	7.6
Report number	
Executive/routine	
Wards	All

Executive summary

The Sustainable Energy Action Plan (SEAP) was approved by Corporate Policy and Strategy Committee in February 2015 and has been submitted to the Covenant of Mayors for approval. This plan set out the proposed actions and initiatives to reduce carbon emissions by 42% by 2020 across the city. Committee requested that further engagement takes place with organisations and the gap between projected and target emissions reduced.

The target of a 42% reduction in carbon emission by 2020 is challenging, however the SEAP can currently approximate over 80% of the CO2 reduction required to meet the 42% target. Work is continuing to develop further actions with key stakeholders across the city to further close the gap and build on the momentum that has been created.

Links

Coalition pledges	P50
Council outcomes	CO18
Single Outcome Agreement	SO4

Sustainable Energy Action Plan

Recommendations

- 1.1 The Committee is asked to note the contents of the report.
- 1.2 The Committee is asked to note that an annual performance report on the SEAP will be presented in March 2016.

Background

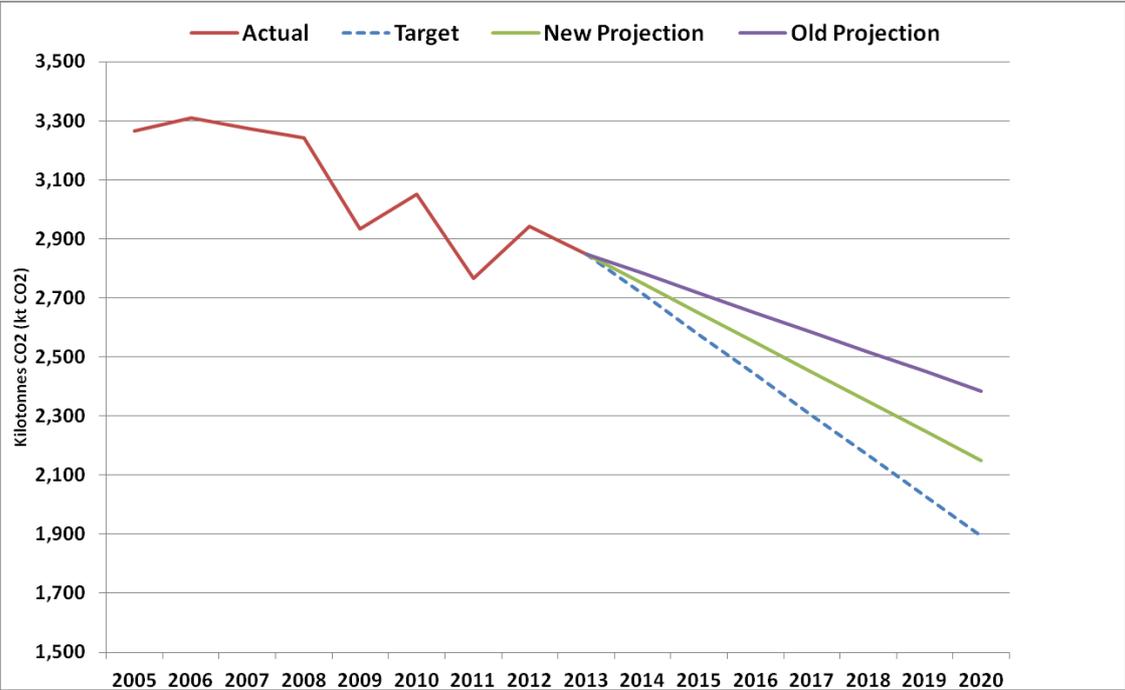
- 2.1 The SEAP was approved by Corporate Policy and Strategy Committee in February 2015. This plan set out the proposed actions and initiatives to reduce carbon emissions by 42% by 2020 across the city.
- 2.2 The delivery of the SEAP is through five proposed work programmes which combine to form a single integrated energy plan. These work programmes reflect the priorities of the SEAP and are:
 - **energy efficiency:** aiming to increase the energy efficiency of buildings and infrastructure such as street lighting;
 - **renewables:** increasing the percentage of renewables used for both power and heat across the city;
 - **resource efficiency:** encouraging the more sustainable use of resources and waste by businesses and consumers;
 - **district heating:** aiming to increase the use of heat networks across the city and create new networks; and
 - **sustainable transport:** supporting more sustainable transport and cleaner, greener fuels.
- 2.2.1 This report provides an update on both these issues.
 - any other carbon projects that can contribute towards the target; and
 - the contributions from partners.

Main report

Progress on the Target

- 3.1 The actions articulated in the SEAP can currently approximate over 80% of the CO₂ reduction required to meet the 42% target, with work continuing to develop further actions with key stakeholders across the city to further close the gap.

- 3.2 Since approval of the SEAP in February, figures have been released from the Department of Energy and Climate Change (DECC). These figures are available at the local authority every year with a two year lag. They provide a robust assessment of carbon emissions. The figures for Edinburgh show a further decrease in carbon from 2,941 kt CO₂ in 2012 to 2,849 kt CO₂ in 2013. This is a 3.2% reduction on the previous year.
- 3.3 In the original modelling of the SEAP action plan there were 898.2 kt CO₂ savings identified from the plans. This accounted for 65.1% of the carbon emissions savings required to achieve the target. The rest of the savings (480.7 kt CO₂) would come from developing further projects and accounting for projects that weren't able to be quantified in robust carbon accounting terms.
- 3.4 In addition, an extensive low carbon audit of activity has been carried out. This has involved contacting a wide range of stakeholders across the city, including engaging with service areas within the Council and seeking feedback on any further low carbon activities or projects they may be engaged with.
- 3.5 Through this detailed audit and from building on the initial partnership work, there has been an additional 218.4 kt of CO₂ reductions included in the plan. This is an increase of 16.2% and means that the new savings accounted for in the plan are 1,116.6 kt CO₂, which represents 81.3% of the target required. Work is continually underway to develop further projects throughout the duration of the SEAP.
- 3.6 An adjustment of the target can now be seen in Figure 1 below. This shows that the gap has now narrowed.



- 3.8 There are further additional actions that can be added to the wider SEAP programme. These will now be reported on as part of the annual performance report.
- 3.9 Some examples of these additional actions that the low carbon audit has revealed include the ECOStars project, the Edinburgh Community Solar Cooperative, an increase in the number of electric vehicles in the City Car Club fleet, and the work of Resource Efficient Scotland working with 122 of Edinburgh's businesses since mid 2013 on lowering carbon emissions.

Engaging Partners

- 3.10 The Committee requested that contributions from partners be identified. The Edinburgh Sustainable Development Partnership (ESDP) has been contacted to identify their contributions to the SEAP. This is the key sustainability partnership for the city. The ESDP is currently collating information on actions that partners are carrying out. These actions will be reported to the Edinburgh Partnership Board in December 2015 as part of a six monthly progress report and will be included in the SEAP.
- 3.11 There are also a specific number of large employers and organisations in the city where collectively the numbers of employees and the wider sphere of influence of these organisations can affect a large number of the city's population whether residents, students, employees or visitors, patients and suppliers. The Committee agreed that a letter would be sent to each Chief Executive from the Council Leader and Chief Executive. These included:
- NHS Lothian;
 - Standard Life;
 - University of Edinburgh;
 - Edinburgh College;
 - Edinburgh Napier University;
 - BT;
 - Heriot Watt University;
 - Royal Bank of Scotland; and
 - Lloyds Banking Group.
- 3.12 All of the organisations have responded positively to collaborating with the Council on future energy projects. All have an interest in the energy and low carbon agendas. Collaboration is looking at a wide range of energy and low carbon issues.
- 3.13 Some specific examples of carbon reduction measures include:
- Heriot Watt University: looking to collaborate with their Energy Academy. They have around 2,000 masters students who can carry out specific research;

- Standard Life and the Banks: looking to explore opportunities on district cooling and energy from waste for their data centres. In addition, the Royal Bank run innovation hubs and will consider low carbon as a theme;
 - BT: looking at awareness raising programmes for staff.
 - Edinburgh College and Edinburgh Napier: looking to collaborate on energy efficiency in buildings and sustainable transport initiatives; and
 - University of Edinburgh and Lothian Health: looking at collaboration on district heating and renewables.
- 3.14 All of these organisations have agreed to provide data and information on their carbon footprints to the Council.
- 3.15 The SEAP report has been submitted to the Covenant of Mayors office and is awaiting assessment and approval. This process can take up to six months. It is anticipated that the SEAP will be formally approved by the end of 2015. A more detailed report on performance of the SEAP programme will be submitted to Corporate Policy and Strategy Committee in March 2016. This will form the annual report on performance. Information from the service areas particularly the contributions from housing and transport will form key elements of the report.

Measures of success

- 4.1 The key measure of success for the SEAP is a reduction in carbon emissions across the city. Other measures however will include a reduction in the number of households in fuel poverty, the amount of renewable energy generated across the city and the number of local energy projects initiated.
- 4.2 For the Council a measure of success will be the potential savings in energy consumption thus complying with Council targets. The SEAP will also be the main initiative in meeting the Capital Coalition Pledge 50 to reduce carbon emissions by 42% by 2020.

Financial impact

- 5.1 There are no financial impacts for the Council associated with the activities outlined in this report.

Risk, policy, compliance and governance impact

- 6.1 By implementing a SEAP, the Council is mitigating any risks of non compliance with the Climate Change (Scotland) Act 2009. In addition, mandatory reporting of carbon will become a requirement for local authorities from October 2016. The SEAP will be an important element of that report.

- 6.2 The SEAP will also complement a number of other policy areas, including: the City Housing Strategy; the Community Plan, the Edinburgh Local Plan, the Local Transport Strategy, Sustainable Edinburgh 2020 and the Transport Vision 2030.

Equalities impact

- 7.1 There are no adverse impacts associated with this report.
- 7.2 By delivering affordable energy and reducing fuel poverty, the SEAP will contribute positively to key equalities outcomes of reducing inequality, poverty and deprivation.

