

Motions and Amendments

City of Edinburgh Council

10.00 am Thursday, 17th September, 2020

Virtual Meeting - via Microsoft Teams

Motions and Amendments

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Addendum by the Conservative Group

City of Edinburgh Council

17 September 2020

Item 8.1 – Edinburgh Integration Joint Board – Contract Living Wage Uplift

Adds:

Council:

2.1 Notes the direction the Council was given by the EIJB.

2.2 Further notes that, with a residual projected in year funding gap of £12.2m and reserves reduced to approximately £100m with a level of £60m deemed critical, the call for funding from the Council to meet the uplift is unaffordable.

2.3 Therefore requests that the Convenor of the Finance and Resources Committee write to the Cabinet Secretary for Health and Sport to request additional resources to fund the contract living wage uplift.

2.4 Additionally requests that the Convenor of Finance and Resources Committee write to the Chair of the Edinburgh Integration Joint Board to understand where that Board wishes the Council to cut social care spending to meet the additional expenditure in the event that 2.3 fails to provide any financial benefit to the council.

Moved by Councillor Graham Hutchison

Seconded by Councillor Phil Daggart

Amendment by the Green Group

City of Edinburgh Council

17 September 2020

Item 8.1 – Edinburgh Integration Joint Board – Contract Living Wage Uplift

Add

1.1.2 Recognises the vital work carried out at all times by frontline care staff but especially so over the last 6 months, and the Living Wage Uplift for carer workers across Scotland and funding commitment announced by the Scottish Government.

1.1.3 Notes that the additional £3.4m to fully fund the Living Wage Uplift has been included in the EIJB mobilisation plan and instructs the Council Leader to write to the Cabinet Secretary for Finance to urge her to ensure that the Scottish Government provides that additional £3.4m.

Moved by: Councillor Melanie Main

Seconded by:

Amendment by the Coalition

City of Edinburgh Council

17 September 2020

Item 9.2 – By Councillor Staniforth – Milan Urban Food Policy Pact

Delete paragraph 3 and replace with:

“Notes that the Milan Urban Food Policy pact mirrors Edinburgh Sustainable Food City plan. Further notes that Edinburgh is a Sustainable Food City Bronze recipient and as it moves towards Silver and Gold awards this will surpass the policy pact.

Edinburgh’s plans pick up the need for a shared regional dimension but notes the City Deal committee would not be the right format for this”.

Delete paragraph 5 and replace with:

“Agree that this be integrated into next update report due to committee on Edinburgh Food Plan”.

Add paragraph 6:

“Recognise the joint work already underway in areas of food insecurity with partners such as the Poverty Commission, Edible Edinburgh Partnership and its many members and is encourages the Government to enshrine the right to food for all citizens when the Good Food Nation Bill is recommended”.

Moved by: Councillor George Gordon

Seconded by: Councillor

Amendment by the Conservative Group

City of Edinburgh Council

17 September 2020

Item 9.2 – By Councillor Staniforth – Milan Urban Food Policy Pact

Council

Deletes from paragraph 3 onward and replaces with:

Notes that the Edinburgh and South East of Scotland City Region Deal is an agreement between the UK Government, Scottish Government, the local authorities of Edinburgh, East Lothian, Fife, Midlothian, Scottish Borders, West Lothian and the region's universities and colleges with regional partners from the private and third sectors; that was agreed on 7th August 2018 that the projects it will support and fund have been agreed and are reported via the established Governance structure and that there is no agreed methodology for unilaterally altering the previously agreed work programme of a multi- party deal.

Considers that signing up to additional external obligations adds to officer workloads at a time when there is no excess capacity.

Moved by Councillor Joanna Mowat

Seconded by Councillor

Amendment by the Coalition

City of Edinburgh Council

17 September 2020

Item 9.3 – By Councillor Neil Ross – Quiet Route from Greenbank to the Meadows

Deletes all:

Notes that a proposal for a Quiet Route between Greenbank Crossroads and the Meadows, designed to establish a network of safe quiet streets using modal filters and to provide a safe cycleway from Fairmilehead to the city centre, will come forward to the Transport and Environment Committee on Nov 12th.

