Minutes

Finance and Resources Committee

10.00am, Thursday 11 and Monday 22 October 2018 (reconvened on 22 October 2018)

Present 11 October 2018

Councillors Rankin (Convener), Donaldson (Vice-Convener), Kate Campbell, Corbett, Gordon, Hutchison, Johnston, Miller, Neil Ross, Watt, and Whyte.

Present 22 October 2018

Councillors Rankin (Convener), Donaldson (Vice-Convener), Jim Campbell (substituting for Councillor Johnston), Kate Campbell, Corbett, Gordon, Hutchison, Laidlaw (substituting for Councillor Whyte), Miller, Neil Ross and Watt.

1. New Meadowbank Sports Centre Construction Contract

1.1 Deputation

The Committee agreed to hear a deputation from Lloyd Quinan on behalf of the Save Meadowbank Group in relation to the report on the New Meadowbank Sports Centre Construction Contract.

The deputation highlighted the following:

- That the proposal as detailed in the report was flawed and contained inaccurate information.
- There was a risk of a financial shortfall and clarity on the funding gap should be provided before proceeding any further.
- Concerns were expressed about the consultation process and people in the community did not think they were being listened to. A city-wide consultation should be carried out as Meadowbank was a city-wide asset and an international sports stadium.
- Elected Members were encouraged to reject the report, and postpone a decision until the consultation was complete and a masterplan had been approved by the Planning Committee.

The Convener thanked the Deputation and invited them to remain for the Committee's consideration of the report by the Executive Director for Communities and Families (item 1.2).



1.2 Report by the Executive Director for Communities and Families

The Committee considered a report which set out the current position regarding the funding package for the new Meadowbank Stadium and sought the approval to award the contract for the construction of the new Meadowbank Sports Centre to Graham Construction Ltd for the contract sum of £39,294,291 following a competitive tender process utilising the Council's Contractor Works Framework to identify the most economically advantageous tenderer.

Motion

- 1) To approve the award of the contract for the construction of the new Meadowbank Sports Centre to Graham Construction Ltd for a contract sum of £39,294,291.
- 2) To note the position with regard to the future development of the remaining Meadowbank site.
- To agree to withdraw the proposed sale of the Westbank site from the open market and to request the Executive Director of Place worked with the local community to establish a master plan that sought to deliver a balance between financial return and local community place-making aspirations.
- 4) To instruct officers to engage with joint owners of the site, Powerleague, to achieve the outcome in paragraph 1.1.3 of the report by the Executive Director for Communities and Families.
- 5) To agree a report was brought back to the Finance and Resources Committee on the conclusions of the actions in paragraphs 1.1.3 and 1.1.4 of the report by the Executive Director for Communities and Families with regard to the legal, financial and local community implications as soon as practicable.
- To note the funding position for the project as described in paragraphs 3.12-3.17 of the report by the Executive Director for Communities and Families and to ensure that £7m of unallocated funding within the capital budget framework remained unallocated until there was greater certainty over the level of capital receipts generated.
 - Moved by Councillor Rankin, seconded by Councillor Donaldson

Amendment 1

- 1) To approve the award of the contract for the construction of the new Meadowbank Sports Centre to Graham Construction Ltd for a contract sum of £39,294,291.
- 2) To note the position with regard to the future development of the remaining Meadowbank site.
- 3) To agree to withdraw the proposed sale of the Westbank site from the open market and to request the Executive Director of Place worked with the local community to establish a master plan that sought to deliver a balance between financial return and local community place-making aspirations.

