

Motions and Amendments

City of Edinburgh Council

10.00 am Thursday, 9th February, 2023

City Chambers

Motions and Amendments

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Motion by the SNP Group

The City of Edinburgh Council

9 February 2023

Item 6.1 - Resignation of Councillor Frank Ross / Appointments

1.4 To appoint Councillor Aston as a member of the Policy and Sustainability Committee.

1.5 To appoint Councillor McNeese-Mechan as a member of the Board of Edinburgh University Curators of Patronage.

1.6 To appoint Councillor Key as a member on the Board of the Lowland Reserve Forces' and Cadets' Association.

1.7 To appoint Councillor Key as a member on the Board of the Royal Company of Merchants Endowment Trust.

1.8 To appoint Councillor Kumar as a member on the Board of Capital City Partnership.

1.9 To appoint Councillor Fullerton as a member on the Board of Edinburgh International Conference Centre Ltd.

Moved by **Councillor Stuart Dobbin**

Seconded by **Councillor Simita Kumar**

Motion by the SNP Group

City of Edinburgh Council

9 February 2023

Item 6.2 - Appointments to Working Groups

Edinburgh Waterfront All Party Oversight Group (short life) – To appoint Councillor Dobbin as the SNP Representative.

Equalities Working Group (short life) - To appoint Councillor Kumar as the SNP Representative.

To close the Forth Green Freeport Elected Member Sounding Board in favour of bringing information transparently to Policy and Sustainability Committee.

To close the Short Term Lets Working Group (short life) – as work has now completed following the implementation of legislation and any further work can be carried out at Committee.

Sustainability & Climate Emergency All Party Oversight Group (short life) – To appoint Councillor Macinnes as the SNP Representative.

West Edinburgh All Party Oversight Group - To appoint Councillor Hyslop as the SNP Representative.

Elected Members ICT and Digital Sounding Board (standing) - To appoint Councillor Macinnes and Councillor Campbell as the SNP Representatives.

Cammo Estate Advisory Committee (standing) – To appoint Councillor Work as the SNP Representative.

Transport Forum (standing) – To appoint Councillor Aston as the SNP

Representative.

Health and Safety Consultative Forum - To replace the appointment of the Convenor as the sole appointment with one councillor from every party.

Moved by Councillor Stuart Dobbin

Seconded by Councillor Simita Kumar

Motion by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 6.2 - Appointments to Working Groups

1.1 Council notes that:

- a) the Festival and Events All Party Oversight Group, Joint Consultative Group (standing), Gaelic Implementation Steering Group (standing) have already been re-established and
- b) that it has already been agreed to establish the Forth Green Freeport Elected Member Sounding Board and the City of Edinburgh Council Corporate Parenting Board (standing)

Council therefore agrees to appoint membership of these Working Groups as set out in Appendix 1 with a review of their lifespan annually or sooner should the Working Group or parent Committee consider this appropriate.

1.2 Council further agrees to:

- a) continue the Tram All Party Oversight Group (standing) until the point of Tram operations to Newhaven commencing with one further meeting thereafter to conclude business;
- b) convert the Homelessness Task Force (standing) to an officer led Partnership Forum should partner agencies consider this helpful
- c) to close all other Working Groups.

1.3 Council agrees the revised working group framework outlined in appendix two.

Moved by: Councillor Iain Whyte
Seconded by: Councillor Joanna Mowat

Amendment by the Administration

City of Edinburgh Council

9 February 2023

Item 7.1 – Decision Making Framework 2023

Council agrees to replace the report recommendations with:

- 1.1 To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve in its place Appendix 1, such repeal and approval to take effect from 10 February 2023;
- 1.2 To repeal the existing Committee Terms of Reference and Delegated Functions and approve in its place Appendix 2, such repeal and approval to take effect from 10 February 2023; and
- 1.3 To defer approval of the updated Scheme of Delegation to Officers as set out in appendices three and four, and request a workshop for members to discuss changes and any implications. To bring back the report on updated Delegated Functions and Scheme of Delegation to Officers to Council on 16 March for consideration.

Moved by **Councillor Day**

Seconded by **Councillor Watt**

Amendment by the SNP Group

City of Edinburgh Council

9 February 2023

Item 7.1 – Decision Making Framework 2023

PROCEDURAL STANDING ORDERS FOR COUNCIL AND COMMITTEE MEETINGS

2.1 replace all text after “with immediate effect” with “by simple majority.”

Add another sentence to the new point 12.7

“In the event of 4 or more deputations at one meeting, the Convenor will manage the 60 minutes as they deem appropriate with respect to the allotted time set out in 12.6 and 12.8 to ensure the maximum number of groups are heard.”

COMMITTEE TERMS OF REFERENCE AND DELEGATED FUNCTIONS

Adds 3.2:

“Any Agenda Planning Meetings held will be open to all committee members in respect to all executive and policy committees and will be open to Group Leaders, or their substitutes in respect of Full Council.”

Amends 4.1 to read:

“If a decision which would normally be made by the Council or a Committee requires to be made urgently between meetings of the Council or Committee, the Chief Executive or appropriate Executive Director, in consultation with the Convener, Council Leader, all members of the relevant committee and all relevant local ward councillors, may take action, subject to the matter being reported to the next meeting of the Council or Committee. In the event of division of opinion in those consulted, the decision will not be taken until arrangements for additional committee or Council meetings are put in place and the decision has been democratically taken by elected members.”

