

Notice of meeting and agenda

City of Edinburgh Council

10.00 am Thursday, 22nd August, 2019

Main Council Chamber - City Chambers

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

Contacts

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1. Order of business

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

2. Declaration of interests

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

3. Deputations

- 3.1 Archdiocese of St Andrews and Edinburgh

4. Minutes

- | | | |
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| 4.1 | The City of Edinburgh Council of 27 June 2019 – Special Meeting – submitted for approval as a correct record | 21 - 22 |
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5. Questions

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| 5.1 | By Councillor Jim Campbell - Euro VI Standard for Diesel Powered Vehicles - for answer by the Convener of the Transport and Environment Committee | 97 - 98 |
| 5.2 | By Councillor Neil Ross - Sub-Letting of Council Tenancies - for answer by the Convener of the Housing, Homelessness and Fair | 99 - 100 |

Work Committee

- | | | |
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| 5.3 | By Councillor Lang - Uplift of Bulky Waste Items - for answer by the Convener of the Transport and Environment Committee | 101 - 102 |
| 5.4 | By Councillor Lang - Newbridge Parking Restrictions - for answer by the Convener of the Transport and Environment Committee | 103 - 104 |
| 5.5 | By Councillor Johnston - Graffiti Tagging Database Progress - for answer by the Convener of the Transport and Environment Committee | 105 - 106 |
| 5.6 | By Councillor Douglas - Surface Water Management Plan - for answer by the Convener of the Transport and Environment Committee | 107 - 108 |
| 5.7 | By Councillor Laidlaw - Sponsorship of Roundabouts - for answer by the Convener of the Transport and Environment Committee | 109 - 110 |
| 5.8 | By Councillor Miller - Charter of Brussels - for answer by the Convener of the Transport and Environment Committee | 111 - 112 |
| 5.9 | By Councillor Miller - Summertime Streets - for answer by the Convener of the Transport and Environment Committee | 113 - 114 |
| 5.10 | By Councillor Young - Cruise Liner Visits - for answer by the Convener of the Transport and Environment Committee | 115 - 116 |

5.11	By Councillor Young - Kirkliston Traffic Study Report - for answer by the Convener of the Transport and Environment Committee	117 - 118
5.12	By Councillor Young - Reminder Demand and Final Notice Letters for Council Tax - for answer by the Convener of the Finance and Resources Committee	119 - 120
5.13	By Councillor Osler - Flood Guidance - for answer by the Convener of the Transport and Environment Committee	121 - 122
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6. Leader's Report

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8.5	Health and Social Care Integration Scheme - Carers (Scotland) Act 2016 - Outcome of Consultation – Report by Chief Executive	291 - 370
8.6	Report of Pre-Determination Hearing - South East Wedge, Old Dalkeith Road, Edinburgh – referral from the Development Management Sub-Committee	371 - 474
8.7	Treasury Management - Annual Report 2018/19 - referral from the Finance and Resources Committee	475 - 494
8.8	Revenue Monitoring 2019/20 - Period Three Report – referral from the Finance and Resources Committee	495 - 518

9. Motions

- 9.1** By Councillor Jim Campbell - Emissions Profile of Scotrail's Refurbished Inter7City Fleet
- “Council:
- 1) Expect to be informed of the emissions profile of Scotrail’s refurbished Inter7City fleet, and therefore asks:
 - a) The emissions standards these engines conform to.
 - b) The projected engine emissions in the Waverley Valley of the fully deployed Inter7City fleet of trains, in terms of CO₂, NO_x and Particulate matter.
 - 2) Instructs the Executive Director of Place to write to the engineering director of Scotrail seeking this information.
 - 3) Should this not be forthcoming to Council by the end of the year, instructs the Convener of the Transport and Environment Committee to pursue this matter with Scotrail

and, if necessary, the Cabinet Secretary for Transport, Infrastructure and Connectivity.”

9.2 By Councillor Jim Campbell - Low Grade Waste

“Council:

- a) Notes that China banned the import of low grade waste in late 2017, halting an annual trade in recycling that had been worth \$24bn.
- b) Further notes that many of these international flows were diverted to South East Asian countries. These economies had less developed recycling infrastructure and shallower end user markets than China, resulting in much waste being dumped or burnt.
- c) Recognises that South East Asia could well follow China’s lead and cease to process waste from other parts of the world.
- d) Firmly commits to the principle that all waste should only be traded with end users who have the infrastructure and markets to safely recycle low grade waste.
- e) Asks Officers to report to the Policy and Sustainability Committee within three cycles:
 - 1) On the arrangements in place to track low grade plastic waste originating from Edinburgh;
 - 2) Assurances that waste from Edinburgh is always responsibly recycled, irrespective of any intermediation;
 - 3) The implications of changes in the international market for waste recycling up to and including kerbside collections.”

9.3 By Councillor Neil Ross - Amplification of Sound in Public Spaces

“Council:

- a) Recognises the concerns of residents, businesses and visitors, in particular in the city centre, about the negative

auditory impact of amplified sound from buskers, street entertainers and others in public spaces.

- b) Notes that there is a limitation on the amplification of sound in the standard conditions of the Council's Public Entertainment Licence.
- c) Accepts the legitimate amplification of sound at licensed venues and events, when appropriate.
- d) Requests a report to the Policy and Sustainability Committee within two cycles on the powers available to the Council, and effective measures that could be adopted, to control the amplification of sound in public spaces when appropriate."

9.4 By Councillor Neil Ross - Garden Waste Collection for Bowling and Tennis Clubs

"Council:

- a) Notes that many of the city's bowling and tennis clubs have registered, paid for and received the Garden Waste collection service for 2018/19 and have had their brown bins emptied regularly throughout the first year of the service.
- b) Notes that the Council has refused to renew the Garden Waste permits of bowling and tennis clubs for the second year of the service.
- c) Notes that most bowling and tennis clubs are located in residential areas of the city covered by the existing garden waste collection routes.
- d) Agrees to amend the Council's Chargeable Garden Waste Service policy to make bowling and tennis clubs, and all similar community-based sport and leisure clubs run by volunteers, eligible to receive the Chargeable Garden Waste collection service and able to register and pay for it in the normal way.
- e) As the deadline for registering for the second year of the service has passed, agrees to allow late registration by all bowling and tennis clubs."

9.5 By Councillor Mowat – Stoppage of the No.100 Bus on West Coates (A8)

“Council:

Notes that Lothian Buses has ceased using the stops on West Coates (A8) for the 100 bus; that there was no public consultation regarding this and this disadvantages residents, guest houses and small businesses who wish to use public transport to get to and from the airport and instructs officers to write to Lothian for an explanation of:

1. Why has the use of these bus stops been discontinued?
2. Who was consulted about the stopping of this service?
3. Can the use of these stops be reinstated?”

9.6 By Councillor Mowat – Summertime Streets Programme

“Council:

Recognises that the Summertime Streets programme put in place to address concerns about pedestrian and vehicle interactions from 2018 was met with mixed responses and whilst it addressed road safety concerns at the Lawnmarket, Cockburn Street and Victoria Street the closure of the High Street from St Mary’s Street to North Bridge has meant that residents have lost their bus service, businesses have reported sharp drops in sales and there were concerns raised about the safety of Blackfriars and Niddrie Streets along with concerns about the increase in traffic on the Cowgate and the volume of traffic using Waverley Bridge, Market Street and St Mary’s Street.