Sustainability impact

- 8.1 The proposals in this report will have a positive impact on sustainability through actions specifically designed to lower carbon emissions through energy efficiency, encouraging sustainable travel, resource efficiency and encouraging low and zero carbon energy generation. This will increase the city's resilience to climate change impacts.
- 8.2 The proposals will help achieve a sustainable Edinburgh by helping alleviate fuel poverty in communities and by improving both quality of life and the environment. It will assist in making local businesses more resilient, provide business opportunities for local suppliers, and provide local people with more disposable income, providing a boost to the local economy and a knock on effect in terms of employment opportunities

Consultation and engagement

- 9.1 Formal consultation has been carried out on the SEAP with a range of organisations including community councils, academia, voluntary and community groups and businesses. Presentations were made to business groups, community planning partners, voluntary organisations, student groups and others.
- 9.2 A SEAP working group has been set up within the Council to ensure continual monitoring of initiatives and projects.
- 9.3

Background reading / external references

Sustainable Energy Action Plan www.edinburgh.gov.uk/sustainableeconomy

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Links

Coalition pledges	P50 Meet greenhouse gas targets, including the national target of 42% by 2020
Council outcomes	CO18 Green - We reduce the local environmental impact of our consumption and production
Single Outcome Agreement	SO4 Edinburgh's communities are safer and have improved physical and social fabric
Appendices	Appendix 1: Update on SEAP work since February 2015

Appendix 1: Summary Update on SEAP work since February 2015

There have been a number of areas progressed since February 2015. The table below provides a brief update on these areas of work. A more detailed annual report in March 2016 will provide more details on performance.

Action	Comment	Next steps
Wider partnership engagement.	Meetings have taken place with eight of Edinburgh's largest organisations. We have engaged with key contacts in these organisations to discuss the SEAP and explore actions that they are taking to reduce carbon emissions, and in particular key areas of mutual interest. Each organisation expressed a very positive response to collaborating with the Council on future energy projects and the initial meetings were extremely encouraging and really highlighted a shared interest in the energy and low carbon agendas.	An event is currently being planned for December which will involve the formal launch of the SEAP. Each of the largest organisations will also formally endorse the SEAP at the event.
Engagement with Housing and Regeneration regarding District Heating.	To contribute to SEAP objectives on district heating the ESCO project team is in discussion with the Council's housing service about exploring district heating networks that could include Council housing and other partners where feasible.	Further discussions to take place with the ESCO project team and housing colleagues regarding potential district heating networks.
Development of Projects	A number of specific projects from the five SEAP themes are being taken forward. This includes district heating initiatives at a number of sites across the city, solar and renewables projects,	Work continues to progress specific projects.

	transport projects and energy efficiency in buildings.	
SEAP Energy Audit.	An energy audit has taken place to consult more widely on the SEAP and account for more carbon reductions towards the 42% target. The energy audit has currently uncovered 35 new actions and has found an additional 218.4 kt of CO2 reductions to be included in the SEAP. This allows the SEAP to account for 81.3% of the 42% CO2 reduction target, up from 65.1% in February 2015.	The energy audit will be used as a working document to add further actions and CO2 figures. This will allow us to measure progress year on year.
Engagement with further initiatives and organisations.	Through the detailed energy audit and from building on the initial partnership work, we have engaged with a number of new organisations and initiatives who are actively contributing to reducing emissions in the city. Some of these organisations include Resource Efficient Scotland, the ECOSTars programme and REMADE in Edinburgh.	We will continue to work closely with these organisations and find ways of helping them to reach a wider audience. We will also be able to get accurate yearly progress reports for them and CO2 reduction figures. We will also continue to identify new initiatives and organisations active in this sector by using the energy audit as an annual engagement and communication tool to get updates from existing actions and to encourage others to contribute their own initiatives to be recorded within the SEAP.

Corporate Policy and Strategy Committee

10am, Tuesday, 3 November 2015

Response to Scottish Government consultation on the Circular Economy

Item number 7.7
Report number
Executive/routine
Wards: All

Executive summary

This report provides a brief response to the Scottish Government's consultation on the Circular Economy. The consultation considers priorities for the circular economy focusing on key elements: Design; reuse; repair; remanufacture; recycling; recovering value from biological resources; and the skills required.

The response is supportive of the principles in the consultation and includes responses from relevant service areas.

Links

Coalition pledges [P15](#) [P28](#) [P50](#)
Council outcomes [CO8](#)
Single Outcome Agreement [SO1](#)

Response to Scottish Government consultation on the Circular Economy

Recommendations

- 1.1 It is recommended that the Committee:
- Approves the response to the Scottish Government's consultation on the circular economy.

Background

- 2.1 The circular economy is an alternative approach to a traditional linear economy in which resources are kept in use for as long as possible and then recovering and regenerating products and materials at the end of each service life. It shifts the focus from being efficient in the use of materials to the bigger gains from reusing those materials across the economy. The Scottish Government is a signatory to the Ellen McArthur Foundation, which champions a circular economy, and is keen to make progress towards a more circular approach to resources.
- 2.2 The Scottish Government has launched its consultation 'Making things last', which will close on 30 October and seeks responses from organisations and individuals. This is the first step in preparing a circular economy strategy for Scotland and supports the aims of Scotland's Economic Strategy, particularly with regard to innovation and more efficient resource use.

Main report

- 3.1 This report recommends a response to the Scottish Government's consultation on the circular economy which considers priorities focusing on key elements such as design, reuse, repair, recycling, recovering value from biological resources and the skills required for these.
- 3.2 The circular economy is a concept that the council is aware of and fits with the work in supporting the low carbon economy and specifically through the Low Carbon Jobs and Investment Framework that is being developed. In addition resource efficiency is a key theme in the Sustainable Energy Action Plan. For example, work with the third sector is being developed through groups such as Remade in Edinburgh, who are active in this area of work. The group has

recently been successful in securing a grant to develop their reuse and repair services further.

- 3.3 The Council response is supportive of the principles in the consultation and highlights the opportunities for the Council, for example, to influence its supply chain and raise awareness of the concept.
- 3.4 The Council has supported local businesses that work in the 'circular economy' space, and will continue to explore opportunities for jobs and investment in this area. There is some further work required in explaining what the circular economy is to citizens and getting 'buy in' from consumers. There may be a tension between supporting the circular economy and having the most competitive economy, this should be considered further by the Scottish Government in the development of this agenda.
- 3.5 Appendix 1 details the response to the consultation which includes feedback from relevant service areas.

Measures of success

- 4.1 The response helps meet the objectives of the Council's economic strategy.

Financial impact

- 5.1 There are no financial impacts from the response to the consultation.

Risk, policy, compliance and governance impact

- 6.1 There are no known risks associated with the response to the consultation.

Equalities impact

- 7.1 There are no negative impacts on any groups arising from the response to the consultation.

Sustainability impact

- 8.1 There are no direct sustainability impacts arising from the response to the consultation. However, the aims of the circular economy actions, if implemented, are likely to improve sustainability within Edinburgh.

Consultation and engagement

9.1 Consultation was carried out with officers in various service areas of relevance across the Council. Responses came from Waste Services and Procurement as well as Economic Development who coordinated the response.

Background reading/external references

Consultation Document can be accessed here: <https://consult.scotland.gov.uk/zero-waste-delivery/making-things-last>

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Links

Coalition pledges	P15 Work with public organisations, the private sector and social enterprise to promote Edinburgh to investors P28 Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city P50 Meet greenhouse gas targets, including the national target of 42% by 2020
Council outcomes	CO8 Edinburgh's economy creates and sustains job opportunities
Single Outcome Agreement	SO1 Edinburgh's Economy Delivers increased investment, jobs and opportunities for all
Appendices	Appendix 1: Proposed response to the Scottish Government consultation on the Circular Economy

Appendix 1

Proposed response to the Scottish Government consultation on the Circular Economy

Question A-Design

Do you agree with our aspirations on design for a more circular economy?

Answer: Yes. However as a Council we are not normally involved in the design, packaging and transport of goods. This is an area where we could have an influence and use other business support resources and funding models to support businesses and share the efficiencies in return. The private sector at times drives and influences their commercial model through purchasing decisions.

What other opportunities are there for transformational change?

Answer: No answer

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would help unlock opportunities?

Answer: Working with Third sector and Social Enterprises could assist in developing circular economy thinking at the design stage of manufacturing goods.

Question B – Reuse

Do you agree with our aspirations on reuse for a more circular economy?

Answer: Yes.

What other opportunities are there for transformational change?

Answer: The Council is exploring the use of the very popular web system Warp-IT, with a view to agreeing implementation across the Council if agreement to adopt is achieved. Warp It- <https://www.warp-it.co.uk/>

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would help unlock opportunities?

Answer: There quite significant potential savings to businesses in the longer term from reusing materials. Many companies have begun to notice that the linear model of resource consumption that follow a take-make-dispose pattern are becoming increasingly exposed to risks. Most notably with higher resource prices and supply disruptions. Providing more information to companies on these risks could potentially

encourage them to look at adopting a more circular business model particularly as it relates to reuse of materials.

Careful consideration of the use of taxation of primary materials and subsidy of reused material may be a means of incentivising reuse, however any adverse impacts on the economy from this would need to be considered. Also, business costs could be increased from reusing materials that need to be reworked to get into a usable state, compared to using virgin materials.

High-level analysis suggests that the circular economy offers significant economic benefits to individual firms and to the Scottish economy as a whole. The scale of the opportunity appears to be most significant in relation to particular sectoral supply chains which include: food and drink, energy, construction and chemical and life sciences. These are all industry 'clusters' in Scotland which have competitive strengths in a global context. More engagement with businesses located in these sectors in Edinburgh on the benefits of circular business models could encourage some businesses to act as early adopters.

Question C – Repair

Do you agree with our aspirations on repair for a more circular economy?

Answer: Yes but have concerns around liability post repair. It would have to be clear about who is liable for a fault post repair; that is, is it the original manufacturer or the repairer who bears responsibility?

What other opportunities are there for transformational change?

Answer: No answer

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would help unlock opportunities?

Answer: Perhaps bring forward pilots to investigate further what is achievable and what barriers there are to this. Lessons learned or case studies would be useful.

Question D – Remanufacture

Do you agree with our aspirations on remanufacture for a more circular economy?

Answer: Yes

What other opportunities are there for transformational change?

Answer: Possibly challenging the initial procurement requirement via our 'Procurement' team and 'Buyers Pool' team, who challenge all non contract purchase orders could support transformational change.

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would help unlock opportunities?

Answer: No answer

Question E – Recycling

Do you agree with our aspirations on recycling for a more circular economy?

Answer: Yes

What other opportunities are there for transformational change?

Answer: Further engagement with the public

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would help unlock opportunities?

Answer: While the impact of contamination on recycling is acknowledged, paragraph 131 suggests that this can best be addressed by reviewing the circumstances in which it arises in different collection systems. This suggests the collection system itself is the problem. However user behaviour may be more of an issue and the issue is getting mass buy-in to participate in recycling. The Government needs to consider the options available to local authorities to manage this issue.

Question F – Producer Responsibility for reuse and recycling

Do you agree with our aspirations on harnessing producer responsibility approaches for a more circular economy?