Agrees to retain the previous wording at 7.11 and add the new text at 7.11 as 7.12 and renumber accordingly.

Removes 17.1.2

SCHEME OF DELEGATION TO OFFICERS

Replace the last sentence in 2.1 to read:

“Appropriate elected members will include the relevant convener, the council leader, all members of the relevant committee and all relevant local ward councillors. In the event of division of opinion in those consulted, the decision will not be taken until arrangements for additional committee or Council meetings are put in place and the decision has been democratically taken by elected members.”

Adds to 4.2 (b)

“in consultation with all Group Leaders.”

Moved by Councillor Adam McVey

Seconded by Councillor Stuart Dobbin

Amendment by the Green Group

City of Edinburgh Council

9 February 2023

Item 7.1 – Decision Making Framework 2023

Amends 1.1 to read:

1.1 To repeal the existing “Procedural Standing Orders for Council and Committee Meetings” and “Committee Terms of Reference” and approve in their place Appendices One and Two, with the exception that the proposed new section 35, “Admission of media and members of the public” be deleted, with repeal and approval of “Procedural Standing Orders” to take effect from 10th February 2023 and for the “Committee Terms of Reference” to take effect from 17th April 2023.

Adds after 1.1:

1.2 Agrees to continue consideration of the “Scheme of Delegation to Officers” and “Statutory Scheme of Delegation for Local Planning Applications” until the meeting of Full Council on 16th March 2023, with engagement with political groups taking place prior to that meeting.

1.3 Notes that further revisions and changes to the Standing Orders and Terms of Reference may follow after further engagement with groups to explore how to ensure that council practices are accessible to and inclusive of all elected members, and to end systemic discrimination in council practices and culture, as part of wider work looking at promoting equality, diversity and inclusion in the Council for elected members, as agreed at Full Council on 15th December 2022.

Renumbers thereafter accordingly.

Moved by: Councillor Ben Parker

Seconded by: Councillor Alys Mumford

Amendment by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 7.1 – Decision Making Framework 2023

- 1) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve appendix one in its place subject to the following changes and to take effect from 10 February 2023:
 - a) SO12.4 to read - The Clerk will submit the application to the Council or relevant Committee. An application for a deputation to Council or a committee will only be submitted if it relates to an item of business on the agenda for that meeting.
 - b) SO12.8 – add ‘and each independent member’ after political group
 - c) SO 22.3 (f) – add ‘when new information comes to light during discussion or debate and subject to the consent of the Lord Provost or Convener.’
 - d) SO 20.1 and 22.7 – adjust content to reflect - mover of motions and amendments to stay as five minutes, all other speakers for three minutes and the right of reply reduced to three minutes.
- 2) To repeal the existing Committee Terms of Reference and Delegated Functions and approve appendix two in its place, to take effect from 17 April 2023.
- 3) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendices one to two as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents, making them available to members for information ahead of publication.
- 4) To continue consideration of the Scheme of Delegation to Officers and the Scheme of Delegation for Local Developments to the Council meeting of 16 March 2023 to allow for workshops to take place with each political group.

Moved by: Councillor Iain Whyte

Seconded by: Councillor Jo Mowat

Amendment by the Administration

City of Edinburgh Council

9 February 2023

Item 7.4 – Independent Inquiry and Whistleblowing Culture Review

Council notes recommendations 1.1, 1.2 and 1.3.

Adds recommendations 1.4, 1.5 and 1.6 as follows:

To note that a significant number of CEC employees do not have their own Council email address.

To agree to achieve meaningful, enduring cultural transformation, the provision of an individual Council email address for every employee is given priority.

To request that a clear timeline for achieving this be set out in a covering report to this report and submitted to the Policy and Sustainability Committee for consideration at its 21st March meeting.

Moved by Councillor Cammy Day

Seconded by Councillor Lezley Marion Cameron

Addendum by the SNP Group

City of Edinburgh Council

9 February 2023

Item 7.4 – Independent Inquiry and Whistleblowing Culture Review Update

“1.4 Notes the “Elected Member Reference Group” has not met in 6 months and therefore agrees to disband this group in favour of update and decision reports coming to relevant committees and council to be dealt with transparently.”

Moved by Councillor Adam McVey

Seconded by Councillor Lesley Macinnes

Addendum by the Green Group

City of Edinburgh Council

9 February 2023

Item 7.4 – Independent Inquiry and Whistleblowing Culture Review Update

In addition to the report recommendations:

- “1.4 To include an additional appendix when this report is referred to Policy and Sustainability Committee, providing a progress update and expected completion date against every recommendation made by the Inquiry and Review
- 1.5 For the circa 5000 colleagues who do not have a corporate email address / device, requests officers to provide the same information about the new Investigation Team which has been provided digitally.”