- 4) To instruct officers to engage with joint owners of the site, Powerleague, to achieve the outcome in paragraph 1.1.3 of the report by the Executive Director for Communities and Families.
- 5) To agree a report was brought back to the Finance and Resources Committee on the conclusions of the actions in paragraphs 1.1.3 and 1.1.4 of the report by the Executive Director for Communities and Families with regard to the legal, financial and local community implications as soon as practicable.
- To note the funding position for the project as described in paragraphs 3.12-3.17 of the report by the Executive Director for Communities and Families and to ensure that £7m of unallocated funding within the capital budget framework remained unallocated until there was greater certainty over the level of capital receipts generated.
- 7) To agree to amend one of the measures of success described in paragraph 4.1 of the report by the Executive Director for Communities and Families to state success would be measured on the successful completion of a mixed development on the remaining land taking account of community consultation, instead of the development of more than 300 new homes.
 - Moved by Councillor Corbett, seconded by Councillor Miller

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

Amendment 2

- To refer the report to the City of Edinburgh Council on 25 October 2018 for approval.
- To request the Executive Director of Place to work with the local community in Meadowbank to establish a master plan for remaining Meadowbank site that sought to deliver a balance between financial return and local community placemaking aspirations.
- 3) To ask officers to provide full financial modelling within the report for the potential £7m gap in capital receipts.

Voting

The voting was as follows:

For the motion (as adjusted) - 8 votes

For amendment 2 - 3 votes

(For the motion: Councillors Kate Campbell, Corbett, Donaldson, Gordon, Miller, Rankin, Neil Ross, and Watt.

For amendment 2: Councillors Hutchison, Johnston, and Whyte.)

In terms of standing order 29.2, the Convener ruled that a final decision had to be made before the next meeting of the City of Edinburgh Council. The Convener highlighted the risks associated with the contract and the Council's reputation as justification for his ruling.

Decision

- 1) To approve the award of the contract for the construction of the new Meadowbank Sports Centre to Graham Construction Ltd for a contract sum of £39,294,291.
- 2) To note the position with regard to the future development of the remaining Meadowbank site.
- 3) To agree to withdraw the proposed sale of the Westbank site from the open market and to request the Executive Director of Place worked with the local community to establish a master plan that sought to deliver a balance between financial return and local community place-making aspirations.
- 4) To instruct officers to engage with joint owners of the site, Powerleague, to achieve the outcome in paragraph 1.1.3 of the report by the Executive Director for Communities and Families.
- 5) To agree a report was brought back to the Finance and Resources Committee on the conclusions of the actions in paragraphs 1.1.3 and 1.1.4 of the report by the Executive Director for Communities and Families with regard to the legal, financial and local community implications as soon as practicable.
- To note the funding position for the project as described in paragraphs 3.12-3.17 of the report by the Executive Director for Communities and Families and to ensure that £7m of unallocated funding within the capital budget framework remained unallocated until there was greater certainty over the level of capital receipts generated.
- 7) To agree to amend one of the measures of success described in paragraph 4.1 of the report by the Executive Director for Communities and Families to state success would be measured on the successful completion of a mixed development on the remaining land taking account of community consultation, instead of the development of more than 300 new homes.

(References – Act of Council (No. 2), 9 February 2017; report by Executive Director for Communities and Families, submitted.)

3. Minutes

Decision

To approve the minutes of the Finance and Resources Committee of 27 September 2018 as a correct record.

4. Gender Pay Gap

In accordance with duties arising as a result of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, details were provided of the Council's gender pay gap data based on data from 31 March 2018.

Motion

- 1) To note the gender pay gap report to be published in October 2018.
- 2) To agree that the gender pay gap be published with a foreword from the Chief Executive and confirmed that the published gender pay gap information was accurate and attested to the accuracy of the calculations.
- Moved by Councillor Rankin, seconded by Councillor Donaldson

Amendment

- 1) To note the gender pay gap report to be published in October 2018.
- 2) To agree that the gender pay gap be published with a foreword from the Chief Executive and confirmed that the published gender pay gap information was accurate and attested to the accuracy of the calculations.
- 3) To note the further analysis and actions outlined in paragraphs 3.26 and 3.27 of the report by the Executive Director of Resources, and to call for an update on these activities in not more than 12 months.
- Moved by Councillor Miller, seconded by Councillor Corbett

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

Decision

- 1) To note the gender pay gap report to be published in October 2018.
- 2) To agree that the gender pay gap be published with a foreword from the Chief Executive and confirmed that the published gender pay gap information was accurate and attested to the accuracy of the calculations.
- 3) To note the further analysis and actions outlined in paragraphs 3.26 and 3.27 of the report by the Executive Director of Resources, and to call for an update on these activities in not more than 12 months.