Notes that the decision to remove on-street advertising and A Boards, contained a dispensation for Festival advertising and that concerns have been raised that the rationale for removing A Boards to create safer and less cluttered streets, does not seem to have been considered when permission is given to site large enclosures of advertising on the pavement (as opposed to utilising railings) and that this directly contradicts Council’s stated

aims of making the city easier to move about in.

Notes continuing concerns about the use of the public spaces in Princes Street Gardens for private ticketed events and that approvals were given and concert runs extended with no discussion at Committee or in public.

Notes that decisions over the use of hot food traders in the City Centre were taken very late during recess which reduced the ability of local councils to scrutinise these applications and make representations on behalf of their constituents.

Requests:

1. Reviews of the policies or guidelines covering each area above;
2. That where the reviews are considering the impact of actions on particular streets, the views of the residents and traders living or trading on said streets are actively sought;
3. That such reviews are considered in conjunction with each other in order to develop a coherent suite of policies covering the management of public spaces both outwith and during the Festivals;
4. That the reviews work with partners to explore alternative ways of enforcing street closures including whether it would be possible to use ANPR technology to enforce street closures and report on whether current legislation permits this and timescales and costs associated with this.
5. That a report setting out the work programme and reporting lines for each activity is brought to the Council Policy and Sustainability Committee within one cycle and that this Committee reviews progress of the workstreams on a quarterly basis.”

9.7 By Councillor Laidlaw - Venchie Project Emergency Funding

“Council:

1. Notes that the Venchie Project in Craigmillar offers a unique referred breakfast club that collects children from home and ensures they are not only fed but are ready for school, and ensures they get there on time and safely.

2. Notes it is delivering services in an area of significant socio-economic deprivation and that the children served are amongst the most vulnerable, with the majority coming from highly challenging family situations, with parents often leading chaotic lifestyles that have the potential to significantly affect the prospects for attainment of these young people.
3. Recognises the value of early intervention as part of the policy of Getting It Right For Every Child and seeking to avoid the long-term effects of Adverse Childhood Experiences, as well as the long-term cost benefits; noting it costs £30.77 per child, per week to attend the Venchie breakfast club including pick-up (based on 30 attending), while if a Social Worker was required to be employed to address the challenge of getting these children to school costs would rise to £112 per child per week.
4. Accepts that the Council has decided to 'in-source' some of these services through universal breakfast club provision and the Discover holiday programme but expresses concern that without the targeted, highly personal care offered that many of the children that are currently assisted will fall through the gaps.
5. Recognises that the Venchie Project, like community based third sector organisations across the city, should have the opportunity to play a part in delivering Council programmes.
6. Ask officers to investigate how the Venchie can work in partnership to provide the Discover! Holiday programme and the after-school provision, that allows for a safe-space that otherwise would not be available for the majority of attendees.
7. Notes that previously the Council provided between £128K and £160K in funding and accepts that support of this magnitude will not be forthcoming in the future but notes the work that has been done by the Venchie Project in cutting staff and costs and raising funds independently to meet at least 50% of running costs.
8. Notes that a £60K shortfall remains for FY 2019 and asks Council to release emergency funding to meet this gap and to provide officer support to help the Venchie Project secure additional funding for FY 2020 and examine the ability to work in partnership with CEC to deliver services within the

Craigmillar community.”

9.8 By Councillor Burgess – Global Climate Strike, September 2019

“This Council;

Notes the forthcoming ‘Global Climate Strike’ on 20-27 September 2019 being organised by young people under the ‘Fridays for Future’ banner - expected to be the largest ever global action on the Climate Emergency;

Notes the event is focused on school strikes by young people who are on this occasion calling on adults to join them. This call is backed by non-governmental organisations, unions and other groups in about 150 countries around the world;

Notes that this Global Climate Strike is taking place during the United Nations Emergency Climate Change Summit being held in New York on 23 September;

Notes that school climate strikes have been influential in driving action on climate change, including with the First Minister Nicola Sturgeon who cited the school strikers when announcing Scotland’s 2045 carbon neutrality target;

Notes that ‘Scottish Youth Climate Strikers’ have notified the Council of their intention to march and hold a rally on Friday 20 September as part of this Global Climate Strike;

Therefore supports Council staff and employees taking part in the Global Climate Strike march and rally on 20 September;

Recognises that while many Council staff and employees engaged in critical roles may be supportive of the climate march and rally, understands that they should not take the day off;

Requests that arrangements are made to support staff and employees taking part in the day and that these arrangements are communicated to staff and employees as soon as possible.”

9.9 By Councillor Main – Mothers Rise Up Banner

“Council notes:

1 In November 2018, a small group of mums met under a

'Worried Mum' banner at an Extinction Rebellion climate protest. The movement has been growing fast ever since with groups forming across the UK and Europe: a global coalition of parents and grandparents' groups from diverse backgrounds, faiths and ethnicities who are demanding climate action.

- 2 Mothers Rise Up is calling on the UK government to come clean about the existential threat of climate breakdown by declaring a climate emergency, committing to reducing carbon emissions to net zero by 2030 or sooner, and making a just transition to a sustainable way of life.
- 3 The Mothers Rise Up banner is being brought to Edinburgh on Saturday 31 August as part of its tour of the UK to raise the profile of the climate emergency.

Therefore, Council welcomes Mothers Rise Up Banner to the city and requests the Lord Provost invite the Mothers Rise Up on 31st August to the City Chambers.”

9.10 By Councillor Mary Campbell – Celebrate Bisexuality Day

“Council notes:

That September 23rd is observed as Celebrate Bisexuality Day by members of the bisexual community and their allies. First recognised in 1999, the purpose of the day is to celebrate bisexual history and to recognise bisexual culture.

Council agrees to support this day by flying the bisexual pride flag at the City Chambers on 23 September 2019 as a symbol of our commitment to supporting the bisexual people living, working, studying in or visiting Edinburgh.

Council also agrees to recognise its ongoing support for Celebrate Bisexuality Day in future years by flying the bisexual pride flag on 23 September hereafter.”

9.11 By Councillor Dickie – Black History Month

“Council:

Welcomes, Black History Month in October and its 30th year of

celebrating the history, culture and achievement of African, Asian and Caribbean individuals and communities across the UK.

Welcomes, the opportunity to celebrate the cultural diversity that makes the city of Edinburgh, and the rich contributions from people of a black heritage to our collective past, present and future.

Recognises, the equalities related work underway to promote diversity and inclusion from a young age, including the culturally inclusive curriculum that seeks to embed representation of the lived experience and histories of BME communities within the everyday curriculum; earning rights respecting accreditation; training for leaders on cultural proficiency; and targeted support for family learning with Syrian refugee families and youth groups for migrants.

Recognises, the work of third sector organisations to support schools, families and communities, including Multi-Cultural Family Base, Amina, Shakti, Sikh Sanjog, and Edinburgh and Lothians Regional Equality Council.

Welcomes, the new charity, Intercultural Youth Scotland and its work to support BAME young people, particularly the weekly sessions in performing arts, gender equality, race equality and employability to address the intersectional challenges to social inclusion.