Moved by: Councillor Claire Miller

Seconded by: Councillor Ben Parker

Addendum by the Green Group

City of Edinburgh Council

9 February 2023

Item 7.6 – Public Holiday

- 1.2 Welcomes the additional day off for workers but recognises the impacts that school closures and other changes can have on people in Edinburgh, particularly those with caring responsibilities who are predominantly women;
- 1.3 Therefore requests that CEC works with ALEOs including Lothian buses to ensure that public information about any service changes relating to the bank holiday are communicated as soon as possible to residents and elected members;
- 1.4 In addition requests an in-depth equality impact assessment to be undertaken on this bank holiday as a template model for how the council should understand and respond to the impact of additional or unexpected closures and service changes in the future – which may arise for a range of reasons including national events, extreme weather conditions or industrial action - on women and other groups. This should come to Finance & Resources Committee within 2 cycles.

Moved by: Councillor Mumford

Seconded by: Councillor

Addendum by the Green Group

City of Edinburgh Council

9 February 2023

Item 7.7 – 16 Days of Activism Against Gender Based Violence

1.4 Notes that any work undertaken on adult protection, child protection or violence against women and girls directly supports the safety of everyone in Edinburgh including anyone working for the City of Edinburgh Council in any capacity (as set out in 7.1 of the report)

1.5 However, further notes that the power dynamics within politics – in party groups, among elected members, and between Councillors and employees - mean that particular, targeted interventions may be appropriate within the political settings of the City Chambers and Waverley Court

1.6 Therefore requests that all elected members and staff working closely with elected members are sent guidance on how to report inappropriate behaviour or violence, and internal communication channels including the orb and posters within these two buildings are utilised to further raise awareness of reporting processes, and to reinforce the message that gender based violence is intrinsically linked with power structures.

Additionally:

1.7 Notes with concern the ‘red’ status of the first two quality standards under priority one which state that “proactive engagement is very limited and there are single or no awareness raising campaigns” and that the partnership “did not collect or analyse data in order to understand attitudes towards VAWG.”

1.8 Therefore request a briefing note to the Policy and Sustainability Committee within 2 cycles outlining any plans on how these quality standards will be met, with particular focus on awareness raising campaigns which target groups with particular needs and experiences relating to gender based violence including younger and older women, the LGBT community, BAME women, carers and cared-for people, refugees, disabled people and men and boys.

Moved by: Councillor Mumford
Seconded by: Councillor

Addendum by the Administration

City of Edinburgh Council

9 February 2023

Item 7.8 – Drumbrae Care Home - Status Report

Council adds to the report recommendations:

Further to the report, Council notes that a definitive position on the immediate future of Drumbrae Care Home had not been identified by the date stated in the report, Monday 6th February, and therefore that an emergency meeting is arranged between Leader of the Council, Cllr Cammy Day, Chair of the Health and Social Care Partnership, Cllr Tim Pogson, and CEC Chief Executive, Andrew Kerr, Edinburgh HSCP Chief Executive, Judith Proctor and NHS Lothian Chief Executive, Calum Campbell.

The purpose of this meeting will be to reinforce to all parties the extreme importance attached to identifying a clear plan for bringing Drumbrae Care Home back into an active health and/or care use as soon as possible and to identify a clear, achievable timeline for delivering this outcome.

Moved by Councillor Tim Pogson

Seconded by Councillor Cammy Day

Addendum by the Liberal Democrat Group

City of Edinburgh Council

9th February 2023

Item 7.8 - Drumbrae Care Home - Status Report

Add to recommendations:

1.2 An update on the revised implementation plan will be provided to full council at the March meeting if the amended proposal is agreed.

Moved by: Councillor Euan Davidson

Seconded by: Councillor Ed Thornley

Addendum by the Green Group

City of Edinburgh Council

9 February 2023

Item 7.8 – Drumbrae Care Home - Status Report

In addition to report recommendations:

- “1.2 Asks officers to work at pace as previously instructed to open Drumbrae Care Home, and to ensure any dependencies on Edinburgh Integration Joint Board and/or Council meetings which could cause delays to delivery are briefed to members urgently.
- 1.3 Notes that the report references an ‘amended proposal’ but that the report does not provide information on these changes to the original direction and decisions made by the Board and Council, and calls for these to be provided to the Board and Council in one cycle (not including the special budget meeting of Council).
- 1.4 Notes that between the publication of this status report on 3 February and this Council meeting on 9 February further decisions are being made by officers on the ‘amended proposal’, calls for Group Leaders and Health & Social Care group spokespeople to be briefed urgently, and for decisions to be referred to Council and the Board within one cycle, including the decision on the longer lease which has been requested by NHS Lothian.
- 1.5 Notes the fire safety compliance issues at Drumbrae Care Home were not notified to members when they were identified in June 2022, notes that the report does not indicate whether the issues were identified before or after the Committee decision on 7th June, and requests that officers include and comment on the timeline of decision making in the report to the Group Risk and Best Value Committee which Council instructed in December 2022.
- 1.6 Notes that, as stated in the report, NHS Lothian advised in October 2022 it was unable to deliver the direction set by the Board, but the report is silent on who was advised and that this communication did not result in either the Board or the Finance and Resources Committee being informed or asked to

update their direction or decisions, and requests that this too is analysed in the report to the Group Risk and Best Value Committee.”