(Reference – report by Executive Director of Resources, submitted.)

5. Finance and Resources Committee Work Programme

The Finance and Resources Committee Work Programme was submitted.

Decision

To note the Work Programme.

(Reference – Finance and Resources Committee Work Programme, submitted.)

6. Rolling Actions Log

The Finance and Resources Committee Rolling Actions Log was submitted.

Decision

- 1) To agree to close actions 2, 7, 8, 9, 10, 11, 12, 13 and 16.
- 2) To agree to amend action 1 to reflect that the responsibility for this action now rested with the Executive Director for Communities and Families and not the Head of Safer and Stronger Communities.
- To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

7. Revenue Monitoring 2018/19 – progress update

An update was provided on progress in addressing the projected in-year overspend and a proposed timeline for identifying measures, the full effect of which would provide greater stability across the framework going forward.

Decision

- 1) To agree to refer the report to the City of Edinburgh Council meeting on the 25 October 2018 for consideration and approval.
- To agree that further information around the proposed £1m of how uncommitted monies would be spent be prepared to inform the Council's consideration on 25 October 2018.

Declaration of Interests

Councillor Donaldson declared a non-financial interest in the above item as a member of UNISON.

(References – Finance and Resources Committee, 16 August 2018 (Item 6); report by the Executive Director of Resources, submitted.)

8. Consultants Costs 2017/18

Details were provided of expenditure on consultants for provision of professional services during 2017/18.

Decision

- 1) To note the revenue and capital expenditure for provision of professional services in financial year 2017/18.
- 2) To note the overall reduction of £1.268m in Council expenditure on professional services between 2016/17 and 2017/18.

(References – Finance and Resources Committee, 5 September 2017 (Item 18); report by Executive Director of Resources, submitted.)

9. Wave 4 Infrastructure Investment Programme

The Committee considered a report which provided an update on the Wave 4 Infrastructure Investment Programme which focused on the replacement of seven secondary schools throughout the city which had not benefitted from any investment through the PPP1, PPP2 or Wave 3 investment programmes.

Decision

- To remit the report to the City of Edinburgh Council on 25 October 2018 to approve reallocation of the existing £25m Wave 4 capital budget to Castlebrae High School and Bangholm sports facilities and to note that a further report would be considered by the Finance and Resources Committee prior to any contract award.
- 2) To note the revenue implications (included in the Business Case attached at Appendix 1 of the report) of proceeding with the Castlebrae High School replacement and Bangholm sports facility (Trinity Academy) projects as approved by the Education, Children and Families Committee on 21 June 2018.
- To note the detailed business case for the full Wave 4 investment programme, including all capital and revenue financial implications and the proposed delivery timescales, detailed in Appendix 1 of the report.
- 4) To note that the anticipated capital funding gap for the Wave 4 Programme over the next 5 years would be considered as part of the Council's capital budget setting process in February 2019.
- 5) To approve that further work to provide more exact financial modelling on the long term capital and revenue implications of each specific project within the Wave 4 Programme (including the implications of adopting a Passivhaus or similar approach to design where possible) be progressed and provided where necessary as information to support the budget setting process in February 2019.
- To approve that any opportunity to secure funding from the Scottish Government for infrastructure investment be progressed and that any funding secured was used to accelerate delivery of any projects based on the prioritisation for investment approved by the Education, Children and Families Committee on 21 June 2018.

Declaration of Interests

Councillor Neil Ross declared a non-financial interest in the above item as his wife was a teacher in Leith Academy.

(References – Education, Children and Families Committee, 21 June 2018 (Item 3); report by the Executive Director of Resources, submitted.)

10. Workforce Dashboard

The Committee considered a report which provided a summary of workforce metrics for FTE, basic salary, new starts and leavers, monthly costs (overtime, agency,

casual/supply, working time payments), absence, transformation/redeployment, risk, and performance, as detailed on the Finance and Resources Committee Workforce Dashboard, for the period of July 2018.

Decision

To note the workforce information contained in the dashboard.