Answer: Yes but concerned about any financial impact this may have on the purchase price of products and the impact that would have on the council and wider economy.

What other opportunities are there for transformational change?

Answer: Not sure.

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would help unlock opportunities?

Answer: Consideration of the impact that the Waste Electrical and Electronic Equipment (WEEE) directive has had and learning from the impact of these.

Question H – Energy recovery

Do you agree with our approach on energy recovery in a more circular economy?

Answer: Yes

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would support this approach?

Answer: the need for the Scottish Government to carefully consider how investment in treatment facilities can be funded as without such initial investment, the business case for such facilities may be undermined.

Question I – Landfill

Do you agree with our approach on landfill as we move towards a more circular economy?

Answer: Yes

What other opportunities are there for transformational change?

Answer: continued promotion of recycling and expansion of recycling materials currently uplifted, including promotion of the WEEE directive and regulations.

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would support this approach?

Answer: No answer.

Question J – Communications

Do you agree with our aspirations on communication for a more circular economy?

Answer: Yes

What other opportunities are there for transformational change?

Answer: communicate and educate from primary age through to retirement. Some people do not understand what recycling is about and assume it is less waste going to landfill. Chopping everything up does not help.

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would help unlock opportunities?

Answer: No answer.

Question K – Skills

Do you agree with our aspirations on skills for a more circular economy?

Answer: Yes

What other opportunities are there for transformational change?

Answer: Working with businesses to promote the circular economy and championing the advantages of the circular business model; making funding available for trials and developing design and remanufacturing skills.

Do you agree with the proposed actions for further exploration?

Answer: Yes

What other actions would help unlock opportunities?

Answer: No response.

Question L – Measuring Progress

Do you agree with our aspirations on measuring progress towards a more circular economy?

Answer: Yes, however we think it will be challenging to develop meaningful indicators.

Do you agree with the proposed actions for further exploration?

Answer: No response.

What other actions would help unlock opportunities?

Answer: No response.

Corporate Policy and Strategy Committee

10.00 am, Tuesday, 3 November 2015

World Creative Economy Summit - Shanghai

Item number	7.8
Report number	
Executive/routine	
Wards	All

Executive summary

This report proposes elected member and officer representation at the World Creative Economy Summit in Shanghai on 8-9 November 2015. The theme of the Summit is 'Two Wings of Creative Economy: the Internet and Finance' and will explore the Shanghai creative industry sector, the internet and innovation. It is proposed that one elected member and officer accept the fully funded invitation from the conference organisers to represent Edinburgh and to provide a keynote speech on Edinburgh's creative sector.

Links

Coalition pledges	P15 , P16 , P24 , and P31
Council outcomes	CO7 , CO20 , and CO26
Single Outcome Agreement	SO1

World Creative Economy Summit - Shanghai

Recommendations

- 1.1 To note acceptance of the invitation to Councillor Lewis and the Museums and Galleries Manager to attend the World Creative Economy Summit in Shanghai on 8-9 November 2015.
- 1.2 Due to the need to confirm urgent travel plans, the Executive Director of City Strategy and Economy and the Council Leader approved the visit under the urgency provisions set out in paragraph 3 of the Committee Terms of Reference. The Committee is asked to note the action taken.
- 1.3 To note that further information on the benefits of attendance will be provided after the event.

Background

- 2.1 The World Creative Economy Summit is organised by the Shanghai Creative Association and the Organising Committee of the World Economy Summit. The former is the largest association in China and a Government Agency.
- 2.2 The invitation offers an elected member and officer fully funded places at the World Creative Economy Summit, including all associated local and international travel, subsistence and accommodation costs.

Main report

- 3.1 The World Creative Economic Summit offers an opportunity for senior leaders of international creative industries to discuss core strategies of creative industries. The theme of the summit is 'Two Wings of Creative Economy: the Internet and Finance'.
- 3.2 The two day summit in Shanghai offers Edinburgh a keynote speech to present examples of the city's creative sector and foster relations with other world-famous creative cities. It provides a forum for dialogue on global issues such as internet innovation and performance and the visual arts.
- 3.3 Council representation at the World Creative Economy Summit 2015 will provide opportunities to:

- profile Edinburgh as a guest city and provide a keynote speech to promote the city's expertise in the creative industries;
- share experience and good practice with other world cities;
- promote the city's international profile;
- connect with world-famous cities for future development and joint activities in the creative industries.

Measures of success

- 4.1 As there are no specific Capital Coalition Pledges and Council Outcomes for External Relations, the team monitors its contribution to a wide range of related pledges and outcomes. Specific examples that reinforce the objectives of City Strategy and Economy include pledge 24 'maintain and embrace support for our world-famous festivals and events', CO20 'Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens' and SO1 'Edinburgh's economy delivers increased investment, jobs and opportunities for all'. Further details are given in the Links section below.
- 4.2 Further information on the benefits of attendance will be provided after the event.

Financial impact

- 5.1 There are no financial implications. The Organising Committee will book and cover all costs associated with travel, accommodation and subsistence.

Risk, policy, compliance and governance impact

- 6.1 The actions and outputs described in this report adhere to the risk compliance policy and governance arrangements. In addition the recommendations in the report do not impact on any existing policies of the Council.

Equalities impact

- 7.1 There are no equalities impacts arising from attendance at this conference. The Council's European and International Strategy and Parliamentary activity supports the Council's commitment to equal opportunities.

Sustainability impact

- 8.1 Travel arrangements have been made in accordance with the Council's Sustainable Travel Plan. Travel options have been considered by the booking agency and the recommendation is air travel from Edinburgh to Doha and a connecting flight to Shanghai. While there are adverse impacts on air quality and noise associated with air travel, overland travel is not considered practical given the distance and excessive travel time.

Consultation and engagement

- 9.1 Attendance at the World Creative Economy Summit provides the Council with a channel for engaging in consultation on the international creative industry sector and future direction.

Background reading / external references

Papers held by the External Relations Team.

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Links

Coalition pledges	P15 - Work with public organisations, the private sector and social enterprise to promote Edinburgh to investors P16 - Examine ways to source new funding to support small businesses P24 – Maintain and embrace support for our world-famous festivals and events P31 – Maintain our City's reputation as the cultural capital of the world by continuing to support and invest in our cultural infrastructure
Council outcomes	CO7 – Edinburgh draws new investment in development and regeneration

<p>Single Outcome Agreement</p>	<p>CO20 – Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens.</p> <p>CO26 - The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives</p> <p>SO1- Edinburgh's economy delivers increased investment, jobs and opportunities for all</p>
<p>Appendices</p>	<p>None.</p>

Corporate Policy and Strategy Committee

10.00am, Tuesday, 3 November 2015

Encouraging Live Music in Edinburgh: Update – referral from the Culture and Sport Committee

Item number	7.9
Report number	
Wards	All

Executive summary

The Culture and Sport Committee on 20 October 2015 considered the attached report by the Deputy Chief Executive providing a summary of the progress made by the Music is Audible Working Group.

The report has been referred to the Corporate Policy and Strategy Committee for information.

Links

Coalition pledges	See attached report
Council outcomes	See attached report
Single Outcome Agreement	See attached report
Appendices	See attached report

Encouraging Live Music in Edinburgh: Update

Terms of referral

- 1.1 On 16 December 2014, the Culture and Sport Committee established the Music is Audible (MIA) Working Group. The Group consisted of elected members, officers and representatives from the sector to examine the best way to balance the interests of residents and live music venues within the limits of the legislation.
- 1.2 On 20 October 2015, the Culture and Sport Committee considered a report by the Deputy Chief Executive providing an update on the progress of the Music is Audible Working Group and an update on the work of the Live Music Matters Working Group.
- 1.3 Details were also given on the current Council process for resolution of noise complaints about licensed premises and the results of a census of live music activity in the city undertaken by the University of Edinburgh
- 1.4 The Culture and Sport Committee agreed:
 - 1.4.1 To note that the Music is Audible Working Group had begun consulting the Licensing Board and Forum on the Working Group's proposed changes to current licensing policy, and accompanying guidance for venues and Licensing Standards Officers, with the intention that the results inform the Council's Cultural Policy review and the formal review of licensing policy anticipated in 2016 which would include consultation with the public.
 - 1.4.2 To note that the remaining recommendations made in an independent report by the Music Venue Trust, commissioned by the Music is Audible Working Group, would be assessed and taken forward as appropriate by Council officers and representatives of the Music is Audible working group, and that an action plan would be presented to Committee in Spring 2016.
 - 1.4.3 To note the substantial economic contribution made by live music to Edinburgh, as established by a census of live music undertaken by the University of Edinburgh on 6 June 2015.
 - 1.4.4 To note that the census provided a point of reference for monitoring the success of the Council's live music project.

- 1.4.5 To note that the Edinburgh Licensing Board required to publish its new Statement of Licensing Policy by 30 November 2016 and the Scottish Government was currently agreeing arrangements for commencement of parts of the Air Weapons and Licensing (Scotland) Act 2015.
- 1.4.6 To note that actions arising from this project would be included in the cultural policy work to be reported to Committee in November 2015 and that a further update would be provided in spring.
- 1.4.7 To refer the report by the Deputy Chief Executive to the Corporate Policy and Strategy Committee for information.

For Decision/Action

2.1 The Corporate Policy and Strategy Committee is asked to note the report.

Background reading / external references

[Minute of the Culture and Sport Committee - 16 December 2014- Encouraging Live Music in Edinburgh: Update](#)

Carol Campbell

Head of Legal and Risk

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Links

Coalition pledges	See attached report
Council outcomes	See attached report
Single Outcome Agreement	See attached report
Appendices	Appendix 1 – Report by the Deputy Chief Executive

Culture and Sport Committee

10.00am, Tuesday, 20 October 2015

Encouraging Live Music in Edinburgh: Update

Item number	7.2
Report number	
Executive	
Wards	All

Executive summary

This report provides an update on topics considered so far by the Live Music Matters Working Group and brief details of the Council's current process to resolve noise complaints about licensed premises through mediation. The report also summarises progress made by the Music is Audible (MIA) Working Group. The MIA Group commissioned independent research from the Music Venue Trust to assess approaches to addressing legislative restrictions and provide recommendations specific to Edinburgh. The MIA working group will consider these recommendations and use them as appropriate to enhance the action plan it will recommend in the next update to this Committee next spring.

A census of live music activity in the city on 6 June, which fed into the MIA group's work, and was carried out independently by the University of Edinburgh, is summarised. Amongst other highlights, the report notes that Edinburgh audiences attend more live music than the Scottish average, and that the total estimated spend at live music events in Edinburgh is £40m per year. Lastly, the report notes key milestones which will inform Council work to encourage live music in the city, such as the review of licensing policy in 2016.