Moved by: Councillor Claire Miller

Seconded by: Councillor

Amendment by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 7.8 – Drumbrae Care Home – Status Report

Deletes recommendations and inserts:

Council:

1.1 Notes that the update by 6th February 2023 on the amended proposal referenced in 5.1 was not forthcoming and members, including those on the EIJB, are yet to be furnished with any information.

1.2 Requests the information referenced in 5.1 be shared with all councillors by close of play Friday 10th February 2023.

1.3 Notes that the briefing referenced in 2.1.5 has not been forthcoming.

1.4 Agrees the briefing referenced in 2.1.5 be produced and circulated within one cycle and should include information detailing how to proceed with disposal or lease arrangements as options.

Moved by: Councillor Max Mitchell

Seconded by: Councillor Phil Doggart

Amendment by the SNP Group

City of Edinburgh Council

9 February 2023

Item 7.9 – Motion by Councillor McVey – Tram Extension

Adds

1.1.6 Welcomes the ambition in STPR2 and its commitment to a vision of mass transit network for Edinburgh and South East Scotland with an expanded tram network at the heart of it, and acknowledges the key role that this council has in delivering that.

1.1.7 Reaffirms that the next stages in this process should be northwards to Granton and southwards to the BioQuarter.

1.1.8 Acknowledges however that the need for forward planning beyond the Granton to BioQuarter route and its spurs to Dalkeith and to Musselburgh, via Niddrie, in particular the potential extension beyond the Airport westwards to Newbridge, as outlined in the map at 4.7.

1.1.9 Agrees a scoping report in three cycles to the Transport and Environment Committee on the issues and options that would need to be considered around the relatively short western extension to Newbridge and beyond with a view establishing the council's support in principle for this.

Moved by Councillor Danny Aston

Seconded by Councillor Norman Work

Addendum by the Conservative Group

City of Edinburgh Council

9 February 2023

**Item 7.9 – Motion by Councillor McVey – Tram
Extension**

Adds:

1.1.6 Notes that no funding is available to the City of Edinburgh Council to proceed with a tram extension at this time.

Moved by: Councillor Munro
Seconded by: Councillor Cowdy

Addendum by the Administration

City of Edinburgh Council

9 February 2023

Item 7.10 – Edinburgh and Taiwan Partnership Links

Council adds to the report recommendations:

To request the guidance on Elected Members Overseas Travel is refreshed and reported to the Policy and Sustainability Committee in 2 cycles and that this considers:

- Impact of transport on climate change
- Payment of trips
- Tangible outcomes for trips

Moved by Councillor Cammy Day

Seconded by Councillor Mandy Watt

Amendment by the SNP Group

City of Edinburgh Council

9 February 2023

Item 7.10 – Edinburgh and Taiwan Partnership Links

Amends 1.1.4 to read:

Agrees that City of Edinburgh Council will support partners such as Edinburgh Jazz and Blues Festival, Edinburgh International Festival, University of Edinburgh, Taiwanese representatives and other stakeholders to develop a future programme of activity.

Amends 1.1.5 to read:

Notes that the Representative Office of Taiwan have offered to fully fund an Edinburgh delegation of cultural and digital representatives to visit Taiwan to establish the appropriate partners to progress this programme and defers a decision on Council support on any visit until information is reported to Council on the full attendance list of any Edinburgh delegation, and the proposed deliverables and outcomes from any visit.

Deletes 1.1.6 and replaces with:

Officers to report back in one cycle, based on opportunities and the anticipated benefits that will flow to the City, those benefits to include financial, inward investment, employability and cultural.

Moved by Councillor Stuart Dobbin

Seconded by Councillor Danny Aston

Amendment by the Green Group

City of Edinburgh Council

9 February 2023

Item 7.10 – Edinburgh and Taiwan Partnership Links

Delete recommendation 1.6

Add:

- 1.6 Regrets that consideration of the environmental impact of attendance at the event was not included in this report coming to Council
- 1.7 Agrees that no decision will be made on the council leader's attendance at the Smart City Summit in Taipei until Council receives an updated report detailing: i) the environmental impact of attending the summit in person; ii) the goals the visit aims to achieve (including specific reference to those that can only be achieved by attending personally as opposed to remotely).

Moved by: Councillor Alex Staniforth

Seconded by: Councillor

Amendment by the SNP Group

City of Edinburgh Council

9 February 2023

Item 7.11 – Regional Prosperity Framework Delivery Plan

Deletes recommendations and replaces with:

- 1) To approve the Regional Prosperity Framework Delivery Plan, with the removal of all mentions relating to the Forth Green Port. To further agree that work on the Green Freeport is separated and contained separately to this plan to better enable scrutiny, transparency and accountability of the Green Freeports impacts to the City and region.
- 2) To note that the Delivery Plan would be considered by the other five constituent Local Authorities in the Edinburgh and South East Scotland City Region (ESESCR) ahead of the ESESCR Joint Committee meeting on 3 March 2023.

Moved by Councillor Adam McVey

Seconded by Councillor Kate Campbell

Amendment by the SNP Group

City of Edinburgh Council

9 February 2023

Item 8.2 – By Councillor Jenkinson - National Care Service

Under Council notes Adds:

4) Creating the National Care Service is about improving people's lives so they can thrive and lead a full life. The NCS will have equality, dignity and human rights at its heart and will empower people across Scotland to make the choices that are right for them.