(References – Finance and Resources Committee, 16 August 2018 (Item 17); report by the Executive Director of Resources, submitted.)

11. Fraud Prevention and Detection – Annual Report

Details were provided on fraud prevention and detection activities undertaken in 2017/18.

Decision

To note the report.

(References – Finance and Resources Committee, 5 September 2017 (Item 14); report by Executive Director of Resources, submitted.)

12. Cost of Royal Activities

In response to the City of Edinburgh Council decision of 23 August 2018, an estimate of costs that arose from Royal activities was provided.

Decision

- 1) To welcome the report from the Office of the Lord Provost on the cost of Royal activities in relation to the ex officio role of Lord Lieutenant.
- 2) To note the estimated expenditure for the period May 2017 to May 2018.

(References – Act of Council (No. 7), 23 August 2018; report by the Chief Executive, submitted.)

13. Edinburgh Living: Management, Maintenance and Letting Services – Award of Contract Under Delegated Authority

Approval was sought to delegate authority to the Executive Director of Place to award a contract to the most economically advantageous organisation identified following conclusion of the competitive tendering process. This would mitigate the risk of completed homes remaining empty into the new calendar year.

Decision

- 1) To delegate authority to the Executive Director of Place, in consultation with the Convener and Vice Convener of the Finance and Resources Committee, to award the contract to the most economically advantageous organisation identified following a competitive tendering process.
- 2) To note that the contract value was estimated to be £3.2 million to £3.3 million over a maximum period of six years.

- 3) To approve the provision of a short-term facility for Edinburgh Living to manage their cash flow position up to a maximum of £0.25m.
- 4) To agree that an update report on this item be provided to a future meeting.

Declaration of Interests

Councillor Kate Campbell declared a non-financial interest in the above item as a board member of Edinburgh Living Corporate Body.

(References – Act of Council (No. 9), 15 March 2018; report by the Executive Director of Place, submitted.)

14. Removal of Charges for Child Burials and Cremations

The Committee considered a report which advised current Council policy was to waive charges for burial (interment) and cremation of a child under 16 and to apply discretionary charges for new lairs (burial plots). An agreement had been made between COSLA Leaders and the Scottish Government for the removal of all charges for burial or cremation of a child under 18.

Approval was sought to extend the waiving of burial and cremation charges for children under 16 to children under 18 and to stop discretionary charging for new lairs for children under 18 years of age.

Decision

- 1) To note the report and the agreement between COSLA and Scottish Government.
- 2) To approve a change to Council policy of not charging for burial (interment) and cremation of children under 16, by extending this to children under 18 years of age.
- 3) To approve the end to the provision of discretionary charging for new lairs (burial plots) for child interment.
- 4) To agree to waive Council burial and cremation charges for family arranged funerals of a still born child.
- 5) To agree to waive Council burial and cremation charges for "looked after children" under 26 years of age where the Council had a duty of after care.

(Reference – report by the Executive Director of Place, submitted.)

15. Resolution to Consider in Private

The Committee, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting during consideration of the following item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraphs 8 and 9 of Part 1 of Schedule 7(A) of the Act.

16. Variation to Care at Home Contract

Details were provided of the action taken to vary the care at home contract by the Council which allowed for the payment of increased hourly rates as an incentive to increase care at home capacity.

Decision

To note the action taken to vary the care at home contract under the urgency procedure of paragraph 4.1 of the Committee terms of reference and delegated functions.

(Reference – by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

17. Adjournment

Decision

To adjourn this meeting in terms of Standing Order 20 and continue the remaining business of the meeting to an adjourned meeting of the Finance and Resources Committee to take place on 22 October 2018.

18. Resumption

The Convener reconvened the meeting adjourned from 11 October on 22 October 2018.

19. Resources Directorate - Internal Audit Update

An update was provided on progress being made to address the High rated audit findings previously identified by the Councilwide Drivers Health and Safety Audit and the Phishing Resilience Internal Audit.

Decision

To note the update on the high rated Internal Audit findings and actions to address these by the Resources Directorate for the period 1 January to 31 July 2018.

(References – Finance and Resources Committee, 16 August 2018 (Item 10); report by Executive Director of Resources, submitted.)