Acknowledges, the ongoing challenges that exist, and the Equalities report coming to the Education, Children and Families Committee in October which will update on progress made, including action to address the under-reporting of hate crime; closing the attainment gap for black and ethnic minority young people; a strengths based approach to the teaching of black history; enhanced language and communications support for young people and their families; measures to address the under-representation of BME across staff, such as youthworkers and teachers; increased participation of BME young people in school and city wide decision making; and the involvement of BME young people in training.

Agrees the Lord Provost's Reception to celebrate Black History Month (on 2 October), which will be followed by a panel and audience discussion, with panel members including Professor Sir Geoff Palmer OBE, Professor Emeritus in the School of Life

Sciences at Heriot-Watt University and Lisa Williams from the Edinburgh Caribbean events across Edinburgh.”

9.12 By Councillor Macinnes – Climate Change Impact and Management

“Council:

Acknowledges the severe weather conditions experienced by the city and elsewhere in recent weeks and recognises that these events may be a taste of what climate change could bring.

Recognises that these put significant strain on drainage systems and other infrastructure, causing some surface water flooding and damage to property.

Acknowledges that there is a need for the Council to be prepared and far-sighted in its approach to building in resilience in the city, alongside its work to make Edinburgh a net zero carbon city by 2030.

Acknowledges the comments of flood insurance specialist Professor David Crichton in which he indicated that many local authorities in Scotland have already been ‘good at managing risk’.

Requests a report to Council which indicates clearly the work already being undertaken and needed across the Council to meet heightened demands caused by extreme weather and future considerations, within 3 cycles.”

9.13 By the Lord Provost – Recognising Edinburgh College Achievements 2018-19

“Council:

- 1) Recognises the continued contribution of Edinburgh College to the city region economy, partnership working in the City, and the communities of Edinburgh.
- 2) Notes the 2018/19 academic year has seen significant achievements of staff and students, in particular:
 - a) Edinburgh College men's football team made history in April as they became the first ever college side to lift the

Queen's Park Shield.

- b) College students and staff were recognised with nominations at the Herald Higher Education Awards 2019 as a result of innovative and inspiring projects run over the past year.
<http://www.edinburghcollege.ac.uk/newsandevents/college-students-and-staff-recognised-in-herald-education-awards-shortlist/>
 - c) With further awards such as the Lecturer of the Year award at the Business Women Scotland Women in Hospitality Awards 2019, Hospitality Educator of the Year at the Catering in Scotland (CIS) Excellence Awards 2019 and the access and Continuing Education (ACE) team gaining Joined Up for Integration Charter Award status at the Scottish Parliament
- 3) Agrees the Lord Provost writes to the College Principal and President of the students' Union to congratulate them on their success and positive impact upon the Capital."

9.14 By Councillor McNeese-Mechan – Scottish Indian Arts Forum (SIAF)

"Council notes:

That August 2019 marks the 25th Anniversary of the Scottish Indian Arts Forum (SIAF), a registered Scottish Charity promoting Indian art, culture and heritage in and around Edinburgh.

Acknowledges the hard work and dedication of the SIAF volunteers in promoting Indian music, dance, drama, literature, film and exhibitions.

Celebrates the Forum's successful production of annual popular festivals such as Dusherra and Holi Festival of Colours."

9.15 By Councillor Gardiner – Wester Hailes 50th Anniversary

"Council recognises that 2019 is the 50th Anniversary of Wester Hailes housing estate and wishes to celebrate this, with a local event open to residents and Elected Members and a reception at

City Chambers, to acknowledge this important historical event.”

9.16 By Councillor Rankin – Capital Credit Union – 30th Anniversary

“Council:

Notes the Capital Credit Union has now served the people of Edinburgh, the Lothians and the East of Scotland for 30 years, having been set up by the then Lothian Regional Council and, from its establishment in 1996, the City of Edinburgh Council has continued to support the credit union as an employee benefit. Some 3,000 Council employees and 10,000 people across the city are members. The credit union aims to support the financial resilience of its members through regular savings, access to affordable credit and, more recently, low-cost mortgages.

Recognises that Capital Credit Union wants to celebrate its 30th year by giving back through “30 Acts of Kindness”, starting in September, giving back to members, the union’s over 65 employer partners and local communities.

Therefore, agrees that the Lord Provost agree to mark this anniversary with an appropriate Civic Reception.”

9.17 By Councillor Cameron – Edinburgh Street Names and Squares

“Council calls for a report to Planning Committee on how new street names are chosen and how local citizens can make suggestions for additions to the ‘bank’ of potential names. The report should cover any change in policy required to ensure that, when a street is named after a person, a woman’s name is given priority.”

9.18 By Councillor McVey – Ramadan Massacre Violent Crackdown in Sudan

“1) Council notes that the uprising of the people of Sudan has been stalled by violent armed crackdown since June

3rd 2019 when the Ramadan massacre of over 100 peaceful demonstrators took place in Khartoum with doctors reporting over 40 bodies recovered floating down the Nile. Council further notes reports hundreds more dead, arrested and raped during the crackdown.

- 2) Council commends the efforts of the Sudanese community in Scotland – many of them refugees from the previous wars waged by the Al-Bashir regime in Darfur, South Sudan and Kordofan and against waves of student protests in Sudan itself. We further note and commend the efforts of Sudanese Community in Edinburgh, in particular the young people who have raised funds and demonstrated, in organising solidarity protests in the Capital and of SudanCom in Edinburgh to bring public attention to the plight of the Sudanese people.
- 3) Council pledges its solidarity with the Sudanese people’s demands for justice; and for the Sudanese military to step down from office and hand over power to a civilian administration which can call early general elections and further requests that the Council Leader writes to the UK Government and the Foreign and Commonwealth Office asking them to do all they can to aid the ongoing talks to bring peace and democracy.”

10. Resolution to Consider in Private

- 10.1** The Committee is requested under Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting for the following items of business on the grounds that they would involve the disclosure of exempt information as defined in Paragraph 12 of Part 1 of Schedule 7A of the Act.

11. Private Reports

- 11.1** Edinburgh Tram Inquiry - Funding Update – Report by Chief Executive 519 - 522

Andrew Kerr

Information about the City of Edinburgh Council

The City of Edinburgh Council consists of 63 Councillors and is elected under proportional representation. The City of Edinburgh Council usually meets once a month and the Lord Provost is the Convener when it meets.

The City of Edinburgh Council usually meets in the Council Chamber in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the Council meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact gavin.king@edinburgh.gov.uk, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel , email .

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

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

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Minutes

The City of Edinburgh Council (Special Meeting)

Edinburgh, Thursday 27 June 2019

Present:-

LORD PROVOST

The Right Honourable Frank Ross

COUNCILLORS

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

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

1. Review of Scheme for Community Councils

The outcome of the final statutory consultation period on the review of the City of Edinburgh Community Council Scheme was detailed.

Decision

- 1) To note that a final four-week consultation in line with the statutory process had concluded.
- 2) To approve the adoption of the Scheme at Appendix 1 of the report by the Chief Executive to take effect for the next community council election and preceding term.