Replaces "Council believes" with "Council believes that principle of achieving a National Care Service is a good one, but notes:

Replaces point 1 with:

The National Care Service (Scotland) Bill is complex, ambitious and requires a collaborative and whole systems approach to design and implementation with essential co-design and co-delivery at its core.

Replace points 4 and 5 with:

4) The desirability of preserving local democratic accountability and local knowledge within a unified approach to care.

5) The need to recognise and further develop the possibilities of improvement within local governance arrangements.

6) Recognises the significant challenges to recruitment due to Brexit and acknowledges Scottish Government's campaign titled 'There is more to care than caring' to support recruitment of more adult social care workers."

Under Council resolves deletes point 1 and deletes and replaces point 2 with:

2) To work alongside COSLA, other local authorities, trade unions and professional bodies to pursue these questions further with the Scottish Government.

Moved by Councillor Vicky Nicolson

Seconded by Councillor Simita Kumar

Addendum by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.2 – By Councillor Jenkinson – National Care Service

In “Council Notes”, insert:

4) Scotland’s second largest trade union Unite recently withdrew from the codesign process citing concerns about the lack of democratic accountability in the proposed bill.

5) the robust submission from the Council in September 2022 in response to the call for views on the Bill which said it “lacks fundamental details” and that “the ambiguity it involves presents an immediate risk to the services, workforces and organisations it affects.” The response went on to say “the proposals as they stand and the uncertainty they bring to children and adults service delivery, planning and funding decisions present an immediate and growing risk to the resilience and delivery of services to our most vulnerable citizens.”

In “Council believes”, insert:

6) the proposed National Care Service Bill risks replicating previous mistakes made by the Scottish Government in centralising services.

Moved by: Councillor Euan Davidson

Seconded by: Councillor Kevin Lang

Amendment by the Administration

City of Edinburgh Council

9 February 2023

Item 8.3 – By Councillor Parker – Declaring a Nature Emergency

Welcomes this proposal and notes other Councils across the UK have declared a Nature Emergency, and that the Senedd was one of the first parliaments in the world to take this step.

Notes that the Scottish Government blocked a motion for it to call a Nature Emergency in November 2020.

Agrees all points, but asks that detailed costs are provided for points 8 – 10 in the report to the Policy and Sustainability Committee.

Moved by **Councillor Scott Arthur**

Seconded by **Councillor Margaret Graham**

Amendment by the Administration

The City of Edinburgh Council

9 February 2023

Item 8.4 – By Councillor Osler – Tree Protection Measures East and West Princes Street Gardens

To request a single report to the Culture and Communities Committee upon completion and refreshment of the Tree Protection Plan, and the Tree in City Action Plan, which encompasses points 8 and 9 of the motion.

Moved by Councillor Val Walker

Seconded by Councillor Jane Meagher

Amendment by the Administration

City of Edinburgh Council

9 February 2023

Item 8.6 – By Councillor McVey – UK Government Attack on Devolution

To replace the motion with:

Council believes in the importance of, and commits to, protecting, promoting and safeguarding the rights of trans people and of women's rights to single sex services under the Equality Act 2010.

Council notes that:

The UK Government has for the first time since Devolution used a "Section 35 order".

The judgement of Lady Haldane and subsequent events since the passing of the Gender Recognition Reform (Scotland) Act in December 2022 by the Scottish Parliament have highlighted that the legislation is poorly drafted, especially in its interaction with the Equality Act 2010.

Council notes with concern the refusal of the UK Government Secretary of State for Scotland and the UK Government Secretary of State for Women and Equalities to attend the Scottish Parliament's Equalities, Human Rights and Civil Justice Committee to explain their decision to enact a Section 35 Order to block the legislation, passed by the Scottish Parliament in December 2022.

Council instructs the Council Leader to write to the UK Secretary of State for Scotland and the First Minister to convey the view of Council and urging them to work constructively together with the EHRC to reach a solution which achieves the original purpose of the Bill of improving the lives of trans people; and which guarantees women's rights to single sex services under the Equality Act 2010.

Moved by: Councillor Lezley Marion Cameron

Seconded by: Councillor Stephen Jenkinson

Amendment by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 8.6 – By Councillor McVey – “UK Government Attack on Devolution”

Deletes Title UK Government Attack on Devolution and replaces with “UK Government enacts s.35 of Scotland Act 1998 in the matter of Gender Recognition Reform (Scotland) Bill”

Deletes all text and replaces with:

Council notes:

1. that the UK Government has enacted S.35 of the Scotland Act 1998 in respect of the Gender Recognition Reform (Scotland) Bill in recognition that the Bill has a number of cross-border implications including on the UK-wide operation of the Equality Act 2010;
2. That S.35 has been a part of the Scotland Act since it was passed in 1998 and that there has been no attempt by any political party to remove S.35 since then; thus, it is a legitimate and necessary part of the devolution settlement;
3. That the Scottish Parliament is a devolved administration and democracy is best served when the UK and Scottish Parliaments work together for the betterment of the people of Scotland rather than seeking grievance;
4. And regrets that the issue of improving access to gender recognition certificates for trans people has become embroiled in a constitutional argument because of the poor process of handling the Bill through the Scottish Parliament which has did fully addressed the interaction of the Bill with the Equality Act 2010.