20. Leith Meanwhile Uses

Details were provided on the Council's successful bid for £750k from the Scottish Government's Regeneration Capital Grant Fund to deliver 'meanwhile' uses at 165 and 165a Leith Walk prior to the site being redeveloped.

Decision

To note that the Council secured £750k of funding from the Scottish Government's Regeneration Capital Grant Fund to deliver a 'meanwhile' uses project. This comprised the refurbishment of 165a Leith Walk and the formation of creative workspaces and community space on part of the plot at the rear (formed by the demolition of the derelict former tram depot).

- 2) To note the progress with the project pilot's activities in the area.
- 3) To agree that an end of project report would come to Committee once the project was concluded, and would include lessons learned and would explore how the model could be extended further where appropriate.

(References – Economy Committee, 25 April 2017 (Item 5); report by Executive Director of Resources, submitted.)

21. Engineering Inspection Renewal

Approval was sought to extend the contract for engineering inspections with Zurich Municipal from 1 July 2018 for a period of 1 year to allow the Council to meet its mandatory statutory compliance obligations. The total value of the extension was £274,036 excluding VAT.

Decision

- 1) To approve the extension of the engineering inspection contract to Zurich Municipal for a period of 12 months.
- 2) To note that the contract expired on 30 June 2018 and the extension was therefore sought as a Waiver to the Council's Contract Standing Orders.

(References – Finance and Resources Committee, 16 August 2018 (Item 20); report by Executive Director of Resources, submitted.)

22. Framework Agreement for Unescorted Passenger Journeys

Approval was sought to establish a framework agreement for Unescorted Passenger Journeys, which would replace a similar framework agreement.

Decision

- 1) To approve the establishment of the framework agreement and the award onto the framework agreement of two providers, Central Radio Taxis (Tollcross) Ltd and Edinburgh City Private Hire Ltd, ranked first and second respectively. The framework agreement would commence on 15 December 2018 for a period of three years, with an option to extend for a further 12 months, and the estimated value was between £1,000,000 and £1,500,000 per annum, depending on usage.
- 2) To note that changes had been made to the service specification to reduce environmental impact, specifically by imposing restrictions on vehicle age and emissions.

(Reference – report by Executive Director of Place, submitted.)

23. Waiver report for Edinburgh and Midlothian Offender Recovery Service

Approval was sought for a waiver of Contract Standing Orders to allow the direct award of a contract to Change Grow Live (CGL) to deliver the Edinburgh and Midlothian Offender Recovery Service (EMORS).

Decision

To approve the direct award of the contract to Change Grow Live for the continued delivery of the Edinburgh and Midlothian Offender Recovery Service for the period 1 April 2019 to 31 March 2020.

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

24. Continuation of Community Transport Public Social Partnership

The Committee was invited to approve to continue a Public Social Partnership (PSP) for a number of Third Sector Community Transport (CT) organisations.

Decision

- 1) To approve the continuation of the Public Social Partnership between the City of Edinburgh Council and Community Transport providers.
- 2) To note the scalable examples already tested by the PSP and CT providers, leading to cost reductions and direct savings in from 2016-2019.
- To approve funding for three years (from 1 April 2019 to 31 March 2022), on the basis that the CT sector, in partnership with the City of Edinburgh Council combine resources, expertise, knowledge and capability to tackle increases in demand across Communities and Families and the Edinburgh Health and Social Care Partnership.
- 4) To approve the inclusion of funds currently spent on additional journeys organised and delivered on behalf of the Council to the sum of £199,000 broken down as follows: £42,000 BeAble Reablement Day Care HcL Handicabs (Lothian); £50,000 Link Library SEAG; £75,000 Health and Equalities SEAG*; and £32,000 Capability Scotland and South Queensferry Dove. *(subject to outcome of Edinburgh Integrated Joint Board grant review programme.)
- To approve the additional funds associated with the transfer of provision currently planned and delivered by the Council to community based clubs and day services (set out in appendix 1 of the report by the Executive Director of Place).
- To approve the allocation of "one off" allocation of £26,000 per CT provider (£130,000 in total) and no further vehicle allocation at a saving of £670,000 over four years. CT providers would have their vehicle replacement requirements assessed as part of the whole fleet evaluation in order to maximise available capacity and to share resources efficiently.
- 7) To note the delivery of community based transport within localities to meet local needs, improve resilience and responsiveness while reducing harmful emissions.
- 8) To note the intention to address the Compact Partnership Strategy 2015-2020 to find cooperative solutions to service and budget pressures, prevention and mitigation of poverty and inequality.