(References – Act of Council No 1 of the Special Meeting of 2 May 2019; report by the Chief Executive, submitted.)

Minutes

The City of Edinburgh Council

Edinburgh, Thursday 27 June 2019

Present:-

LORD PROVOST

The Right Honourable Frank Ross

COUNCILLORS

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

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

1 Minutes

Decision

To approve the minute of the Council of 30 May 2019 as a correct record.

2 Questions

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

3 Leader's Report

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

- Council schools' estate
- Positive destinations for school leavers
- Delayed discharge
- Waste complaints
- Roads improvements
- Active travel
- Transformation of city centre

The following questions/comments were made:

- | | | |
|--------------------------|---|--|
| Councillor Whyte | - | Adult social care services |
| Councillor Mary Campbell | - | Climate breakdown – extreme weather events |
| Councillor Aldridge | - | Trams – Hardie Inquiry |
| Councillor Day | - | Pride 2019 Festival – vote of thanks |
| Councillor Gordon | - | Thanks to staff in Royal Hospital for Sick Children |
| Councillor McLellan | - | New affordable homes targets |
| Councillor Booth | - | Scottish Parliament actions to prevent 20mph zones/short term lets /community rights of appeal in planning |
| Councillor Osler | - | Summer solstice – Stockbridge street party - closed street events |
| Councillor Cameron | - | Inclusion and innovation strategies |

Councillor Rose	- Homelessness – annual statistics and homeless strategy
Councillor Munro	- Further funding for Edinburgh – meeting with Finance Secretary
Councillor Watt	- Edinburgh Rape Crisis Centre – continuing support
Councillor Gardiner	- Edible Edinburgh Partnership – Sustainable Food City Award
Councillor Doggart	- Smart cities network – integrated planning and management
Councillor Burgess	- Climate Emergency – public engagement – Citizens Assembly

4 Appointments to Committees, Outside Bodies etc

Following the Council's previous agreement of its political management arrangements, the Council had agreed the increased membership of the Policy and Sustainability Committee. A number of Councillors had resigned from their positions on various Committees and organisations and the Council was required to appoint members in their place.

Decision

- 1) To note that the Green Group had appointed Councillors Main and Staniforth as co-conveners and agree that Councillor Staniforth should receive the Group Leader's Senior Councillor Allowance from 28 June 2019.
- 2) To appoint Councillor Gardiner to the new Policy and Sustainability Committee.
- 3) To appoint Councillor Watt in place of Councillor Kate Campbell on Business Loans Scotland.
- 4) To appoint Councillor Watt in place of Councillor Cameron on The Capital City Partnership.
- 5) To agree that Councillor Cameron remain as an individual Council member on EDI and Housing Management – LLP Corporate Body.

- 6) To appoint Councillor Dickie in place of Councillor Ian Campbell on the Board of Governors of the Dean and Cauvin Young People's Trust.
- 7) To appoint Councillor Fullerton as a Board Member of Community One Stop Shop.
- 8) To appoint Councillors Whyte, Jim Campbell, Webber, McLellan and Hutchison to the Policy and Sustainability Committee.
- 9) To appoint Councillor Webber in place of Councillor Smith on the Education, Children and Families Committee.
- 10) To appoint Councillor Bruce in place of Councillor Whyte on the Finance and Resources Committee.
- 11) To appoint Councillors Jim Campbell, McLellan and Whyte to the Housing, Homelessness and Fair Work Committee.
- 12) To appoint Councillor Smith in place of Councillor Bruce on the Transport and Environment Committee.
- 13) To appoint Councillor Rose in place of Councillor McLellan on the Planning Committee, Development Management Sub Committee and Local Review Body Panel 2.
- 14) To appoint Councillor Doggart in place of Councillor Webber on the Edinburgh Integration Joint Board.
- 15) To appoint Councillor Main in place of Councillor Mary Campbell on the Policy and Sustainability Committee.
- 16) To appoint Councillor Staniforth in place of Councillor Booth on the Policy and Sustainability Committee.
- 17) To appoint Councillor Staniforth in place of Councillor Rae on the Governance, Risk and Best Value Committee.
- 18) To appoint Councillor Rae in place of Councillor Main on the Edinburgh Partnership.
- 19) To appoint Councillor Rae in place of Councillor Burgess on the Regulatory Committee and Licensing Sub Committee.
- 20) To appoint Councillor Rae in place of Councillor Staniforth as a Bailie.

- 21) To appoint Councillor Mary Campbell in place of Councillor Staniforth on the Planning Committee, Development Management Sub Committee and Panel 1 of the Planning Local Review Body.
- 22) To appoint Councillor Mary Campbell in place of Councillor Corbett on the Corporate Parenting Member Officer Group.
- 23) To appoint Councillor Miller in place of Councillor Booth on the Transport and Environment Committee and Transport for Edinburgh.
- 24) To appoint Councillor Main in place of Councillor Rae on the Joint Consultative Group.
- 25) To appoint Councillor Booth in place of Councillor Rae on the Housing, Homelessness and Fair Work Committee.
- 26) To appoint Councillor Booth in place of Councillor Miller on the Finance and Resources Committee.
- 27) To appoint Councillor Corbett in place of Councillor Burgess on the Transport and Environment Committee, Energy for Edinburgh, and the Solar Co-Op Board.
- 28) To appoint Councillor Burgess in place of Councillor Corbett on the Education, Children and Families Committee.
- 29) To appoint Councillor Burgess in place of Councillor Mary Campbell on the Committee on Pupil Student Support.
- 30) To appoint Councillor Burgess in place of Councillor Miller on the Pensions Committee.
- 31) To appoint Councillor Staniforth in place of Councillor Corbett on COMPACT.
- 32) To appoint Councillor Corbett in place of Councillor Burgess on Torness Liaison Committee.
- 33) To appoint Councillor Miller in place of Councillor Booth on SEStran Board.
- 34) To appoint Councillor Staniforth in place of Councillor Miller on the Brexit Working Group.
- 35) To appoint Councillor Mary Campbell in place of Councillor Miller on the Diversity and Inclusion Working Group.
- 36) To appoint Councillor Main in place of Councillor Miller on the Wellbeing Working Group.

- 37) To appoint Councillor Booth in place of Councillor Miller on the Short Term Lets Working Group.
- 38) To appoint Councillor Staniforth in place of Councillor Rae on the Welfare Reform Working Group.
- 39) To appoint Councillor Booth in place of Councillor Rae on Edinburgh Homelessness Forum, Edinburgh Affordable Homes and Homelessness Task Force.
- 40) To appoint Councillor Gloyer as the second Liberal Democrat member on the Policy and Sustainability Committee.
- 41) To appoint Councillor Gloyer in place of Councillor Lang on the Governance, Risk and Best Value Committee.
- 42) To appoint Councillor Lang in place of Councillor Gloyer on the Transport and Environment Committee.
- 43) To appoint Councillor Aldridge in place of Councillor Osler on the Edinburgh Partnership.

(Reference – report by the Chief Executive, submitted)

5 Office of the Lord Provost: Year Two 2018/19

Details were provided on the activity and outcomes of the Lord Provost in the second year of the current administration from June 2018 to May 2019.