Moved by: Councillor Joanna Mowat

Seconded by: Councillor Tim Jones

Addendum by the Administration

City of Edinburgh Council

9 February 2023

Item 8.7 – By Councillor Campbell – Coillesdene House Lifts

Amends paragraph 4 as follows:

“Agrees to bring an update in the Business Bulletin to the Housing, Homelessness and Fair Work Committee meeting on 9 March 2023 and a report to the Committee in two cycles and which:”

Add at end:

Council notes with concern the health and safety implications for tenants, residents and visitors in terms of safe access; their health and wellbeing; and the impact upon maintaining the cleaning of communal spaces; and

Calls for the report to the Housing, Homelessness and Fair Work Committee to set out a clear procedure for the reporting, prioritising and undertaking of lift repairs; and for tenants and residents to be informed of lift repair timescales and kept updated throughout the lift repair completion process.

Moved by **Councillor Jane Meagher**

Seconded by **Councillor Lezley Marion Cameron**

Amendment by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.7 – By Councillor Campbell – Coillesdene House Lifts

Deletes:

“Agrees a report in one cycle to the Housing, Homelessness and Fair Work committee”.

Replaces with:

“Notes the report on 4 August 2022 titled ‘Repairs, Maintenance and Investment to Lifts in Multi Storey Tower Blocks’ points 2.2, 2.4, 3.1, 4.8 and 5.2 where all high rise lifts have undergone a census and assessment as part of an ongoing upgrade.

“Requests an update to the Housing, Homelessness and Fair Work committee in one cycle on the ongoing Lift Replacement Programme, an update on where this could be accelerated where possible along with the following information.”

Moved by: Councillor Pauline Flannery

Seconded by: Councillor Jack Caldwell

Addendum by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 8.7 – By Councillor Campbell – Coillesdene House Lifts

Provides the following information in one cycle -

For each Council maintained block of flats, what is the percentage of flats which are privately owned and what percentage are Council owned?

1. What is the total cost of lift maintenance for each block of flats on an annual basis to include lift repairs and lift replacement?
2. What percentage, if any, of the costs for maintenance/repairs/replacement is paid by both private owners and Council tenants.

Moved by: Councillor Tim Jones

Seconded by: Councillor Graeme Bruce

Amendment by the Administration

City of Edinburgh Council

9 February 2023

Item 8.8 – By Councillor McVey – UK Government Assault on Workers’ Rights

Replace all with:

Council notes the UK Government is progressing the Strikes (Minimum Service Levels) Bill, which has the potential to negatively impact the rights of all workers throughout the UK; and notes that the leader of the Opposition has committed to fighting this bill and, if passed, repealing it at the earliest opportunity.

Council further notes that workers, who kept our key services operating throughout the pandemic (many of whom were publicly applauded for doing so), are being denied a fair pay settlement by the Scottish and UK Governments.

Council asks the Council Leader to write to the Prime Minister, within five working days, calling for the immediate withdrawal of this bill and for a fair pay settlement for all public sector workers.

Moved by Councillor Mandy Watt

Seconded by Councillor Katrina Faccenda

Amendment by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.8 – By Councillor McVey – UK Government Assault on Workers’ Rights

Delete 5) and 6) and insert;

5) Council calls on all Members of the UK Parliament to reject the new Bill, for which there is no electoral mandate, and to introduce new legislation which removes the unfair tax loopholes which allow wealthy individuals to avoid paying their fair share of tax.

6) Council agrees that all those in public office have a duty to pay the taxes owed and to not use legal and illegal instruments to hide money from being properly taxed.

7) Council also recognises that one of the best ways to support striking public sector workers is for the Scottish Government to show leadership and deliver the funding required to deliver a fair wage increase that responds properly to the cost of living crisis.

Moved by: Councillor Kevin Lang

Seconded by: Councillor Alan Beal

Amendment by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 8.8 – By Councillor McVey – UK Government Assault on Workers’ Rights

Delete all and replaces with:

Council:

1. Notes the Strikes (Minimum Services Levels) Bill was introduced to the House of Commons on 10 January 2023 and expands on a manifesto commitment of the party which won the 2019 General Election, and the intention is to ensure that public services have a minimum service level.
2. Recognises that the Trade Union and Labour Relations (Consolidation) Act 1992 will continue to be the main Act regarding the calling and conduct of strikes and continues to support the right to strike as a last resort, balanced against the rights of the wider public and to allow for proper planning.
3. Understands that many countries across the world currently have minimum service agreements.
4. Notes that devolution of employment tribunals is currently planned to take place, but agrees that UK employment law should remain a reserved matter allowing the labour market to work most effectively across Great Britain and ensuring there is not a significant additional burden for businesses or disadvantage to workers by suppressing the free flow of labour.
5. Considers that all taxpayers, including politicians, should properly meet all their tax obligations and comply with all relevant taxation legislation.