Links

Coalition pledges	P24, P31
Council outcomes	CO8, CO20, CO26
Single Outcome Agreement	SO1, SO3

Encouraging Live Music in Edinburgh: Update

Recommendations

- 1.1 Note that the Music is Audible Working Group has begun consulting the Licensing Board and Forum on the Working Group's proposed changes to current licensing policy, and accompanying guidance for venues and Licensing Standards Officers, with the intention that the results should inform the Council's Cultural Policy review and the formal review of licensing policy anticipated in 2016, which will include consultation with the public;
- 1.2 Note that the remaining recommendations made in an independent report by the Music Venue Trust, commissioned by the MIA Working Group, will be assessed and taken forward as appropriate by Council officers and representatives of the MIA working group, and an action plan will be presented to Committee in spring 2016;
- 1.3 Note the substantial economic contribution made by live music to Edinburgh, as established by a census of live music undertaken by the University of Edinburgh on 6 June 2015;
- 1.4 Note that this census provides a point of reference for monitoring the success of the Council's live music project;
- 1.5 Note that the Edinburgh Licensing Board requires to publish its new Statement of Licensing Policy by 30 November 2016 and the Scottish Government is currently agreeing arrangements for commencement of parts of the Air Weapons and Licensing (Scotland) Act 2015;
- 1.6 Note that actions arising from this project will be included in the cultural policy work which will be reported to Committee in November 2015, and a further update will be provided in spring; and
- 1.7 Refer this report to the Corporate Policy and Strategy Committee for information.

Background

- 2.1 At the meeting of [16 December 2014](#), Committee approved the formation of the short-life Music is Audible working group, chaired by the Vice Convener of Culture and Sport.

- 2.2 This group has councillor, officer and sector representatives, and a remit to examine the most effective ways of balancing live music with the interests of local residents, within the limits of relevant legislation. Membership is attached at appendix 1.
- 2.3 This group has now met four times. These meetings have been proactive and successful in scoping the reach of recommended action for change as described in this report, based on an analysis of current challenges, existing available research and the commissioning of new research on current activity and international comparators.
- 2.4 An MIA sub-group was also formed to look at specific areas of work in detail. This group has met three times to progress an approach to developing specific advice for music venues and training opportunities.
- 2.5 In addition to the Music is Audible Working group and sub-group, a sister group called Live Music Matters was established, also with councillor, officer and sector representation chaired by the General Manager of the Usher Hall. This group grew from the findings of the open forum held in the Usher Hall on 17 November 2014, reported to Committee on [16 December 2014](#), and has a wider remit examining issues which do not relate to noise legislation. Membership of this group is also listed in appendix 1.
- 2.6 This group has met once so far, as it was agreed that the work of the Music is Audible Group is a critical area of action that requires urgent resolution. However, it was felt that alongside this work, as time permitted, this group could: stay actively involved in the wider cultural community's strategic work, through the Desire Lines steering group; potentially create a written resource to celebrate the history of Edinburgh's music sector successes; consider new audience development, marketing and promotion campaigns; and further develop future open forum events.

Main report

- 3.1 As previously reported, Edinburgh's current licensing rules require amplified music to be wholly inaudible from neighbouring properties. All complaints from members of the public about a breach of the noise condition (when they claim that amplified music or vocals are audible within their homes), are referred to the Licensing Standards Officers (LSOs) for investigation. A small number of these relate to live music.
- 3.2 While ultimately seeking compliance with this and all other licensing conditions, the LSOs approach is to resolve matters through mediation. In the last 18 months only three Compliance Notices have been issued, and no requests were made to the Licensing Board to review a Premises License. It is worth noting that the LSOs have no powers themselves to instruct music performances to end

or to prohibit the provision of live music in venues. Any unresolved issue requires to be referred to the Board by way of a license review request.

- 3.3 Whatever the outcome of any consideration to amend the current inaudibility condition, LSOs will continue to advise and assist music venues, jointly seeking practical solutions to noise issues.
- 3.4 The Music is Audible Working Group has been meeting to confirm whether this inaudibility approach is unique, and assess its impact and suitability, as the sector has reported that current rules are not conducive to a flourishing live music and cultural scene.
- 3.5 In doing this the MIA group has tested the group's initial findings and recommendations for changes to legislation through informal consultation with the Licensing Forum and Community Councils; scoped the wider context and enhanced initial findings through commissioning the Music Venue Trust to conduct further research; and engaged with the University of Edinburgh in setting a benchmark through a census of current live music activity in the city.

Music is Audible Working Group recommendations

- 3.6 The MIA working group has assessed a range of options including: mediation processes; acoustic analysis of sites; measurements of background noise; planning processes; timings in programming; terminology used in associated documents; training opportunities; sound systems and meters; and a comprehensive assessment of the processes used by other Scottish local authorities.
- 3.7 Following this work, the group has now begun a process of consulting informally with Council officers, the Licensing Forum and community councils, to test the possibility of enhancing the wording of Edinburgh's current licensing policy as follows:

Existing wording:

'The Board will always consider the imposition of a condition requiring amplified music from those premises to be inaudible in residential property'.

Proposed new wording:

Amplified music... '... shall not be an audible nuisance in neighbouring residential premises'.

- 3.8 It is suggested that this proposed wording would create a better environment for musicians, promoters and residents in the city and that an updated appendix to this policy would provide clearer guidance for Licensing Standards Officers (LSOs) when they assess whether noise created by music is indeed a nuisance.

- 3.9 The suggested guidance for this approach has been taken from the Scottish Government's [guidance](#) which was issued to accompany the statutory nuisance provisions of the Public Health etc (Scotland) Act 2008, Part 9 of which amends the Environmental Protection Act 1990. Section 3 of this guidance states 'There are 8 key issues to consider when evaluating whether a nuisance exists' and goes on to provide definitions of these issues, which are listed as impact, locality, time, frequency, duration, convention, importance and avoidability. The full definition of the 8 key issues is included in the Music Venues Trust report attached at appendix 2.
- 3.10 By using these issues to consider nuisance it may prove easier for LSOs to judge whether, for example, noise is conventional at specific times of the year such as during the festivals in August or at Hogmanay, or whether it has an importance to the city such as the Tattoo. Conversely this would also allow LSOs to be clearer with venues on why noise is an issue, for example if it was occurring in the early hours of the morning in a consistent and repetitive way. It is the intent of the group to ensure that complaints can still be made, but that there is a fairer way to assess why they might be upheld. The findings of this initial consultation will be reported to Committee as part of the next update on encouraging live music in Edinburgh.

The Music Venue Trust

- 3.11 The Music Venue Trust is a charity which seeks to safeguard the future of the UK's network of grassroots music venues. It provides specialist consultancy with experience of working in other cities where tensions around live music exist, including chairing the Mayor of London's Music Venues Taskforce.
- 3.12 MVT has supported the MIA's research by providing information on complementary approaches to the noise challenge, including alternatives to measuring sound, timings, training opportunities and a new approach to responsibilities. MVT's key recommendations are:
- 3.12.1 That the Council considers the balance between the contribution of music venues to the cultural and economic life of Edinburgh and the needs of residents and includes this in its cultural policy review and development;
 - 3.12.2 That the Council changes the terminology used in documentation to create a more balanced approach in working with residents and venues. For example, the Council could use new terms to indicate that a resident and a venue are both 'clients' in a mediation process required to settle a complaint, rather than a 'complainee' or subject of a complaint and a 'complainant';
 - 3.12.3 That the MIA working group considers implementing an awareness raising campaign within the Council (for members and officers) of the impact of complaints on the city's wider cultural and economic environment;

- 3.12.4 That the Council encourages residents to talk to the venue about their concerns as a first step;
 - 3.12.5 That the MIA working group creates a resource which would provide all music venues with guidance on their options in the event of a noise complaint;
 - 3.12.6 That the Council considers the local conditions in detail that could be linked to the Agent of Change principle, (see definition below), and considers consulting the Scottish Government on the legal process required for legislative change, to enable Edinburgh to be the first city in Scotland to adopt this approach;
 - 3.12.7 That the Council considers enhancing practice around licensing, for example by creating a checklist for residents making complaints to assist in mediation and resolution of problems;
 - 3.12.8 That the Council identifies a key person to act as a music champion to liaise between Council officers and the music community going forward.
- 3.13 The Agent of Change principle is defined by the Music Venue Trust as follows: “the person or business responsible for the change is responsible for managing the impact of the change. This means that an apartment block to be built near an established live music venue would have to pay for soundproofing, while a live music venue opening in a residential area would be responsible for the costs. A resident who moves next door to a music venue would, in law, be assessed as having made that decision understanding that there’s going to be some music noise, and a music venue that buys a new PA would be expected to carry out tests to make sure its noise emissions don’t increase.”
- 3.14 The full MVT report can be found at appendix 2. The MIA working group will consider these recommendations and use them as appropriate to enhance the action plan it will recommend in the next update to this Committee next spring.

University of Edinburgh Music Census

- 3.15 The MIA group also supported research, carried out independently by the University of Edinburgh, to gauge the scale of music activity in the city with a view to benchmarking this data nationally in the future.
- 3.16 Provisional headline findings from the live music census carried out in Edinburgh on Saturday 6 June 2015 are given below.

Edinburgh audiences

- 3.16.1 Edinburgh audiences attend more live music than the Scottish average (13% attending annually five times or more, as opposed to the Scottish average of 6%);
- 3.16.2 Audience members are typically aged 38, in full time employment, and living in the city;
- 3.16.3 On the date of the census 11,500 people attended live music, leading to a conservative estimate (balanced against other available statistical information) of an annual attendance of 2.7 million people;

- 3.16.5 They are most likely to regularly go to rock music (61%), but also enjoy folk (37%) and modern jazz (34%); and
- 3.16.6 The average audience member prefers to see live music in music venues (44%) but attends live music most often in pubs (76%) followed by music venues (67%) and concert halls (58%).

Income and spend

- 3.16.7 Edinburgh music fans spend on average £93 on live music each month (including tickets, food/drink and transport);
- 3.16.8 At £15 per gig, £170,000 was estimated to have been spent on live music on the night of the census (£90,000 on ticket sales alone);
- 3.16.9 The total average annual spend on live music, by a typical music fan is £1,120.
- 3.16.10 A conservative estimate, balanced against other statistical information, of total spend at live music events is £40million per year (including tickets, food/drink and transport); and
- 3.16.11 The average monthly spend on recorded music (CDs, records and music downloads) is £147.