Motion

- 1) To welcome the report from the Office of the Lord Provost and note the range and variation of the work undertaken in Year 2 of the current administration.
- 2) To note the increased volume of activity in Year 2 in terms of civic events, speeches made and numbers of people attending engagements.
- 3) To note the wider economic impact of specific conferences and gatherings supported by the Lord Provost and Depute Lord Provost in 2018/19.
- 4) To endorse the direction of travel and key undertakings in 2019/20.

- moved by the Lord Provost, seconded by Councillor Griffiths

Amendment

- 1) To welcome the report from the Office of the Lord Provost and note the range and variation of the work undertaken in Year 2 of the current administration.
- 2) To note the increased volume of activity in Year 2 in terms of civic events, speeches made and numbers of people attending engagements.
- 3) To note the wider economic impact of specific conferences and gatherings supported by the Lord Provost and Depute Lord Provost in 2018/19.
- 4) To endorse the direction of travel and key undertakings in 2019/20.
- 5) To note that this February the Corporate Policy and Strategy Committee had acknowledged flight as the least desirable form of transport the council could undertake and that even if the Council did not fund a flight the environmental impact was the same.
- 6) Therefore adds the following to the report:

“7.6 The Office of Lord Provost will endeavour to avoid journeys which require air travel whenever possible.”

- moved by Councillor Staniforth, seconded by Councillor Rae

Voting

The voting was as follows:

For the motion	-	53 votes
For the amendment	-	8 votes

(For the motion: The Lord Provost, Councillors Aldridge, Barrie, Bird, Brown, Bruce, Cameron, Ian Campbell, Jim Campbell, Kate Campbell, Child, Cook, Day, Dickie, Dixon, Duggart, Doran, Douglas, Fullerton, Gardiner, Gloyer, Gordon, Graczyk, Griffiths, Henderson, Howie, Hutchison, Johnston, Key, Laidlaw, Lang, Macinnes, McLellan, McNeese-Mechan, McVey, Mitchell, Mowat, Munn, Munro, Osler, Perry, Rankin, Ritchie, Rose, Neil Ross, Rust, Smith, Watt, Webber, Wilson, Whyte, Work and Young.

For the amendment: Councillors Booth, Burgess, Mary Campbell, Corbett, Main, Miller, Rae and Staniforth.)

Decision

To approve the motion by the Lord Provost.

(References – Act of Council No 4 of 2 May 2019; report by the Chief Executive, submitted.)

6 Operational Governance Framework 2019

Details were provided on proposed changes to the key documents which supported internal controls, accountability and the transparent operation of the Council.

Motion

- 1) To repeal the existing Procedural Standing Orders for Council and Committee Meetings, Committee Terms of Reference and Delegated Functions, Scheme of Delegation to Officers and Financial Regulations and approve in their place appendices 1-4, such repeal and approval to take effect from 5 August 2019.
- 2) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendices 1-4 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.
- 3) To note the Liberal Democrat amendment and request a report to Council within one cycle highlighting any potential conflicts of executive committee conveners and vice conveners serving on the Governance, Risk and Best Value Committee and any other relevant issues. This report should consider actions to resolve any conflicts including the suggested action of the Liberal Democrat amendment.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To repeal the existing Procedural Standing Orders for Council and Committee Meetings, Committee Terms of Reference and Delegated Functions, Scheme of Delegation to Officers and Financial Regulations and approve in their place appendices 1-4, such repeal and approval to take effect from 5 August 2019 with following adjustments:

To insert a new 7.2 within the Committee Terms of Reference and Delegated Powers and re-number accordingly:

“7.2 Membership: The Conveners and Vice Conveners of the following Committees shall not be eligible to serve as members of the Governance, Risk and Best Value Committee:

7.2.1 The Policy and Sustainability Committee.

7.2.2 The Culture and Communities Committee.

7.2.3 The Education, Children and Families Committee.

7.2.4 The Finance and Resources Committee.

7.2.5 The Housing, Homelessness and Fair Work Committee.

7.2.6 The Transport and Environment Committee.

- 2) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendices 1-4 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.

- moved by Councillor Lang, seconded by Councillor Main

Voting

The voting was as follows:

For the motion	-	28 votes
For the amendment	-	33 votes

(For the motion: The Lord Provost, Councillors Barrie, Bird, Cameron, Ian Campbell, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Key, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Rankin, Watt, Wilson and Work.

For the amendment: Councillors Aldridge, Booth, Brown, Bruce, Burgess, Jim Campbell, Mary Campbell, Cook, Corbett, Doggart, Douglas, Gloyer, Graczyk, Hutchison, Johnston, Laidlaw, Lang, McLellan, Main, Miller, Mitchell, Mowat, Osler, Rae, Ritchie, Rose, Neil Ross, Rust, Smith, Staniforth, Webber, Whyte and Young.)

Decision

To approve the amendment by Councillor Lang.

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

7 Annual Performance Report 2018/19

Details were provided on the Council's service performance which continued to measure performance with numerical indicators but also provided members and citizens with a more rounded and wider view of service area performance in 2018/19.

Motion

- 1) To note the Annual Performance Report 2018/19 as detailed in Appendix A to the report by the Chief Executive, and that this year marked a different approach from previous years, as set out in the report.
- 2) To accept the proposed 2019/20 performance reporting cycle.

- moved by Councillor McVey, seconded by Councillor Day

Amendment 1

- 1) To note the Annual Performance Report 2018/19 as detailed in Appendix A to the report by the Chief Executive, and that this year marked a different approach from previous years, as set out in the report.
- 2) To regret that the Corporate Policy and Strategy Committee did not have the opportunity to consider and agree the reporting of KPIs or the format of the Annual Performance Report for 2018/19:
- 3) To consider that the narrative style of reporting presented gave an unbalanced view of service performance, masked comparisons of performance over time, ignored benchmarking and views from the Edinburgh People Survey and in many instances provided measures of outputs rather than outcomes.
- 4) To agree that in future any alterations to KPIs and performance reporting be considered and approved by the Policy and Sustainability Committee in advance of any future reporting year and that the proposed 2019/20 performance reporting cycle be considered as part of this process.
- 5) To instruct the Chief Executive to ensure all KPIs met established SMART criteria.

- moved by Councillor Doggart, seconded by Councillor Mowat

Amendment 2

- 1) To note the Annual Performance Report 2018/19 as detailed in Appendix A to the report by the Chief Executive, and that this year marked a different approach from previous years, as set out in the report.

- 2) To accept the proposed 2019/20 performance reporting cycle.
- 3) To note in particular, significant challenges and the need for concerted action on the following areas, amongst others:
 - (a) To tackle greenhouse gas emissions in line with the Council's declared Climate Emergency and the target to reach net zero carbon by 2030;
 - (b) To increase the proportion of people who feel they have a say in local issues and services;
 - (c) To take prompt action on homelessness by reducing the average homeless case length and cutting B&B use;
 - (d) To increase the proportion of waste recycled, cut overall waste arisings through bold action on waste reduction, and reduce the number of missed bin complaints;
- 4) To note and acknowledge the work of council officers to address these issues and agree that further work to improve performance in these areas would be reported to the relevant subject committee at the earliest reasonable opportunity.

- moved by Councillor Booth, seconded by Councillor Mary Campbell

In accordance with Standing Order 21(11), Amendment 2 was accepted as an addendum to the motion.