Notes that some of this proposal builds on suggestions from local community group 'Blackford Safer Streets'.

Notes that stakeholder engagement has not yet begun ahead of the report on November 12th.

Recognises that there is considerable concern circulating in communities about the consultation process for Spaces for People projects already agreed to by this Council. Notes that the agreed process includes a feedback mechanism for each project on issues raised by stakeholders, including community councils and elected ward members, as well as the stated intention to amend schemes post-implementation if appropriate ('try and modify' method).

Requests a meeting among all relevant ward councillors and transport spokespersons, convened by the Transport Convener, before Oct 3 to allow questions to be raised and for a comprehensive briefing on these proposals to be provided, including clarification on community consultation.

Moved by: Councillor Lesley Macinnes

Seconded by: Councillor Karen Doran

Amendment by the Conservative Group

City of Edinburgh Council

17 September 2020

Item 9.3 – By Councillor Neil Ross – Quiet Route from Greenbank to the Meadows

Council

Amends Para 12 to read:

Instructs officers to hold an informal public consultation in the next three months with residents living on or near the proposed route, relevant school communities in Wards 9 & Ward 10 including James Gillespie's High School and Primary School and NHS Lothian to identify levels of local support for

Deletes 2 (iv) and replaces with:

iv) Permanent re-opening of Braid Road including resurfacing, installation of appropriate traffic calming measures such as virtual speed humps, raising the road surface at road intersections, installing a pedestrian and cycle crossing near the entrance to the Hermitage and a chicane at the corner below the hotel, with Braid Road to be temporarily re-opened in both directions pending commencement and evaluation of the consultation in order to alleviate immediate concerns around traffic displacement and pollution.

Moved by Cllr Nick Cook

Seconded by Cllr Susan Webber

Amendment by the Green Group

City of Edinburgh Council

17 September 2020

Item 9.3 – By Councillor Neil Ross – Quiet Route from Greenbank to the Meadows

Notes the Spaces for People briefing to Local Councillors on 1st September 'Greenbank to Meadows Quiet Route' in line with the process agreed at Policy and Sustainability Committee on 14th May for consultation and implementation of emergency measures under COVID-19

Welcomes the opportunity to create a quiet cycling route serving South Edinburgh, linking to South Morningside, St Peter's, and James Gillespie's' Primary Schools, Boroughmuir and Gillespie's' High Schools and Watsons College and Heriots, as well as local greenspaces and the city centre routes.

Welcomes the opportunity to create a low traffic neighbourhood for Braid, Braidburn and Cluny areas, which has suffered from excessive speeding vehicles and rat runs for many years, and a quiet route

Welcomes the recommended safety measures on Whitehouse Loan, in line with and supporting forward thinking James Gillespie's' Primary School Parent Council Blackford Safe Routes project, supported by the school and by Sustrans.

Notes that any proposals will be considered alongside the review on Braid Road and welcomes the officers' recommendation to carry out road resurfacing and maintenance prior to implementation of any scheme.

Welcomes the opportunity and time for local Councillors to discuss the quiet route proposals with officers and with stakeholders, including community groups, schools and residents and hold any informal consultations and feed in suggestions and comments to officers before a clear proposal is agreed and brought forward, before the formal process starts.

Notes the Braidburn Terrace, Braid Crescent and Braidburn Terrace at the Hermitage long-term proposal to improve road safety, which has already had informal consultation over several years, formal TRO consultations and was overwhelmingly supported by local residents, is to be implemented this financial year, including new traffic signals on Comiston Road, toucan crossing at the Hermitage, road closures and street redesign.

Council therefore requests that Councillors engage constructively with all stakeholders, to ensure that there is ongoing engagement with all residents on the Spaces for People programme, building support for active travel; to ensure that the scheme is transparent and has public validity and to ensure the best outcome for all local communities who could benefit from the introduction of the quiet route.