Edinburgh Music Venues

- 3.16.12 At any given time there are approximately 267 venues in the city actively offering live music, 94 of which feature music on a minimum of two nights per week;
- 3.16.13 Almost half of these are pubs and bars (46% of the 267);
- 3.16.14 Based on the census research, and an analysis of listings (not including festivals), 23,300 live music events are estimated to take place each year in Edinburgh; and
- 3.16.15 From venues visited on the night, it was estimated that over 335 non-musician staff were working and, assuming minimum wage, a further conservative estimate was made that venue and production staff are paid at least £2.6 million per year, at venues alone, when live music is on.

Musicians and DJs

- 3.16.16 The typical live music performer in the city has an average age of 40, is most likely male (73%) and has been active within the music industry for 17 years, playing an average of five gigs per month of which 61% are paid;
- 3.16.17 Based on the census data, it is estimated that musicians and DJs in Edinburgh were paid £14,150 on the night of the census (an average of £92 per gig); and

- 3.16.18 Music forms the main source of income for 44% of respondents and for those who do not earn the majority of their income from music it forms an average of 12% of respondents' total income.
- 3.17 In relation to complaints in the last 12 months the census also concluded that 42% of venues reported experiencing issues related to noise. Just under half (44%) of musicians also reported that their gigs have been affected by noise restrictions. However, data supplied by the Council indicated that from 1 April 2014 to 30 June 2015 only 64 complaints related to noise were received linked to 18 venues in total, with none of these complaints reaching the stage of being addressed by the Licensing Board. Alongside further information detailed in the MVT and University of Edinburgh findings, research therefore indicates that there is a high level of self-policing taking place amongst venue operators. In the qualitative data gathered, there is an indication that venues are being naturally protective of their licenses and sensitive to the potential of any involvement of Council officers or Police, therefore acting in advance of any official processes.
- 3.18 In summary the University's independent census report concludes that although Edinburgh's music scene is vibrant, particularly in relation to its population base and size, and its residents are keen supporters of a dedicated community of musicians throughout the year, there is scope to improve live music provision. The report's three recommendations focus on the inaudibility clause, the agent of change principle and the inclusion of live music within the Council's review of its Cultural Policy and whatever new policy or plan is adopted. The full report can be accessed from 19 October 2015 at <http://livemusicexchange.org>.

Key Milestones

- 3.19 The Edinburgh Licensing Board requires to publish its new Statement of Licensing Policy by 30 November 2016. The Board is therefore required to consult in its preparation of policy, and in line with previous practice, would be expected to consult widely over a period of several months inviting representations including trade, members of the public, police and the NHS. The consultation period has not yet been agreed, but it is likely that the Board will consider the issue early in 2016.
- 3.20 The Scottish Government is currently agreeing arrangements for commencement of parts of the Air Weapons and Licensing (Scotland) Act 2015. Part of the Act will affect the timescales by which Boards publish policy statements, but no precise details are yet available. An update on these key milestones will be provided to Committee in due course.

Measures of success

- 4.1 Constructive engagement with sector representatives.
- 4.2 Refreshed strategic priorities related to the music sector.
- 4.3 Effective co-production delivery between Council and third party cultural services.

Financial impact

- 5.1 The cost of the MIA Working Group recommendations proposed in this report can be contained within relevant divisional revenue budgets.

Risk, policy, compliance and governance impact

- 6.1 There are no risk, compliance or governance impacts arising from this report's recommendations.

Equalities impact

- 7.1 The MIA working group has examined ways to foster better relations between the live music sector and communities living near venues. The issues examined by this group (and by the Live Music Matters working group) relate to human rights articles on freedom of expression and private and family life.

Sustainability impact

- 8.1 If successful, this collaborative work with the music sector will help to sustain Edinburgh's cultural vibrancy

Consultation and engagement

- 9.1 All of the work described in this report is about engagement with the live music sector, and with other communities of interest, exemplar cities, and stakeholders.

Background reading/external references

Culture and Sport Committee Tuesday, 17th December 2013 [Music Sector Review](#)

Culture and Sport Policy Development and Review Sub-Committee, Wednesday, 25 June 2014 [Encouraging Live Music in Edinburgh](#)

Culture and Sport Committee Tuesday, 16 December 2014 [Encouraging Live Music in Edinburgh: Update](#)

The Desire Lines document is available at <http://desirelines.scot/>

Alastair D Maclean

Deputy Chief Executive

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Links

Coalition pledges	P24 Maintain and embrace support for our world-famous festivals and events P31 Maintain our city's reputation as the cultural capital of the world by continuing to support and invest in our cultural infrastructure
Council outcomes	CO8 Edinburgh's economy creates and sustains job opportunities CO20 Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens CO26 The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives
Single Outcome Agreement	SO1 Edinburgh's economy delivers increased investment, jobs and opportunities for all SO3 Edinburgh's children and young people enjoy their childhood and fulfil their potential
Appendices	1. Working Group Memberships 2. The Music Venue Trust Report

Working Group Memberships

Music is Audible Group membership (alphabetically by surname):

Katy Allison (Media, City of Edinburgh Council - hereafter, Council), Councillor Norma Austin-Hart, (Chair and Vice Convener, Culture & Sport), Councillor Gavin Barrie, Colin Baxter, (Licensing & Trading Standards, Council), Dr Adam Behr, (University of Edinburgh), Councillor Chas Booth, Dr Matt Brennan, (University of Edinburgh), Tim Brinkhurst, (Manager, Young Fathers), Karl Chapman, (General Manager, Usher Hall, Council), Alison Clyne, (Assistant Committee Clerk, Council), Dermot Connolly, (Day Noise Team, Council), Councillor Nick Cook, Neil Cooper, (Writer & Critic - Music, Art & Theatre), Graham Croucher, (DA to Cllr Richard Lewis, Council), Nicholas Fraser, (Senior Solicitor, Licensing, Council), Ronnie Gurr, (Creative & Cultural Skills), Brian Guthrie, (Twenty Stone Blatt Records), Councillor Richard Lewis, (Convener, Culture & Sport), Gillian McArthur, (Studio 24 (former owner)), Stuart McKay, (Musician), Brian McNeil, (Musician & Record Producer), Andrew Mitchell, (Community Safety & Licensing, Council), Ross Murray, (Assistant Committee Clerk, Council), Rebecca Peppiette, (Arts Strategy & Funding Manager, Council), Ian Pettigrew, (Musician), Samantha Roberts, (Phoenix), Naomi Sandilands, (Planning & Building Standards, Council), Caroline Sewell, (Musicians Union), Councillor Alastair Shields, Eleanor Smith, Nick Stewart, (Sneaky Pete's), Gillian Turnbull, (Rear View Music/Founder, ECMP).

Live Music Matters membership (alphabetically by surname):

Karl Chapman, (General Manager, Usher Hall (Chair)), Dr Adam Behr, (University of Edinburgh), Dr Matt Brennan, (University of Edinburgh), Tim Brinkhurst, (Manager, Young Fathers), Neil Cooper, (Writer & Critic - Music, Art & Theatre), Morvern Cunningham, (Festival Director, Leith Late), Olaf Furniss, (Born to be Wide), Ronnie Gurr, (Creative & Cultural Skills), Brian Guthrie, (Twenty Stone Blatt Records), Adrian Harris, (Queen's Hall), Andrew Hobbes Richardson, (Musician), Stuart McKay, Gillian McArthur, (Studio 24 (former owner)), Rebecca Peppiette, (Arts Strategy & Funding Manager, Council), Douglas Robertson, (Soundhouse.Org), Caroline Sewell, (Musicians Union), Ian Smith, (Creative Scotland), Nick Stewart, (Sneaky Pete's), John Stout, (Regular Music), Matt Ward, (Blogger, Words of Wardy), Stuart Wilson, (Catalyst Productions), Matthew Young, (Song, by Toad).



Report for City of Edinburgh Council: The Challenges for Live Music in the City

INTRODUCTION

Recent press coverage of music venues removing or reducing the live music on offer has focused on musicians and venues blaming the City of Edinburgh Council's Noise Enforcement policy and the use of an 'inaudibility test' as the main factors in bringing about these changes. In response, the Council set up the Music is Audible (MIA) Working Group which is seeking to find solutions. As part of this process Music Venue Trust (MVT) was brought in to take an overview of the situation in Edinburgh and make recommendations based on its work across the UK and in the context of the international research and discussion of which MVT is a part.

Music Venue Trust is a charity which seeks to safeguard the future of the UK's network of grassroots music venues. It provides specialist consultancy with experience of working in other cities where tensions around live music exist, including chairing the Mayor of London's Music Venues Taskforce. MVT believes that grassroots music venues (small and medium capacity independent venues) have an important role to play in the cultural, social and economic life of the towns and cities in which they are located, at the same time placing a strong emphasis on the need for such venues to be responsibly and professionally run.

In response to the MIA Working Group's request for assistance, MVT undertook to:

1. Read all relevant strategies and protocols to assess where music venues sit in relation to CEC priorities
2. Conduct a selection of interviews with representatives from relevant CEC departments and Councillors, representatives of music venues and musicians to gather a range of views as to the main challenges
3. Assemble key questions about CEC's situation to refer to our acoustics, licensing and legal experts
4. Assemble examples of Best Practice from other world cities with a key cultural role who are also seeking to balance the needs of residents with their cultural priorities to assist with framing recommendations
5. Feed back suggestions for ways in which the current challenges could be addressed

Special attention was paid to the need for the piece of work to be framed in the context of the long-term vision of Edinburgh as a world class cultural city seeking a balance between its economic and cultural life and the needs and wishes of residents.

CONTEXT

The UK music industry contributes £3.8 billion to the economy, representing a year on year growth of 9%. The sector produces exports worth £2.2 billion and sustains 111,000 jobs in the UK. The live music industry accounts for £789 million in GVA. Grassroots music venues are an essential part of the music industry ecosystem. Not only are they the places in which artists develop their craft and audiences access a range of new music, but small independent music venues across the UK have a proven track record in training up creative professionals, offering early opportunities to future arts managers and technicians as well as artists. (1)

Edinburgh has a rich musical history sporting a variety of live music scenes, from the Old Town pubs that housed the Edinburgh Folk revival and gave early platforms to the likes of The Incredible String Band and Bert Jansch, to the parallel dance hall network that eventually gave the world the biggest band on the planet in the early 1970s, The Bay City Rollers. Inspired by The Clash bringing their White Riot tour to Edinburgh Playhouse in 1977, Edinburgh College of Art students Bob Last and Hilary Morrison founded Fast Product records in their Keir St flat. Fast changed pop music forever by releasing the first records by The Human League and The Gang of Four, was an acknowledged influence on Factory Records, which started a year later, while Last also put out records by Fire Engines, who, along with Josef K, have long been cited as a major influence on Franz Ferdinand. Other independent labels of note include Pop Aural, 53rd & 3rd and Nightshift. Today many specialized labels from rock to folk and jazz are Edinburgh-based.