In accordance with Standing Order 21(11), Paragraph 3) of Amendment 2 was accepted as an addendum to Amendment 1.

Voting

The voting was as follows:

For the motion (as adjusted)	-	27 votes
For the amendment (as adjusted)	-	33 votes

(For the motion (as adjusted): The Lord Provost, Councillors Barrie, Bird, Cameron, Ian Campbell, Kate Campbell, Child, Day, Dickie, Dixon, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Key, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Rankin, Watt, Wilson and Work.

For the amendment (as adjusted): Councillors Aldridge, Booth, Brown, Bruce, Burgess, Jim Campbell, Mary Campbell, Cook, Corbett, Daggart, Douglas, Gloyer, Graczyk, Hutchison, Johnston, Laidlaw, Lang, McLellan, Main, Miller, Mitchell,

Mowat, Osler, Rae, Ritchie, Rose, Neil Ross, Rust, Smith, Staniforth, Webber, Whyte and Young.)

Decision

To approve the following adjusted amendment by Councillor Doggart.

- 1) To note the Annual Performance Report 2018/19 as detailed in Appendix A to the report by the Chief Executive, and that this year marked a different approach from previous years, as set out in the report.
- 2) To regret that the Corporate Policy and Strategy Committee did not have the opportunity to consider and agree the reporting of KPIs or the format of the Annual Performance Report for 2018/19:
- 3) To consider that the narrative style of reporting presented gave an unbalanced view of service performance, masked comparisons of performance over time, ignored benchmarking and views from the Edinburgh People Survey and in many instances provided measures of outputs rather than outcomes.
- 4) To agree that in future any alterations to KPIs and performance reporting be considered and approved by the Policy and Sustainability Committee in advance of any future reporting year and that the proposed 2019/20 performance reporting cycle be considered as part of this process.
- 5) To instruct the Chief Executive to ensure all KPIs met established SMART criteria.
- 6) To note in particular, significant challenges and the need for concerted action on the following areas, amongst others:
 - (a) To tackle greenhouse gas emissions in line with the Council's declared Climate Emergency and the target to reach net zero carbon by 2030;
 - (b) To increase the proportion of people who feel they have a say in local issues and services;
 - (c) To take prompt action on homelessness by reducing the average homeless case length and cutting B&B use;
 - (d) To increase the proportion of waste recycled, cut overall waste arisings through bold action on waste reduction, and reduce the number of missed bin complaints;

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

8 Coalition Commitments Progress Update - June 2019

The Council had approved its business plan (A Programme for the Capital: The City of Edinburgh Council's Business Plan 2017-22) in August 2017. The plan had been built around 52 commitments the Council Administration had pledged to deliver over five years.

Details were provided on the progress of the plan against the 52 Coalition commitments in the second year of the Administration.

Motion

- 1) To note the progress at June 2019 on delivering the 52 coalition commitments that the Council Administration had pledged to deliver by the end of 2022 as detailed in Appendix A to the report by the Chief Executive.
- 2) To note the steps that would be taken in 2019/20 to progress delivery of the commitments as detailed in Appendix A to the report.

- moved by Councillor McVey, seconded by Councillor Day

Amendment 1

- 1) To note the report "Coalition Commitments Progress Update – June 2019" by the Chief Executive and consider that, once again, this report was potentially misleading and confusing.
- 2) Specifically considers that many of the actions, measures, metrics and targets in the report remained unclear or so general that this rendered them meaningless.
- 3) Was concerned that some commitments had yet to have a target, metric or completion point defined over two years into this Council term and regret the lack of comprehensive measures to determine the status of each commitment.
- 4) To further note the report reflected only part of the Council's performance framework and potentially conflicted with rather than complemented it.
- 5) To agree that a genuine performance framework should measure outcomes and improvements to improve the transparency and accountability of the Council to residents so they could easily assess how the Council was managing the city.
- 6) Therefore to instruct the Chief Executive to provide a further report with the latest metric and trend for all measures, in order to assess progress from the date the Council adopted each commitment; and (b) to replace the words "increasing trend" and "decreasing trend" or similar with specific measures that reflect the specific Council target for each commitment.

- moved by Councillor Whyte, seconded by Councillor Johnston

Amendment 2

- 1) To note the report at Appendix A on Coalition Commitments, and note that many commitments were marked as 'On Track' where there were significant challenges to delivery, or marked as 'Making Progress' where there had been no or very little progress.
- 2) To note in particular that:
 - a) Commitment 2, to increase the number of Living Wage employers year on year was marked as 'Making Progress', despite the fact this figure had fallen over the last year;
 - b) Commitment 7, to improve access to employment and training opportunities for disabled people, was marked as 'On Track' despite the number of disabled people who had accessed Council-funded employability services declining by nearly 10% over a year;
 - c) Commitment 8, to explore the introduction of fair rent zones (Rent Pressure Zones), was marked as 'Making Progress', despite the fact that a rent pressure zone had not been introduced in the Capital and was unlikely to be possible during this administration due to legislative requirements for evidence;
 - d) Commitment 9, to create a homelessness taskforce and explore alternatives to B&Bs, was marked as "On Track" however the number of people in either a shared house or B&B accommodation was the same as last year rather than showing a reducing trend for these types of accommodation, and there were still families in B&B which was unacceptable for their requirements;
 - e) Commitment 10, on prioritising brownfield sites for affordable housing, was marked as 'making progress', despite the only substantive achievement noted being the agreement of a new Housing Land Audit and Completions Programme;
 - f) Commitment 11, on encouraging business and tourism, was marked as "Making Progress" but this council had failed to agree a tourism policy position in order to make constructive input into ETAG's tourism strategy, despite providing funding to ETAG for this project;
 - g) Commitment 12 on reviewing the council's policy on promoting mixed communities was marked as 'Making Progress' despite at least 2 recent planning applications being recommended for grant at

development management sub-committee that were in breach of Council guidance requiring a mix of domestic and student accommodation for applications above a size threshold;

- h) Commitment 13 to improve planning enforcement was marked as 'Making Progress' despite only 51.5% of enforcement cases being resolved within timescales;
- i) Commitment 14, to work with the Scottish Government to give communities the right to appeal in the planning system was marked as 'on track' despite the Scottish Government voting down precisely such an amendment to the Planning (Scotland) Bill just a few days ago;
- j) Commitment 16, on roads, pavements, safer foot and cycle paths was marked as 'On Track', despite resident satisfaction with roads, pavements and footpaths declining over the year;
- k) Commitment 17, on improving cycling in the city was marked as 'On Track', despite over 80% of active travel projects being delayed or having no completion date;
- l) Commitment 18, to improve Edinburgh's air quality and reduce carbon emissions was marked as 'On Track' despite a recent Regulatory Committee decision to allow dirty Euro 5 taxis on our streets until 2023, and despite no data on CO2 emissions for the last 2 years, and despite no revision to this commitment to reflect the recent decision to achieve net zero-carbon by 2030;
- m) Commitment 19, to keep the city moving by reducing congestion, was marked as 'Making Progress' despite Edinburgh recently being named the most congested city in the UK;
- n) Commitment 22 to deliver the tram extension to Newhaven by 2022 was marked as 'On Track' despite the expected completion date slipping to 2023;
- o) Commitment 23 to improve street cleanliness in every ward was marked as 'Making Progress' despite increased incidents of dumping and fly tipping;
- p) Commitment 24 to reduce the incidence of dog fouling was marked as 'On Track' despite a decline in resident satisfaction with this service in the Edinburgh People Survey;
- q) Commitment 26 to expand park and ride provision was marked as 'Making Progress' despite a decision not to proceed with a new Park

and Ride site at Lothianburn, and no expansion of park and ride provision at alternative sites;