Moved by: Councillor Melanie Main

Seconded by:

Amendment by the Coalition

City of Edinburgh Council

17 September 2020

Item 9.4 – By Councillor Rae – Community Councils

Amends last paragraph to "Council recognises that Community Councils as autonomous bodies, should be able to adopt their own platform for hosting, therefore agrees to offer a small grant if required, to cover basic costs of a hosting platform if required - noting the Council is current piloting free options with some Community Councils with a few to rolling out a solution".

Moved by: Councillor Adam McVey

Seconded by: Councillor Cammy Day

Amendment by the Conservative Group

City of Edinburgh Council

17 September 2020

Item 9.4 – By Councillor Rae – Community Councils

Council:

Agrees paragraph 1 as set out below

Council recognises the invaluable contribution made to local democracy and our communities by our Community Councils & other voluntary groups with statutory functions linked to Local Authorities responsibilities such as Parent Councils, and the ongoing influence they have had on the functioning of the city during the Coronavirus crisis

Agrees paragraph 2.

Deletes paragraphs 3 and 4 and replaces with:

Recognises Officers' efforts and advice in this area. Expects Officers to offer support all such groups with advice and practical help so that they can hold meetings on a virtual platform (including the possibility of joining by phone) approved for use by the public sector in Scotland, from November 2020 at the latest.

Further agrees to provide a report on funding for Community Councils detailing awards of grant for 2019/20 and 2020/21 with explanations of any alterations in the grants awarded and how support for Community Councils will be provided going forward including what advice will be given about meetings in person and online.

Moved by Councillor Jim Campbell

Seconded by Councillor Joanna Mowat

Amendment by the Coalition

City of Edinburgh Council

17 September 2020

Item 9.5 – By Councillor Rose – Objectivity in Media Releases

Deletes all, except point 5 and adds:

Notes that the guidance highlighted by Councillor Rose in his motion is not relevant.

Notes that the Local Government Act 1986 is the correct piece of legislation and that Section 2 prohibits Councils from publishing material that appears to be designed to affect support for a political party. Section 4 of the Act also requires the Council to take cognisance of the Government's Code of Practice for publicity.

Notes that the Code states that Local Authorities need to tell the public about the services which they provide and that making the public aware of the services available is an essential part of providing these services.

Notes that it is necessary for Council to publicise accurate information and highlight decisions and policy changes – both proposed and agreed.

Notes that if elected members have concerns that the Council is not following this legislation or Code of Practice then they should inform the Chief Executive so he can investigate.

Notes that the Chief Executive has not been informed of any potential breaches by Councillor Rose.

Moved by: Councillor Adam McVey

Seconded by: Councillor Cammy Day

Amendment by the Coalition

City of Edinburgh Council

17 September 2020

Item 9.6 – By Councillor Laidlaw – Sewage Discharges

Deletes all and replaces with:

Notes that during the period of heavy rain that accompanied the large electrical storm in August, the sewerage system in the Shore area of Leith discharged raw sewage into the watercourse and basins of the Water of Leith and recognises the negative impacts on the local community of this event.

Notes ongoing engagement between relevant agencies and stakeholders including the Council and SEPA with Scottish Water over this issue, and notes that Scottish Water have been diligent in attending and carrying out works to identify the cause of the discharge and remedy the situation. Further notes Scottish Water are reviewing the sewerage network in the area and across the Edinburgh, as a means of identifying areas that require investment to ensure that the system can cope and avoid blockages that can lead to discharges of this kind.

Notes the Local MSP has written to the Cabinet Secretary on the potential acceleration of the capital programme, following the disruption by the very necessary shutdown of works due to the Coronavirus restrictions.