Out of the same Edinburgh post punk scene future Garbage star Shirley Manson played with Goodbye Mr Mackenzie, while a fertile 1980s underground formed Edinburgh Musicians Collective. Elsewhere the likes of Shop Assistants and Jesse Garon & the Desperadoes were key figures in the influential C86 scene, while in 1990, the club Pure was and remains one of the most important club nights ever. Pure was a big influence on Boards of Canada, while out of a 1990s indie scene Idlewild went on to global success. Today, with Edinburgh's live music scene livelier than ever, bands such as Chvrches, Mercury Award winners Young Fathers and a host of others are the most high profile success stories.

Edinburgh is also home to some of Scotland's biggest management and promotions companies (Schoolhouse Management, Regular Music, Unique Events, Triple G), plus recording studios, post-production and mastering rooms, an A&R community, and music publishers such as national publications The Skinny & The List and book publisher Mainstream.

This independent music scene operates with limited contact with CEC, rarely seeking funding or other support. The Edinburgh University/Live Music Exchange, 'Edinburgh Live Music Census 2015' (2) identified the following key points which highlight the value of music to Edinburgh's economy:

- annual total **attendance** of live music events in Edinburgh is around **2.7 million people**
- Edinburgh hosts over **23,300 live music events** per year
- total estimate of **direct spend** on live music in Edinburgh per year is at least **£40 million**

Music venues' main contact with CEC is through the statutory licensing process regarding sale of alcohol. The City of Edinburgh Licensing Board is a quasi-judicial committee which stands apart from CEC and is the body responsible for licensing premises for the sale of alcohol. The Licensing Board has no staff of its own so CEC Licensing Standards Officers (LSOs) operate on behalf of the Board to enforce Licensing protocols. The vast majority of premises licensed for the 'on sale of alcohol' i.e. pubs and clubs, have a specific condition of the licence which states, "All amplified music and vocals shall be so controlled as to be inaudible in neighbouring residential properties." If a complaint is received, LSOs are required to investigate whether there has been a breach of conditions. As CEC's

LSOs are the public interface between the policies and the businesses they concern, the perception that 'The Council' are responding to a resident's complaint about noise is understandable.

The emphasis of the current procedure is on compliance by the venue so as to not have their licence removed. This means that venues that have been operating for many years can suddenly be faced with a real threat to their continued existence due to one complaint from a nearby resident. A reduction/restriction in ability to programme live music can lead to loss of business for the venue and there are many examples across the UK where a venue closes within a couple of years of an official complaint because of the knock-on effects of the imposed operational changes or costs involved in installing soundproofing. Every venue that closes represents the loss of a local business, loss of jobs and loss of money in the local economy, as well as depriving musicians of places to play and audiences of the live music experience. There is often a negative knock-on effect on surrounding businesses as fewer people come to that part of the city in the evening, damaging the night-time economy.

A city is a complex mesh of people so no one person's actions should be considered in isolation. This piece of work attempts to balance these factors and offer recommendations for improving how the music community feels it is valued by the city, while being sensitive to residents' needs and budgetary constraints.

RECOMMENDATIONS

We have identified ten achievable actions (1-10) grouped into 6 categories (A-F) for CEC to consider.

A. Communications and Policy

1. Consider the balance between the contribution of music venues to the cultural and economic life of Edinburgh and the needs of residents.

The Desire Lines process signals an important first step in this and it is encouraging to see recommendations coming through this wider sector consultation which echo issues relevant to music venues, including:

- establish a compelling evidence base that demonstrates the positive impacts of arts and culture on the economy and society
- raise the profile of arts and culture in Edinburgh and beyond
- adopt an enabling culture for licensing of events and venues all year round
- ensure that local artists and cultural producers have easy-access routes to present and promote their work all year round, including participating in the festivals if they wish.

This last point is key to the MVT recommendation, as there is a prevailing sense of injustice amongst the art community that the 'indulgence' shown during festival season is incompatible with the attitude towards the year-round arts providers. Addressing the current imbalance to offer a more supportive approach to the venues and artists who live and work in Edinburgh will create a sustainable music offer which will benefit the city both artistically and economically. MVT understands that the Council and other partners have yet to respond officially to the Desire Lines recommendations, but that these points will be included in the development of the Council's Culture Plan due to be reported to the Culture and Sport Committee at the end of this calendar year.

B. Licensing Policy

Much of tension between CEC and the music community is due to the fact that the City of Edinburgh Licensing Board attaches a 24 hour Inaudibility Clause condition to licenses which CEC's LSOs have a duty to enforce. This is notable because it is unusual for a Licensing Board (Scotland) or local authority (England and Wales) to have a blanket policy of inaudibility, rather than applying the clause in exceptional circumstances or post 11pm. (3)

MVT considers that the current policy is unhelpful in achieving a balance between the needs of local businesses and culture providers and local residents, and that a policy which is more sensitive to Edinburgh's position as both a densely populated city and a world class cultural city is required. MVT recommend that CEC open discussions and consultation with the Licensing Board, Licensing Forum and Community Councils to:

2. Change the Licensing Policy wording to "Amplified music shall not be an audible nuisance in neighbouring residential premises".

We strongly advise that the existing policy is challengeable on a number of fronts:

- Difficulty in defining "inaudible" as an absolute
- An apparent supposition that music is a noise nuisance by its inclusion in a 'Preventing Public Nuisance' clause

- Public nuisance vs private nuisance - doubt as to whether one person's complaint can provoke a response under policy to combat public nuisance, when public nuisance is usually defined as 'affecting several people' (see Appendix 1 for further explanation)
- Charging LSOs with investigating noise complaints, a responsibility that more often rest with other professionals in other locations. An LSO is trained to conduct duties relevant to the enforcement of Licensing Policy. However, this training does not currently include noise issues, a specialism within the profession of Environmental Health Officers (EHOs). (4)

A framework for the assessment of what constitutes a nuisance should follow the 8 criteria recommended by the MIA Working Group which more closely follows existing legislation found in the Statutory Noise Provisions of the Public Health etc (Scotland) Act 2008:

- Impact
- Locality
- Time
- Frequency
- Duration
- Convention
- Importance
- Avoidability

This represents a practical approach to assessing the problem (see Appendix 2 for details) which would signal a move away from the current position of pre-supposing music to be a nuisance and help council officers when they need to explain their assessments. It should also be noted here that noise nuisance assessments should (according to national Environmental Health guidelines) be made on what impacts an 'ordinary reasonable person' rather than individual sensitivities.

As evaluation of whether a noise constitutes a nuisance is likely to remain within the remit of LSOs, MVT recommend that an assessment be made of the supplementary training requirements for these officers so that they can respond to a new framework with confidence and clarity.

MVT understands that changes to Licensing Policy take time to implement as there are statutory processes to adhere to. The following points represent measures that could be implemented more rapidly as part of the overall process of change.

C. Terminology

If CEC receive a noise complaint from a resident then officers from the Licensing Department have a duty to investigate the complaint and, if noise is indeed audible in the residential property, resolve the matter. The stated role of LSOs in responding to a noise complaint is information, guidance, compliance and mediation. (5)

This procedure raises a number of issues:

The process in place terms the resident the Licensing Department's 'client'. This immediately suggests that CEC considers it is acting on behalf of the resident in investigating and attempting to resolve the complaint. Scottish Government guidelines (Licensing Scotland Act 2005) use the terms Noise Victim and Noise Maker which could suggest greater impartiality. MVT recommend that CEC:

3. Change their terminology to indicate that both resident and venue are clients for the mediation process required to settle the complaint.

Mediation - In MVT's view, a large part of the challenge in the current process is that, although part of the stated role of LSOs is information, guidance, compliance and mediation (5), the music community feels that the emphasis is on the compliance element. The process offers little opportunity for discussion of what might have caused the complaint and pre-supposes that the venue must 'do something' in response to the complaint. This appears to assume fault on the venue's part, even if that venue has not made any changes to its operating plan prior to the complaint.

For meaningful mediation to take place the following steps are required:

- Witnessing of the noise in the residential property and assessment of whether the noise constitutes a nuisance.
- Completion of a checklist of resident information (see point 9 below).
- Notification to venue of complaint.
- Venue undertakes steps laid out in Guidance for Venues in the Event of a Noise Complaint document (see point 6 below) to ensure that it is operating within its own plan and following responsible procedures for management of sound. At this stage problems of noise leakage may be solved and the matter may be considered closed.
- If the resident is still unhappy then a mediation meeting between resident and venue representative should take place to discuss possible solutions to the problem. It may be appropriate to consider soundproofing solutions for the residential property which may be cheaper than soundproofing in the venue. The emphasis should be on negotiating an amicable, cost-effective solution.
- As a final measure unresolved complaints are referred to the Licensing Board.

D. Training and Awareness Raising

Another point of tension regards the suitability of LSOs offering mediation and guidance on matters for which they may not have the necessary expertise. LSOs do not receive training on noise issues, although they are able to consult with EHOs should they need to. The other problem here is that, although guidance is a stated role in the process, funding does not currently exist for LSOs (or EHOs) to offer this service to either party involved in the complaint. It should be noted that LSOs do not feel that a lack of training is what currently causes tension with venues, as their role is to witness noise and instruct the venue to comply with the license condition of inaudibility. They feel that it is the stringency of the condition which creates this tension, with them being cast as enforcers. As stated previously, a change in the framework for assessment of whether any noise nuisance is occurring and the subsequent process of mediation towards resolving the dispute, will necessitate an evaluation of training requirements for LSOs.

In light of the probable need for further training for LSOs and the costs that this would incur, MVT recommends the following steps be taken to potentially reduce the number of formal complaints that are lodged and need to be dealt with by the Licensing Team:

4. Implement an awareness raising campaign within CEC (members and officers) of the impact of complaints on the city - greater awareness across Council departments of the potential negative impact of a formal noise complaint (leading to loss of business, loss of jobs, loss of money in the local economy) could assist in reducing the number of complaints made by raising awareness amongst the wider community of the complexity of the issues. Consideration of the fact that Edinburgh is a heavily tenemented city and that there is bound to be some noise from co-inhabitants should perhaps be encouraged in discussion with residents. Time and frequency of the 'noise nuisance' should also be considered in terms of what is reasonable, along with information concerning the Agent of Change principle (more about this below). Articles such as [this](#) provide

helpful background and context: <http://www.theguardian.com/cities/2015/sep/09/the-slow-death-of-music-venues-in-cities>

5. Encourage residents to talk to the venue about their concerns as a first step - If a venue has made a recent change to their programme or operation they may be unaware that this is inconveniencing neighbours. Once informed of the 'noise problem' the venue should either return to their previous mode of operation, or follow the steps laid out in the Guidance for Venues protocol to try and halt sound leakage. This action is in line with similar campaigns run by the Council's Noise Team in 'Living with your Neighbours', leaflet attached at Appendix 3.