- r) Commitment 27 to tackle pavement parking was marked as 'On Track' despite no discernible progress in this area;
 - s) Commitment 31 to expand training opportunities for adults and young people was marked as 'Making Progress' despite the number of senior phase pupils studying vocational qualifications delivered by Edinburgh College declining by nearly 40%, and the number of learners in the Adult Education Programme declining by more than 10%;
 - t) Commitment 38 on increasing the availability of care to help people live in their own homes was marked as 'On Track', despite the proportion of adults receiving care in the community being static for the last three years, and the target for this year not being met;
 - u) Commitment 43 on parks and tree planting was marked as "On Track" despite public outrage at the loss of healthy mature trees in Princes Street Gardens and a failure to provide the budget required to carry out the required survey and maintenance programme for the city's existing tree population;
 - v) Commitment 52 on devolving local decisions to four locality committees was marked as 'On Track' despite the locality committees being dissolved in February 2019.
- 3) To agree that any report on progress to achieving coalition commitments should paint an accurate picture of any progress, or lack of it;
- 4) To therefore agree to receive an updated, and accurate, report at the next meeting of full Council which sets out:
- a) the coalition commitments which had been fully achieved;
 - b) those which had been partially achieved, and the action being taken to achieve them;
 - c) those which had not been partially or fully achieved, and the reasons, including external reasons beyond the Council's control, for that; and
 - d) those which would not be achieved, or had been abandoned or reversed, and the reason for that, including any external reasons beyond the Council's control

- moved by Councillor Booth, seconded by Councillor Mary Campbell

Amendment 3

To note the progress report which listed a third of coalition commitments as not being “on track” for delivery as planned.

However, Council believed the report failed to provide an accurate assessment of the administration’s performance in delivering on its 2017 commitments.

To specifically note that;

- Commitment 14 on securing a community right of appeal in the planning process was stated as “on track” when the Scottish Parliament explicitly opposed this measure in the Planning Bill.
- Commitment 19 on improving public transport was described as “making progress” when the only measure of success - satisfaction with public transport - had fallen.
- Commitment 22 on delivering the tram extension to Newhaven by 2022 was listed as “on track” despite the report confirming the new line would not be open to passengers until 2023.
- Commitment 26 on expanding park and rides was described as “making progress” when none of the sites had been expanded over the last two years.
- Commitment 28 on building 12 new schools by 2021 was described as “on track” when building work had started on only two.
- Commitment 51 on protecting community policing was stated as “on track” when the coalition cut funding by 20%, resulting in the loss of 10 funded posts.
- Commitment 52 on devolving local decisions to locality committees was listed as “on track” despite these committees being abolished.

To therefore refuse to approve the report by the Chief Executive and agree that Conveners and Vice-Conveners of executive committees should work with officers to present a more accurate evaluation of the coalition’s record for submission to the next meeting of the Council.

- moved by Councillor Lang, seconded by Councillor Aldridge

Adjournment

In accordance with Standing Order 20, the meeting was adjourned for 10 minutes to allow each group’s motions and amendments to be considered.

Resumption

On resuming the meeting the following Composite amendment by the Conservative, Green and Liberal Democrat Groups was submitted:

Composite Amendment

- 1) To note the report at Appendix A on Coalition Commitments, considered that this report was potentially misleading and confusing; note that many of the actions, measures, metrics and targets remained unclear or so general as to render them meaningless; note that some commitments had yet to have a target, metric or completion point defined over two years into this Council term, further note the report reflected only part of the Council's performance framework and note that many commitments were marked as 'On Track' where there were significant challenges to delivery, or marked as 'Making Progress' where there had been no or very little progress.
- 2) Notes in particular that:
 - a) Commitment 2, to increase the number of Living Wage employers year on year was marked as 'Making Progress', despite the fact this figure had fallen over the last year;
 - b) Commitment 7, to improve access to employment and training opportunities for disabled people, was marked as 'On Track' despite the number of disabled people who had accessed council-funded employability services declining by nearly 10% over a year;
 - c) Commitment 8, to explore the introduction of fair rent zones (Rent Pressure Zones), was marked as 'Making Progress', despite the fact that a rent pressure zone had not been introduced in the Capital and was unlikely to be possible during this administration due to legislative requirements for evidence;
 - d) Commitment 9, to create a homelessness taskforce and explore alternatives to B&Bs, was marked as "On Track" however the number of people in either a shared house or B&B accommodation was the same as last year rather than showing a reducing trend for these types of accommodation, and there were still families in B&B which was unacceptable for their requirements;
 - e) Commitment 10, on prioritising brownfield sites for affordable housing, was marked as 'making progress', despite the only substantive achievement noted being the agreement of a new Housing Land Audit and Completions Programme;

- f) Commitment 11, on encouraging business and tourism, was marked as “Making Progress” but this Council had failed to agree a tourism policy position in order to make constructive input into ETAG’s tourism strategy, despite providing funding to ETAG for this project;
- g) Commitment 12 on reviewing the council’s policy on promoting mixed communities was marked as ‘Making Progress’ despite at least 2 recent planning applications being of Council guidance requiring a mix of domestic and student accommodation for applications above a size threshold;
- h) Commitment 13 to improve planning enforcement was marked as ‘Making Progress’ despite only 51.5% of enforcement cases being resolved within timescales;
- i) Commitment 14, to work with the Scottish Government to give communities the right to appeal in the planning system was marked as ‘on track’ despite the Scottish Government voting down precisely such an amendment to the Planning (Scotland) Bill just a few days ago;
- j) Commitment 16, on roads, pavements, safer foot and cycle paths was marked as ‘On Track’, despite resident satisfaction with roads, pavements and footpaths declining over the year;
- k) Commitment 17, on improving cycling in the city was marked as ‘On Track’, despite over 80% of active travel projects being delayed or having no completion date;
- l) Commitment 18, to improve Edinburgh’s air quality and reduce carbon emissions was marked as ‘On Track’ despite a recent Regulatory Committee decision to allow dirty Euro 5 taxis on our streets until 2023, and despite no data on CO2 emissions for the last 2 years, and despite no revision to this commitment to reflect the recent decision to achieve net zero-carbon by 2030;
- m) Commitment 19, to keep the city moving by reducing congestion, was marked as ‘Making Progress’ despite Edinburgh recently being named the most congested city in the UK;
- n) Commitment 22 to deliver the tram extension to Newhaven by 2022 was marked as ‘On Track’ despite the expected completion date slipping to 2023;
- o) Commitment 23 to improve street cleanliness in every ward was marked as ‘Making Progress’ despite increased incidents of dumping and fly tipping;
- p) Commitment 24 to reduce the incidence of dog fouling was marked as ‘On Track’ despite a decline in resident satisfaction with this service in the Edinburgh People Survey;