Moved by: Councillor Adam McVey

Seconded by: Councillor Cammy Day

Amendment by the Green Group

City of Edinburgh Council

17 September 2020

Item 9.6 – By Councillor Laidlaw – Sewage Discharges

Delete all and replace with:

"Council

- 1) Notes concern at reports of recent discharges into the Water of Leith, and specifically into the Water of Leith Basin, which have included raw sewage;
- 2) Notes that this includes the discharge of human waste and physical debris such as wet wipes, condoms and sanitary products, threatening the marine environment and harming aquatic life, potentially impacting the health of river users and adding plastic pollution to the river and the Firth of Forth;
- 3) Notes that these recent discharges have largely come from Combined Sewer Overflows (CSOs), though at least one case appears to be due to an unauthorised sewage connection into the Water of Leith;
- 4) Thanks the volunteers from the Friends of the Water of Leith Basin, and diver Shane, who have worked closely with Scottish Water to identify the source of the recent sewage discharges and work quickly to try to resolve them, and thanks staff and volunteers at Water of Leith Conservation Trust for over 40 years of caring for and improving the river environment;
- 5) Notes that Combined Sewer Overflows (CSOs) allow overflows of sewage during heavy rainfall, and are intended as a safety valve during extreme weather, preventing sewage from backing up into homes and businesses, but that with sufficient investment in ensuring adequate drainage system capacity, the CSOs should not discharge raw sewage into water courses;
- 6) Notes that climate change is increasing the frequency and severity of extreme storm events placing further stress on the drainage system and increasing the likelihood that raw sewage may escape from CSOs;
- 7) Notes the report from the Centre of Ecology and Hydrology in 2019 that Edinburgh has lost 282 hectares of green land since 1990 which otherwise would have acted as a soak

for rain and surface water, and notes that increased speed and volume of surface run-off during a storm event can also increase pressure on CSOs;

8) Notes that discharges from CSOs can be exacerbated if inappropriate items such as nappies, wet wipes and cooking fat are put into the sewage system, notes that Midlothian has recently experienced a number of high-profile sewage discharges into the South Esk River which led to Scottish Water conducting an extensive campaign called "What Not To Flush" advising that only the three Ps (pee, poo, toilet paper) should be flushed;

9) Notes that discharges from CSOs are also more likely if those CSOs have not been inspected regularly and maintained properly;

10) Notes that data from the Forth Rivers Trust suggests there are currently 65 CSOs licensed by SEPA on the Water of Leith, and an additional 32 CSOs on 14 other smaller watercourses in the City of Edinburgh Council area, but that number does not include unlicensed CSOs or storm water overflows;

11) Notes that Scottish Water is working to remove the unauthorised sewer feeding into the Water of Leith basin, and to connect it to the sewage network, and also notes that work to repair the rotating screen at the Keddie Gardens CSO is imminent;

12) Notes that CSOs which are discharging during dry weather can be reported to Scottish Water on 08000 778778 or online at scottishwater.co.uk, and also to SEPA on 0800 807060 or online at sepa.org.uk

13) Agrees therefore that the council leader will write to Scottish Water to:

a) request a timetable for connecting the unauthorised sewer at the Water of Leith basin to the sewage network and repairing the rotating screen at the Keddie Gardens CSO;

b) request an inspection and maintenance schedule for all CSOs within the City of Edinburgh council area;

c) request that Scottish Water consider a targeted public information campaign in the Edinburgh area similar to the previous "What Not to Flush" campaign;

d) request that Scottish Water consider the use of sewer depth monitors and rain gauges at blackspots such as the Water of Leith basin, to help identify blockages early before they result in significant impact;

e) request that Scottish Water review the performance of the network in the area around the Water of Leith Basin in light of recent incidents and add relevant sewers to their cleaning programme;

f) request that Scottish Water, in conjunction with the wider Edinburgh and Lothians Strategic Drainage Partnership, draw up a fully costed action plan to prevent future sewage outflows from CSOs."

Moved by: Councillor Chas Booth

Seconded by:

Amendment by the Coalition

City of Edinburgh Council

17 September 2020

Item 9.7 – By Councillor Rust – Collaboration with Local Communities

Deletes all and replaces with:

Recognises that continuing efforts under the Spaces for People initiative are required across the city to deliver its recognised objectives as outlined in Scottish Government statements and guidance, as well as in the Policy and Sustainability report agreed on 14 May.