6. Provide all music venues with a Guidance for Venues in the Event of a Noise Complaint document - During MVT's research it became clear that there is a real tendency for venues in Edinburgh to over-react to a noise complaint because they fear losing their alcohol license (even the most music-focused of venues knows that not having an alcohol license would greatly weaken their ability to trade). The Licensing Department is proud of the fact that during the past 3 years all formal complaints have been resolved without referral to the Licensing Board. While this sound positive, anecdotal evidence suggests that around a third of these cases are solved by the venue withdrawing its music programme, while other venues reduce the hours on offer. As previously stated, this can have a knock-on effect on the venue's long-term viability as a business, as well as the city's cultural offer.

It should be noted here that statistics from the Edinburgh University/Live Music Exchange 'Edinburgh Live Music Census 2015' indicate that 42% of the venues that responded had experienced noise issues or restrictions that relate specifically to live music. This does not refer exclusively to noise issues that have involved council officers or police but the whole spectrum of problems relating to sound leakage; whilst 42% of venues reported 'noise issues' only 15% reported 'licensing issues' not all of which may not have been related to noise. In conjunction with the fact that 44% of musicians indicated that their gigs had been affected by noise restrictions this indicates that a relatively high level of self-policing is taking place amongst venue operators. This is supported by further census responses from venues, which describe reaching an accommodation with neighbours and self-imposing live music curfews. (2)

Draft guidance has been written during this research that a subgroup of the MIA Working Group will take forward and refine to ensure it is both easy to follow and effective. The guidance procedure includes conducting:

- An Operations Audit - running through the way the venue operates, noting any activity that might lead to sound bleed such as propping doors open, staff going outside to smoke, windows left open etc. Reviewing door policy during gigs and see if there are any ways to limit sound travel
- A Building Audit (a thorough inspection of the premises, checking for gaps around doors and windows that could be allowing sound to escape, boarding up windows not required for light etc.)

Reference should also be made to national guidance published by [Eventbrite](http://www.eventbrite.co.uk/blog/how-independent-music-venues-can-protect-themselves-against-anti-noise-legislation/), created in conjunction with MVT: <http://www.eventbrite.co.uk/blog/how-independent-music-venues-can-protect-themselves-against-anti-noise-legislation/>

MVT recommends that all music venues identified by the 2015 Edinburgh Music Census be sent a copy of this guidance document and that in future all venues being notified of a sound complaint are given a further copy of the guidance.

E. Agent of Change

If venues can demonstrate that they are acting responsibly and trying to resolve tensions with their neighbours, MVT would like to recommend that CEC :

7. Consider the local conditions in detail that relate to Agent of Change (the right of the first occupant), and consult with Scottish Government on the legal process required for legislative change, to enable Edinburgh to be the first city in Scotland to adopt the Agent of Change principle.

Agent of Change says that the person or business responsible for a change is responsible for managing the impact of that change. This means that an apartment block to be built near an established live music venue would have to pay for soundproofing, while a live music venue opening in a residential area would be responsible for the costs. A resident who moves next door to a music venue would, in law, be assessed as having made that decision understanding that there's going to be some music noise, and a music venue that buys a new PA would be expected to carry out tests to make sure its noise emissions don't increase.

Agent of Change has been trialled and tested in Australia and it works; better planning, better developments, people thinking about what exists where they want to live and how they will live with it, music venues and others thinking more about their neighbours. The Mayor of London's Music Venues Taskforce Report has recommended that Agent of Change is adopted across London and it looks likely to be agreed. For Edinburgh to make the same commitment to lead the way for Scotland would be a powerful statement. Representatives from the Culture, Legal, Planning, Licensing and Communications departments of CEC have been involved in the MIA Working Group and have discussions about the viability of exploring Agent of Change and are largely supportive of exploring this further. It is interesting to note here that reference to Agent of Change is made within Desire Lines. (6)

A move towards championing the ethos of Agent of Change could be signalled by:

8. Changing the tone of discussions about tensions and disputes between residents and venues by focusing on the factors leading to the complaint and how to resolve the result of that combination of factors, rather than looking to blame one party and instruct them to sort the problem out.

Informed mediation demands that information is collected from both parties. This process does not infer blame but asks questions about actions which may have unknowingly contributed towards a situation where the resident feels the need to complain. MVT understands that asking residents about their actions may be sensitive but a way to do this without any inference of judgement should be sought in order to facilitate meaningful mediation. We recommend that CEC:

9. Create a checklist for residents making complaints to assist in mediation and solution of the problem.

It would not be appropriate for an outside organisation to dictate the specifics of this but we would encourage consideration of the following potential factors that can provoke a complaint as they lead to a change in the way the resident uses their home:

- Newly moved in
- Structural works conducted in the residence - for example, it is common for maintenance works on pipes to involve the removal of padding around the pipes, effectively depriving the resident of a layer of soundproofing between the ceiling of the premises below and its floorboards

- Redecoration - removal of carpets, curtains and other such materials that absorb sound could increase the amount of music heard in the residence. Hard surfaces conduct sound / soft surfaces absorb
- A change in working pattern - being in the home at significantly different times of day or needing to sleep at an earlier hour than previously
- Rezoning rooms in the home - a change of use meaning that the resident now spends their evenings in a room which was previously little used
- A change in domestic circumstance which can impact on the way the home is used

It is important to emphasise that information-collecting is not a judgemental process but merely intended to inform discussion about possible solutions. In the same way that a venue will run through an Operations and Building Audit to check what factors may have led to the complaint on their end, information needs to be gathered from the resident. MVT knows of a number of cases in which discussion between venue and resident has resulted in an amicable solution, at a relatively low cost, eg.

- a venue in York bought a resident a new television with better sound, at which point the resident was happy because they could not hear music over their own entertainment
- a venue in London shared the costs of installing double-glazing in a nearby home to mitigate sound bleed

Examples like these are at odds with experiences related in Edinburgh during this piece of research, the most extreme case being a venue which invested in soundproofing at great cost, only to discover that this did not solve the problem because they were not supplied with the relevant information as to exactly what the problem was.

F. Music Champion

MVT's final recommendation is that CEC:

10. Explore the possibility of identifying a key person to act as a music champion to liaise between CEC and the music community going forward. (This function could also be fulfilled by a small group of people.) As has already been referenced, this part of the arts community demands little of CEC and is generally happy to carry on with its business unless a problem arises. When faced with a noise complaint music venues have, in the past, felt that they have no-one to talk to /nowhere to turn for support. This statement is made with total respect for LSOs and the restrictions placed on their interactions with venues within the existing complaints procedure.

As the average person has a limited understanding about the working of local authorities, it would be helpful if there could be both an identified person to whom venues could address questions regarding the process following a complaint and one point of reference for all relevant policies and guidelines. A clearer understanding of the role of LSOs, EHOs and other parties would be helpful. For example, if a noise complaint concerns something other than music, a venue can receive advice from an EHO about how to combat the problem. This same service is not offered if the complaint regards music. If mediation is required, who assembles the information and manages the process?

It should be noted that the suggested Music Champion could be a CEC officer but could equally be someone external to the council but co-funded (perhaps with Creative Scotland or a similar agency?) by CEC and with a recognised role in liaising with CEC departments. In the Netherlands cities have Night Mayors - individuals whose role is to liaise between night-time economy businesses, residents

and the local authority. The Night Mayor is elected to ensure that all parties have confidence in their ability to be effective in this capacity.

MVT understands that this recommendation implies a cost to CEC so could be challenging to implement, but our intention is that the adoption of the earlier recommendations should reduce the number of cases that get as far as requiring mediation. If fewer formal complaints are lodged then costs of processing them can be reduced, so freeing up resources for effective mediation.

NOTES

1. Lighting, sound and video industry market leader [White Light](http://www.whitelight.ltd.uk/) (<http://www.whitelight.ltd.uk/>) confirms that London's West End theatres are largely staffed by technicians who gained initial training in the UK's grassroots music venues.

2. Edinburgh Live Music Census 2015 - Dr Adam Behr & Dr Emma Webster with Dr Matt Brennan. Research was carried out on and around 6 June 2015 with the report published September 2015.

3. Inaudibility

Other places generally apply inaudibility in exceptional circumstances rather than as a blanket policy. These include:

- a) Glasgow - as a final measure
- b) Perth & Kinross 11pm - 7am
- c) Hackney 11pm - 9am
- d) Stratford upon Avon - post 11pm
- e) Eastbourne - For premises having events that take place between 10am and 11pm on more than 2 days in any 7 day period or more than 30 events per year and for all events that take place after 11pm.