Moved by: Councillor Jason Rust

Seconded by: Councillor Max Mitchell

Addendum by the SNP Group

City of Edinburgh Council

9 February 2023

Item 8.10 – By Councillor Lang – Surface Treatment of Carriageways

Adds:

- 4) recognises that ‘chip and spray’ surface treatment is an interim solution to allow quick treatment to improve road and footpath surfaces.
- 5) notes the recent significant increases in the cost of Bitumen, associated with the rise in oil prices as a result of Russia’s illegal war in Ukraine.
- 6) recognises that new road surfacing technologies offer reduced carbon and longer life than traditional bitumen.
 - for example, a Scottish company pioneering the development of more sustainable bitumen products that deliver extended life through reducing the content of oil based bitumen by adding a significant proportion of plastic waste, namely single use plastic bags and plastic drinks bottles
- 7) Requests inclusion in the report at point 3 above of the feasibility of assessing and testing ‘sustainable road surfacing’ in order to determine the viability and cost effectiveness of such technologies.

Moved by **Councillor Stuart Dobbin**

Seconded by **Councillor Danny Aston**

Addendum by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.9 – By Councillor Nicolson – Non-Council Run Community Spaces

In “Council notes”, insert:

“delays in providing funding where Council has agreed it, as in the case of Drylaw Neighbourhood Centre.”

At end, add:

“This report should come to the Culture and Communities committee and include details regarding the process which must be undertaken when financial support is agreed, and what requirements to secure it are placed upon management committees.”

Moved by: Councillor Ed Thornley

Seconded by: Councillor Hal Osler

Addendum by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.11 – By Councillor Campbell – Drug and Alcohol Recovery Services in Niddrie and Craigmillar

Add at end:

“Council condemns the recent Scottish Government decision to cut £1 million in funding for Drug and Alcohol Services despite very little progress being made in bringing record levels of drug deaths down.

“Council therefore requests that the Leader writes to the Scottish Government expressing our dismay at the cuts and requesting for greater support for bodies tackling this public health emergency.”

Moved by: Councillor Euan Davidson

Seconded by: Councillor Lewis Younie

Amendment by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 8.11 – By Councillor Campbell – Drug and Alcohol Recovery Services in Niddrie and Craigmillar

Removes paragraphs 1-4 and replaces with:

Notes that building closures occurred as an operational decision initially because of the pandemic and, latterly, due to leasing arrangements and the ability to restart.

1. Understands that work is already underway to reinstate these services.
2. Recognises that residents and patients seeking Medication Assisted Treatment in the area can do so via their GP.
3. Understands that those who cannot travel or require additional support are assisted to services by outreach workers.
4. Agrees a briefing note will be circulated to all councillors within two cycles on progress of reopening services

Moved by: Councillor Max Mitchell

Seconded by: Councillor Phil Doggart

Amendment by the Administration

City of Edinburgh Council

9 February 2023

Item 8.12 – By Councillor Mumford – Gender Recognition Reform

Amends 'welcomes' and 'reaffirms' in paragraph 1 to 'recognises' and 'notes'

Amends paragraph 2 as follows:

Council therefore Requests that the council leader writes to relevant ministers in the Scottish and UK Government to reiterate the Council's agreed position of support for the proposals in the Gender Recognition Reform Bill providing always that they do not impact on access to single sex spaces and facilities, as stated in Council's response to the consultation.

Amends paragraph 6 as follows:

Finally, requests that Council publicly issues a statement of support for the trans community in Edinburgh at this time.

Moved by: Councillor Stephen Jenkinson

Seconded by: Councillor Mandy Watt

Amendment by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.12 – By Councillor Mumford – Gender Recognition Reform

Delete 5) and insert;

5) recognises the importance of hearing more about the lived experience of trans people, and therefore agrees that the Council Leader should arrange a round table meeting in the next five weeks, involving representatives of the trans community, members of political groups and relevant senior officers. This will have the purpose of discussing practical actions which the Council could take within its services to directly help and support trans people. Council agrees the outcome of this event will be reported to the Policy & Sustainability Committee.

Moved by: Councillor Kevin Lang

Seconded by: Councillor Euan Davidson

Amendment by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 8.12 – By Councillor Mumford – Gender Recognition Reform

Delete paragraphs 1 to 3 and replace paragraph 5 renumbering accordingly such that the amended motion reads:

Council:

- 1) reaffirms that *“Edinburgh should be a welcoming and safe place for trans people, where they are able to access employment, education, housing and healthcare, and live their lives free from discrimination and fear.”*
- 2) requests a report to Full Council that:
 - a) Sets out any Council strategies and policies that Chief Executive considers do not currently support trans people.
 - b) Recommends any additional strategies and policies that Council should consider to further support trans people.
- 3) requests that Council Communications channels be used to publicly share a statement of support for the trans community in Edinburgh at this time.

Moved by: Councillor Munro
Seconded by: Councillor Cowdy

Addendum by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.13 – By Councillor Meagher – Energy Costs

At end of paragraph 1, insert:

“, sometimes by forced entry. In other cases smart meters are being converted to prepayment meters without the knowledge of occupants.”

At end of paragraph 2, insert:

“Levels of self disconnection are not published by utility companies so there is little scrutiny of the relevant policies.”