Recognises that there is a need to accelerate progress on such projects beyond normal procedures, including on consultation, in order to deliver effective measures in a timely fashion, as part of the response to Covid-19.

Recognises that considerable concern is circulating in communities about the objectives, expected outcomes, likely implementation and intentions of the Council.

Recognises that community concerns have been raised about a number of schemes and that the Council has clearly committed to amending schemes based on feedback ahead of implementation and post implementation, where appropriate.

Recognises that these schemes may have an impact beyond local neighbourhoods and need to be considered as part of a city-wide transport network.

Requests that a short report comes to the Transport and Environment committee on Nov 12 which brings together a reiteration of the Spaces for People project objectives, the relationship to developing Scottish Government guidance with respect to Edinburgh's pandemic response, methods of implementation and Council decision-making processes. This will act as a useful guide to both Councillors and to residents about the agreed parameters for this initiative.

Moved by: Councillor Lesley Macinnes

Seconded by: Councillor Karen Doran

Amendment by the Green Group

City of Edinburgh Council

17 September 2020

Item 9.7 – Motion by Councillor Rust – Collaboration with Local Communities

Delete all and replace with

“Council:

1. Notes that a wide range of measures, including greater support for people walking, wheeling and cycling, have been taken across the city using a variety of different existing legislative powers on the grounds of public health, in the interests of all residents of the city
2. Notes a range of views expressed by residents, through various methods of engagement with the Council
3. Recognises that the Scottish Government and this Council are adjusting the guidance and measures that are in place to protect public health to adapt as the situation changes
4. Agrees that change is best delivered through collaboration with local communities which are impacted by decisions taken, resolves to continue to take a collaborative approach, and thanks residents for engaging with this Council to improve and adjust measures taken to protect public health
5. Welcomes ongoing engagement with all residents on the Spaces for People programme, building support for active travel that is likely to endure and ensuring schemes are transparent and have public validity”

Moved by: Councillor Claire Miller

Seconded by: Councillor Gavin Corbett

Addendum by the Scottish Liberal Democrat Group

City of Edinburgh Council

17 September 2020

Item 9.7 – By Councillor Rust- Collaboration with Local Communities

At end of section 4, add:

“Council further resolves that where a proposed spaces for people project is objected to by 50% or more of the ward councillors consulted through the five day consultation period, that project shall require the approval of the Transport & Environment Committee before implementation.”

Moved by Councillor Kevin Lang

Seconded by Councillor Neil Ross

Amendment by the Coalition

City of Edinburgh Council

17 September 2020

Item 9.8 – By Councillor Mowat – Click to Report

Deletes the bullet points and replaces with:

“Requests an update in the next scheduled contact centre performance report on the “report it” system, including work to refine the application and close the communication loop to ensure residents who report issues get information on the issue they’ve raised.”

Moved by: Councillor Adam McVey

Seconded by: Councillor Cammy Day

Amendment by the Coalition

City of Edinburgh Council

17 September 2020

Item 9.9 – By Councillor Booth – Homeless Households in Unsuitable Accommodation

Deletes point 7 and replaces with:

Therefore agrees that a report on unsuitable accommodation orders be brought to the next Housing, Homelessness and Fair Work committee in November, setting out the detail of the legislative changes, the steps the council is already taking to meet these changes and a costed financial plan for how to increase the number of temporary furnished flats available for use for individual households and as home share. This should include a fully costed and timetabled action plan setting out the steps we would need to take to ensure that no household in Edinburgh is in unsuitable accommodation from the end of January 2021 onwards.

Moved by: Councillor Kate Campbell

Seconded by: Councillor Mandy Watt

Amendment by the Scottish Liberal Democrat Group

City of Edinburgh Council

17 September 2020

Item 9.9 – By Councillor Booth – Homeless Households in Unsuitable Accommodation

To remit consideration of the motion to the 18 September meeting of the Homelessness, Housing and Fair Work Committee.