Ones that we have come across that appear to share Edinburgh's policy are:

- a) Dundee
- b) Isle of Wight

4. 'All non-EHO or technically qualified technical officers should undertake the Institute of acoustics (IOA) Certificate of Competence in Environmental Noise Assessment' - *www.gov.scot report on Noise Management Policies, March 2005*

5. '13.1 LSOs are an integral part of the monitoring and compliance regime under the Act. Their role is :

- providing information and guidance concerning the operation of the Act to licenceholders, members of the public and other interested persons.
- supervising compliance with licence conditions, Board policies and other requirements under the Act by premises licenceholders and holders of occasional licences.
- providing mediation services in order to avoid or resolve disputes or disagreements between the holders of premises or occasional licences and other persons concerning issues of compliance.' - *City of Edinburgh Licensing Board: Licensing (Scotland) Act 2005 - Statement of Licensing Policy*

6. ' A variety of solutions have been suggested in response to these issues, with many advocating for a more enabling attitude with regards to licensing temporary venues, and supporting the 'agent of change' principle, whereby venues are given precedence when they pre-date residential developments (and vice versa). If progress is made through these and other actions, our vision is for Edinburgh to have a first class mix of traditional and contemporary venues from small to large scale, encouraging a lively cultural life throughout the year.' - *Desire Lines, 2015*

Resources

In addition to the knowledge and expertise of Music Venue Trust, CEC representatives, MIA Working Group members and other representatives of Edinburgh's music community, the following publications were referenced during this piece of work:

A Brighter Future for our Towns and Cities, Commission for Underperforming Towns and Cities (2015)
City of Edinburgh Licensing Board Statement of Licensing Policy, November 2007-2010
Creative Scotland Music Sector Review (2013)
Desire Lines (2015)
Edinburgh City Cultural Venues Study (2009)
Edinburgh's Evening Economy, A report for the City of Edinburgh Council (2010)
Edinburgh Festivals: Thundering Hooves 2.0 (2015)
Edinburgh Live Music Census, Edinburgh University/Live Music Exchange (2015)
Environmental Protection Act 1990, Chapter 43
Guidance on Existing Statutory Noise Provisions, The Scottish Government (2014)
Measuring Music, UK Music (2014)
Night-Time Economy in the UK, NightMix News (2010)
Noise Management Guide, Scottish Executive & REHIS (2005)
Revised Guidance issued under section 182 of the Licensing Act 2003, Home Office (2015)
The Mastering of a Music City, Music Canada (2015)
Understanding Small Music Venues, Music Venue Trust (2014)

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Cllr Norma Austin Hart, Chair MIA Working Group and Vice-Convener, Culture & Sport
Dr Adam Behr, Research Associate (Music), University of Edinburgh
Gillian McArthur, Studio 24
Gillian Turnbull, Musician / Edinburgh Community Music Partnership
Ian Pettigrew, Musician
John Stout, Regular Music
Karl Chapman, General Manager, Usher Hall
Neil Cooper, Journalist / Critic
Nick Fraser, Senior Solicitor, Licensing (CEC)
Olaf Furniss, Born to be Wide / Journalist
Rebecca Peppiette, Arts Strategy and Funding Manager (CEC)

Appendix 1

Revised Guidance issued under section 182 of the Licensing Act 2003

March 2015

Public nuisance

2.14 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.15 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.16 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.17 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.18 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

Appendix 2

Statutory Noise Provisions of the Public Health etc (Scotland) Act 2008

There are 8 key issues to consider when evaluating whether nuisance exists:

- i. **IMPACT** - this is a measure of the impact of the alleged nuisance on the receptor. In some cases assessment of the impact can be supported by objective measurements (such as noise) but in many cases it will be the objective view of the local authority as to the degree of health risk or interference. In addition to the impact on individuals the authority should consider the extent of the impact (how many persons, how far from the source etc.)
- ii. **LOCALITY** - the potential for amenity interference is largely related to the character of the neighbourhood. It was famously summarised as 'what would be a nuisance in Belgrave Square would not necessarily be so in Bermondsey (*Sturges v Bridgman* 1879). Many odour and noise nuisances are due to the proximity of the receptor to a source that is generally out of character with the area (for example a factory or a waste water treatment works adjacent to a housing estate). The number of persons affected and the degree of intrusion will depend upon the proximity of the source and receptor and the sensitivity of the receptors.
- iii. **TIME** - many nuisances have a significant impact because of the time at which the nuisance occurs and the degree of impact changes depending upon the time of occurrence. For example noise from an entertainment facility would be less acceptable after 23.00 hours. Also odours are often subjectively more annoying during periods when members of the public are outdoors (for example daytime periods during summer months).
- iv. **FREQUENCY** - nuisances that occur frequently or continuously are more likely to be determined to be a nuisance (depending to some degree on the impact). For example dust emissions from a quarry once per month would be regarded very differently to emissions four days per week for 6 weeks a year. Restriction of the frequency of an activity may be method of abatement (a farm was limited to spreading manure for 15 days per year - *Wealden DC v Hollings* 1992). However, in some circumstances odours that are released periodically can be more intrusive and in this case the odour frequency is often assessed in conjunction with the odour's persistence in the environment.
- v. **DURATION** - in general short-term events would be regarded differently to longer period or continuous impact. For example a person practicing a musical instrument for one hour would be assessed differently to a four-hour practice session. However the duration would have to be considered alongside the time and frequency - practice for one-hour at 23.00 hours or every day may constitute a nuisance. Similarly a fixed period temporary noise source (such as construction works) may not constitute a nuisance (*Gosnell v Aerated Bread Co Ltd* 1894).
- vi. **CONVENTION** - convention is important when determining what a reasonable person would find objectionable. For example whilst some persons may find the noise of garden equipment on a Sunday morning objectionable - however such practice is widespread and accepted and would be unlikely to be held as a nuisance. Therefore the existence of a widespread practice or common usage in an area is an important factor (*Leeman v Montagu* 1936).
- vii. **IMPORTANCE** - the importance of an activity in respect of the community is a key consideration. For example major road improvements that will improve the air quality and noise environment for many may cause some disturbance to a few persons - this is a balance that should be considered. However, there is a point when even a socially beneficial activity creates such an effect that it becomes unacceptable and hence a nuisance (*Dennis v Ministry of Defence* 2003). This needs to also be considered along with the avoidability of the impact and also the principle of best practicable

means.

viii. AVOIDABILITY - even though an activity may have social importance there should be a balance as to whether reasonable steps have been taken to minimise the impact. For example it would be difficult to control noise from a children's playground during the day but there are many methods available to reduce the impact of dust from the extraction equipment at a woodworking factory.

Appendix 3 - Living with your Neighbours leaflet

If you are disturbed by neighbour noise

There may be occasions when your neighbours aren't as considerate as you and are causing problems with their noisy behaviour. Here are some things you can do if you are affected.

Informal action

It's always worthwhile speaking to your neighbours in the first instance, as they may be unaware of the problem. If you're unsure where the noise is coming from, you could put a polite note on the stairwell door.

Mediation service

Mediation is a free confidential service available to all residents in Edinburgh and is a way of resolving neighbour disputes on a purely informal basis.

The Mediation Service can be contacted on 0131 624 7299 or
E-mail: info@edincm.sacro.org.uk
www.sacro.org.uk



'It's always worthwhile speaking to your neighbours in the first instance, as they may be unaware of the problem.'

Formal action

Where a more formal approach is required then you can contact the Noise Team on (0131) 529 3030 or
E-mail: asknoise@edinburgh.gov.uk

If you are being disturbed in your home by your neighbours' music, party, shouting, washing machine, DIY noise or barking dogs, we provide a 24 hour, 7 days a week response service, in partnership with Police Scotland, to take action against noisy neighbours.

Contact the Police Force Control Centre on 101 when the noise is happening. An officer will visit your property, and if the noise breaches legally permitted levels, immediate action will be taken.



HAPPY TO TRANSLATE

You can get this document on tape, in Braille, large print and various computer formats if you ask us. Please contact the Interpretation and Translation Service (ITS) on 0131 242 8181 and quote reference number 14-0079. ITS can also give you information on community language translations. You can get more copies of the document by calling 0131 529 3030.

More Information:

Noise Team
Community Protection
Community Safety
Services For Communities
The City of Edinburgh Council
East Neighbourhood Centre
101 Niddrie Mains Road
Edinburgh
EH16 4DS

Tel: 0131 529 3030 (office hours)
Tel: 0131 200 2000 (outside office hours)

E-mail: asknoise@edinburgh.gov.uk
Web: www.edinburgh.gov.uk

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Noise Team

Living with your neighbours



Living with your neighbours

Most residences in Edinburgh share a wall, floor or ceiling with other properties as, for example, tenement flats or terraces.

Although such close living has benefits, there are greater risks of noise disturbance between neighbours, and complaints of this type are very common.

This leaflet provides a few tips on how to avoid causing noise problems for your neighbours while remaining free to live normally in your home.



Amplified music and parties

If you think your music may cause disturbance to other neighbours turn it down and keep it at a reasonable level. Consider reducing the bass in particular. If you like it louder, you can always use headphones. You should position loudspeakers away from walls, ceilings and off floors, and can use speaker stands or wall brackets to reduce sound transmission through to other flats.

If you are having a party, close your windows and doors to minimise noise. We recommend you tell your neighbours if you are planning to have a party. You could put a note on the stair door or notice board, or even invite the neighbours!

DIY noise

DIY noise can, in certain situations, be classed as antisocial noise if it is carried out late at night or in the early hours of the morning. Common types of DIY noise include hammering, drilling, and using floor sanders.

It is a good idea to speak with your neighbours and discuss with them what days and times you are planning to work. If you give them sufficient notice they are less likely to complain. If you are planning to carry out DIY then you should always think about suitable times for these activities.

Hard flooring and banging doors

Laminate flooring is now very common. However, replacing carpeting with hard surfaces can result in noise problems if you have neighbours below. Under such circumstances you should put down quality underlay first.

When fitting laminate or wood flooring it is important that it does not make direct contact with the skirting board or the wall. Think about the layout of your rooms particularly if your living room is above or below your neighbour's bedroom.

Children's toys designed to be wheeled, dropped or bounced can also cause problems. Limit when and where these are used, and consider putting runners or rugs down where the toys are used. If you have young children, you may wish to give special consideration before changing to a hard floor surface, as it could significantly increase the noise heard by your neighbours. Impact noise can occur from banging doors and self-closers can be adjusted to close doors quietly.

Loud voices

Some flats have poor sound insulation and your neighbours may be able to hear you when you speak loudly or shout. Keep this in mind, especially later in the evening and at night.

Appliances

Appliances like washing machines, dish-washers and refrigerators can sometimes cause a problem if they cause noise and vibration in the wall and floor.

If your appliance is causing a problem, move it out slightly from the wall, or place a mat or carpet off-cut under it as this may help isolate the appliance and reduce noise. You shouldn't run appliances or equipment (e.g. vacuum cleaners) at night.

New appliances provide information which allows you to compare different brands and select the quieter model.

Barking dogs

We have produced a separate leaflet on noise from dog barking. Please contact us if you would like one sent to you.



Burglar alarms and smoke alarms

Intruder alarms and smoke alarms are designed to be loud in emergencies, but can also cause extreme annoyance to your neighbours if they accidentally sound when you're out. Ensure one or two trusted neighbours or nearby friends have spare keys, and other neighbours have their contact details, in case the alarm needs switched off.

Stairwell noise

Talking loudly in the common stair, banging stair doors or ringing the wrong buzzer on the intercom can be disturbing to your neighbours. Sound will echo in the stairwell, so voices should be kept low and doors not banged shut at night. Ensure your visitors know which buzzer to press, or phone you to gain access.

Fireworks

Fireworks can be distressing to some pets and larger fireworks can set off car alarms. If you do decide to let off fireworks, please give consideration to your neighbours and set them off at a reasonable time. The Police are responsible for complaints about fireworks, except some licensed events.

Garden noise

Garden equipment like lawn mowers, strimmers, and shredders can be very noisy. Bear in mind that your neighbours may want a lie-in on a weekend morning, therefore using this equipment as late in the day as possible is a good idea.