(Reference – report by Executive Director of Place, submitted.)

25. Disposal of Former Close Support Unit, 83 Pentland View

Approval was sought to appoint Buckley Building UK Limited as the preferred bidder on the terms and conditions outlined in the report.

Decision

- To approve that Buckley Building UK Limited be selected as preferred bidder for the disposal of the Former Close Support Unit, 83 Pentland View on the terms and conditions as outlined in the report and on other terms and conditions to be agreed by the Executive Director of Resources.
- 2) To agree to incorporate to the forthcoming workshop on concessionary lets, a discussion about future sales of Council properties/assets and how a better balance could be achieved between what was acceptable to local communities and the financial aspirations of the Council.

(Reference – report by Executive Director of Resources, submitted.)

26. Award of One to Many Core Workshops Framework

Approval was sought to award a framework for the provision of Business Gateway core workshops.

Decision

- 1) To approve the establishment of the One to Many Core Workshops Framework and the award four providers over the four lots as listed at Appendix 2 of the report by the Executive Director of Place.
- 2) To note the framework agreement would commence on 1 November 2018 for a period of two years, with the option to extend for up to a further two years, at 12-month intervals.
- To note that over the four-year duration the total estimated value of the contracts awarded under the framework agreement was £1,518,150. The net cost to the Council for delivery of the framework was £118,192.

(Reference – report by Executive Director of Place, submitted.)

27. Contract Awards and Procurement Programme (Period 1 January – 30 June 2018)

An update was provided on the scope of contracts awarded across the Council in the period 1 January to 30 June 2018. Details of the forthcoming procurement programme in relation to expected higher value contracts across the Council were also provided.

Decision

To note the report by the Executive Director of Resources and the authorisations made under delegated authority. A further report would be submitted to the Finance and Resources Committee in approximately six months' time.

(References – Finance and Resources Committee, 27 March 2018 (Item 23); report by Executive Director of Resources, submitted.)

28. Summary Report on Property Transactions concluded under Delegated Authority

Details were provided of all lease agreements, etc. concluded in terms of the Council's 'Scheme of Delegation to Officers'.

Decision

To note the 59 transactions detailed in the Appendix attached to the report by the Executive Director of Resources had been concluded in terms of the Council's 'Scheme of Delegation to Officers.'

Declaration of Interests

Councillor Whyte declared a non-financial interest in the above item as a member of the Leith Rules Golf Society.

(Reference – report by Executive Director of Resources, submitted.)

29. Resolution to Consider in Private

The Committee, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting during consideration of the following item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraphs 6, 8 and 9 of Part 1 of Schedule 7(A) of the Act.

30. Purchase of developer share in National Housing Trust Limited Liability Partnership

The Committee considered a report which advised that that in October 2011, the Council entered into a Limited Liability Partnership (LLP) with Miller Homes Limited (Miller) and the Scottish Future Trust (SFT), to own and manage 89 homes for midmarket rent at Telford North. Approval was sought to purchase Miller's share of the LLP and to refer the report to the City of Edinburgh Council for ratification for use of the Council Tax Discount Fund.

Decision

- To agree to purchase Miller Homes Limited share in the Telford North LLP as recommended in the report by the Executive Director of Place using the Council Tax Discount Fund.
- 2) To agree to refer the report to City of Edinburgh Council on 25 October 2018 for ratification for use of the Council Tax Discount Fund.
- To agree that a briefing note on the general principles of taxation policy be circulated to members of the Finance and Resources, and Housing and Economy Committees.

(References – Finance and Resources Committee, 30 August 2011 (Item 10); report by Executive Director of Place, submitted.)