Moved by Councillor Kevin Lang

Seconded by Councillor Robert Aldridge

Emergency Motion by the Green Group

City of Edinburgh Council

17 September 2020

Belarusian crisis

Council:

1. Notes that the result of the 2020 Belarusian presidential election and the legitimacy of the Lukashenka presidency and his government is widely disputed, many considering the election to have been rigged and therefore to be undemocratic;
2. Condemns Belarusian state violence, torture and unlawful imprisonment under the control of Alyeksandr Lukashenka and the abysmal human rights record of the government of Belarus,
3. Recognises and condemns the destructive legacy of political and social policy in Belarus since Lukashenka's tenure as President, such as restricting the use of historical and national symbols, as well as diminished use and promotion of the Belarusian language;
4. Recognises the right to self-determination of the people of Belarus, and the right to hold free and fair elections in Belarus with accredited international monitoring;
5. Notes the growing popular protest and rallying arising from all corners of Belarusian civil society and across the political spectrum;
6. Therefore recognises and supports the Belarusian opposition in its efforts to guarantee transparent, democratic governance in Belarus;
7. Agrees to sever any official links with the current Lukashenka-led regime in Belarus, and agrees that the Council Leader will write to the Scottish Government requesting that it not work, co-operate or engage with the currently existing Lukashenka-led Belarusian regime until transparent and fair apparatus of democratic governance is installed in Belarus.

Moved by Councillor Melanie Main

Seconded by Councillor

Emergency Motion – Conservative Group

City of Edinburgh Council

17 September 2020

Whistleblowing Culture

- 1) Council notes with concern the recent media reports about the sudden death of a Council employee who had been suspended and was under investigation by the Council and Police over serious criminal allegations.
- 2) Council further notes that media reports allege that complaints about the employee's behaviour date back over a number of years and that this behaviour was raised with the Council in the past. It is not clear to the public whether, or how, these matters were addressed.
- 3) Council notes that, since its introduction in 2014 the current whistleblowing process has improved matters with independent oversight from Safecall and the Governance, Risk and Best Value Committee being key contributors, but that there have been concerns raised historically in relation to pre-2014 whistleblowing and conduct inquiries into matters such as the statutory notices scandal, the matters examined by the Edinburgh Tram Inquiry, various investigations resulting in reports to Council detailing historic maladministration and the circumstances which led to the dismissal of the head teacher at Castlebrae High School. Many of these matters are still subject to Public Inquiry or Court proceedings.
- 4) Council expresses concern that current circumstances are potentially an indication of a negative culture which it was hoped was wholly historic in nature.
- 5) Council notes that an investigation has been commissioned by Council officers into the matters relating to the activities of the Council's former staff member and related activities, working with the Police as appropriate, potentially involving independent input, and that this will report back to the Chief Executive in due course.
- 6) Council recognises the confidentiality and sensitivity of the investigation and requests the Chief Executive to report back to Council on the outcome and any recommendations in due course and in the meantime to keep the Group Leaders updated on progress.
- 7) Council agrees the prime importance of ensuring confidence in its approach to whistleblowing, corruption and criminal wrongdoing, and notes that addressing the culture contributing to any such failings is crucial.

- 8) Council therefore agrees to instruct an independent Inquiry into the culture that developed that allowed this situation to exist within, to determine whether it continues to persist today and to report on any recommendations for change. The Inquiry will be led by a senior person with appropriate experience such as a QC or former senior Police officer.

- 9) The Inquiry should proceed at the earliest appropriate opportunity, taking account of internal processes, legal proceedings and Police investigations and recognising that some of these may have to conclude before this wider cultural inquiry begins. The remit will be decided independently of the staffing structure of the Council and agreed by Group Leaders in consultation with the independent person identified to lead the Inquiry. It should specifically include the Council's approach to the "avoidance of reputational damage" and whether this or any other aspects of culture within the Council has been a contributory factor in not fully identifying or addressing any potential wrongdoing.

Moved by Councillor Iain Whyte

Seconded by Councillor Cameron Rose

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