Moved by: Councillor Alan Beal

Seconded by: Councillor Jack Caldwell

Addendum by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.14 – By Councillor Heap – Concessionary Ticket Schemes for Cultural Events

Add at end:

- 5) Notes that not all barriers to events are financial and asks within the same report that information be gathered as to what organisations are doing to make venues, performances and events accessible for all to enjoy.

Moved by: Councillor Hal Osler

Seconded by: Councillor Ed Thornley

Amendment by the Conservative Group

City of Edinburgh Council

9 February 2023

Item 8.14 – By Councillor Heap – Concessionary Ticket Schemes for Cultural Events

Removes paragraphs 1-4 and replaces with:

1. Notes that many cultural institutions, events, and festivals offer free and/or discounted tickets.
2. Understands that not all cultural institutions, events, and festivals are able to offer free and/or discounted access.
3. Deeply regrets the financial pressures and external challenges facing residents in accessing cultural events, and cultural institutions and festivals trying to deliver cultural events.
4. Requests that:
 - i. a briefing note is circulated to the Culture and Communities Committee prior to summer recess summarising current provision of free and discounted access to the city's festivals and other cultural events in association with the Council.
 - ii. The Festivals and Events APOG holds a meeting with the specific purpose of looking at affordability, access, and inclusion with invitations extended to relevant operators and stakeholders.

Moved by: Councillor Max Mitchell

Seconded by: Councillor Graeme Bruce

Addendum by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.16 – By Councillor Jones – Flexi-Schooling

Add at end:

5) Council notes a significant increase in the volume of all types of home-schooling applications since the beginning of the Covid-19 pandemic and therefore requests that the report should include information on the impacts this has had on wellbeing and attainment levels.

Moved by: Councillor Euan Davidson

Seconded by: Councillor Louise Young

Amendment by the Conservative Group

City of Edinburgh Council

9 February 2023

**Item 8.17 – By Councillor Miller – Care Home
Contracts**

Inserts

2) recognises the current difficulties in recruiting and retaining sufficient staff in the social care sector and finding sufficient beds for those requiring care

Re number accordingly

Inserts in the new 5) after "procedures"

", the reasons for the delays in resolving the provision of care in the facilities"

Moved by: Councillor Phil Doggart

Seconded by: Councillor Max Mitchell

Emergency Motion by the Liberal Democrat Group

City of Edinburgh Council

9 February 2023

Item 8.18 – Emergency Motion by Councillor Ross – Non-Domestic Rates Empty Property Relief

Council:

1. Notes the transfer to the Council of powers to set the levels of Empty Property Relief (EPR) on Non-Domestic Rates with effect from 1 April 2023.
2. Notes the underlying motivation for the transfer according to the Scottish Government is to encourage bringing empty commercial properties back into use.
3. Notes that Council officers are working with the Scottish Government to explore how the Council could raise additional revenue by reducing empty property relief.
4. Recognises the Council's current budget difficulties following the announcement of revenue funding from the Scottish Government.
5. Asks the Leader of the Council to write to the interim Cabinet Secretary for Finance and the Economy to push for confirmation of measures that would allow the Council to raise revenue from reductions in Empty Property Relief in time for any income to be included in the 2023-24 budget.

Moved by: Councillor Neil Ross
Seconded by: Councillor Lewis Younie

Emergency Motion by the Green Group

City of Edinburgh Council

9 February 2023

Item 8.19 – Emergency Motion by Councillor Heap – Gorgie Farm (Arrangements for care of animals)

Council:

1. Notes with regret that Gorgie Farm closed on 16 January
2. Recognises that progress is being made in finding a new operator for the farm and thanks Council officers for their work in doing so
3. Believes that the new provider should not be a commercial operator and the farm should always be free to access for visitors
4. Notes that the animals resident at Gorgie Farm are being fostered/re-homed whilst a new operator for the farm is put in place.
5. Understands that some animals are being fostered/re-homed at other farms
6. Notes with concern the media is reporting that up to 50 smaller animals have had to be fostered by staff and volunteers at their own expense
7. Thanks the staff and volunteers for taking care of the animals
8. Requests that officers investigate (a) the process by which the animals were fostered/re-homed (b) What can be done to provide financial support to staff and volunteers looking after animals at their own expense and (c) How the new operator can take over financial and other responsibility for the care of the animals in a timely manner
9. Requests the outcomes of this investigation are reported to Sighthill/Gorgie Councillors and party group leaders as soon as possible

Moved by: Councillor Dan Heap

Seconded by: Councillor

Emergency Motion by the Administration

City of Edinburgh Council

9 February 2023

Item 9.2 – Emergency Motion by Councillor Cameron – Six Nations Rugby Tournament - Scotland Wins the Calcutta Cup for an Historic Third Time in a Row

Council congratulates the Scottish Rugby team on its 29-23 victory over England in the Calcutta Cup 2023 match at Twickenham, achieving three consecutive Calcutta Cup wins.

To mark this historic achievement, Council requests that the Lord Provost conveys Council's warmest congratulations to Scottish Rugby; and that Scotland's Calcutta Cup winning teams 2021, 2022 and 2023 are celebrated in an appropriate manner.

Moved by **Councillor Lezley Marion Cameron**

Seconded by **Councillor Stephen Jenkinson**