- q) Commitment 26 to expand park and ride provision was marked as ‘Making Progress’ despite a decision not to proceed with a new Park and Ride site at Lothianburn, and no expansion of park and ride provision at alternative sites;
 - r) Commitment 27 to tackle pavement parking was marked as ‘On Track’ despite no discernible progress in this area;
 - s) Commitment 31 to expand training opportunities for adults and young people was marked as ‘Making Progress’ despite the number of senior phase pupils studying vocational qualifications delivered by Edinburgh College declining by nearly 40%, and the number of learners in the Adult Education Programme declining by more than 10%;
 - t) Commitment 38 on increasing the availability of care to help people live in their own homes was marked as ‘On Track’, despite the proportion of adults receiving care in the community being static for the last three years, and the target for this year not being met;
 - u) Commitment 43 on parks and tree planting was marked as “On Track” despite public outrage at the loss of healthy mature trees in Princes Street Gardens and a failure to provide the budget required to carry out the required survey and maintenance programme for the city’s existing tree population;
 - v) Commitment 51 on protecting community policing was stated as “on track” when the coalition cut funding by 20%, resulting in the loss of 10 funded posts;
 - w) Commitment 52 on devolving local decisions to four locality committees was marked as ‘On Track’ despite the locality committees being dissolved in February 2019.
- 3) To agree that any report on progress to achieving coalition commitments should paint an accurate picture of any progress, or lack of it; further agrees that a genuine performance framework should measure outcomes and performance improvements to increase the transparency and accountability of the Council to residents so they can easily assess how the Council was managing the city;
 - 4) To therefore not approve the report by the Chief Executive, but instead to agree that the Chief Executive, together with Conveners and Vice-Conveners of executive committees, should present a more accurate evaluation of the coalition’s record for submission in the form of a report at the next meeting of full council with the latest metric and trend for all measures, in order to assess progress from the date the Council adopted each commitment; and to replace the words “increasing trend” and “decreasing trend” or similar with specific

measures that reflected the specific Council target for each commitment, and which also set out:

- a) the coalition commitments which had been fully achieved;
- b) those which had been partially achieved, and the action being taken to achieve them;
- c) those which had not been partially or fully achieved, and the reasons, including external reasons beyond the council's control, for that; and
- d) those which would not be achieved, or had been abandoned or reversed, and the reason for that, including any external reasons beyond the council's control.

- moved by Councillor Whyte, seconded by Councillor Booth

Voting

The voting was as follows;

For the Motion	-	26 votes
For the Composite Amendment	-	33 votes

(For the Motion: The Lord Provost, Councillors, Bird, Cameron, Ian Campbell, Kate Campbell, Child, Day, Dickie, Dixon, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Key, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Rankin, Watt, Wilson and Work.

For the Composite Amendment: Councillors Aldridge, Barrie, Booth, Brown, Bruce, Burgess, Jim Campbell, Mary Campbell, Cook, Corbett, Daggart, Douglas, Gloyer, Graczyk, Hutchison, Johnston, Laidlaw, Lang, McLellan, Main, Miller, Mitchell, Mowat, Osler, Rae, Ritchie, Rose, Neil Ross, Rust, Smith, Staniforth, Webber and Whyte.)

Decision

To approve the Composite Amendment by Councillor Whyte

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

9 Integration Scheme – Carers (Scotland) Act 2016 - Update

Details were provided on progress to date on proposed updates to the Integration Scheme for the Edinburgh Integration Joint Board to reflect changes brought about by the Carers (Scotland) Act 2016 which introduced new statutory obligations on

local authorities and health boards requiring certain local authority and health board functions to be delegated to Integration Joint Boards.

Decision

- 1) To agree to consult on the delegation of Sections 6, 21, 24, 25, 31, 34 and 35 of the Carers (Scotland) Act 2016 as they related to adult social care.
- 2) To note that following the six-week consultation period that a report would be submitted to Council to agree the change to the Integration Scheme.

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

10 Unaudited Annual Accounts 2018/19

The unaudited annual accounts for 2018/19 were submitted for the Council's consideration.

Decision

- 1) To note that the unaudited annual accounts for 2018/19 would be submitted to the external auditor by the required date.
- 2) To note that the provisional outturn position showed an overall underspend of £1.582m and that this sum would be set aside within the Council Priorities Fund.
- 3) To note that a more detailed revenue and capital outturn position would be reported to the Finance and Resources Committee in August 2019.
- 4) To further note that the audited annual accounts and the annual auditor's report would be submitted to the Governance, Risk and Best Value Committee and thereafter to the Finance and Resources Committee in September 2019, for approval.
- 5) To approve, subject to the outcome of the audit process, an increase of £7.483m in the level of the Council's offer to the Edinburgh Integration Joint Board in respect of 2018/19, in line with the actual service outturn for the year.
- 6) To instruct officers to consider designing a more accessible short form version of the unaudited accounts in plain English to be presented to the August 2020 meeting of the Finance and Resources Committee and publicised thereafter.

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

11 Operational Governance: Review of Contract Standing Orders

Details were provided of proposed changes to the Council's Contract Standing Orders following their annual review.

Decision

- 1) To approve the proposed revisions to the existing Contract Standing Orders, as summarised in Appendix 1 to the report by the Executive Director of Resources, and adopt the Contract Standing Orders included in Appendix 2 to the report.
- 2) To note that there would continue to be an annual review of Contract Standing Orders to ensure that they worked effectively and provided effective scrutiny of Council purchasing and contract management.

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

12 Rolling Actions Log

Details were provided on the outstanding actions arising from decisions taken by the Council from May 2015 to May 2019.

Decision

- 1) To agree to close the following actions:

Action 1 - Appointments to Neighbourhood Partnerships and Locality Committee Senior Councillor Allowances

Action 3 – Statues – Motion by Councillor Mowat

Action 4 - Webcasting of Public Meetings – Motion by Councillor Miller

Action 6 - PPP Schools and Non Core Charges - motion by Councillor Staniforth

Action 7 - World Suicide Prevention Day – Motion by Councillor Bird

Action 9 - Top-up Funding for Community Councils – Motion by Councillor Staniforth

Action 10 - Caseworker Software Package – Motion by Councillor Neil Ross

Action 12 - Review of Locality Committees

Action 14 - EIJB (Health and Social Care Partnership) – Motion by Councillor Jim Campbell

Action 15 - Outcomes of the Statutory Consultation Proposing to Realign the Catchment Areas of Currie PS, Nether Currie PS, Dean Park PS, Currie HS and Balerno HS

Action 16(a) - Review of Appointments to Committees, Boards and Joint Boards for 2019-2020

Action 17 - Senior Councillor Allowances-Appointment of Vice-Conveners

- 2) To note that the closure date for **Action 10** - Caseworker Software Package – Motion by Councillor Neil Ross was November 2018
- 3) To agree to continue **Action 18** - Council Question by Councillor Webber on Taxi Usage for a final answer.
- 4) To otherwise note the rolling actions log.

(Reference – Council Rolling Actions Log, submitted)

13 Lothian Pension Fund – Unaudited Annual Report (and Financial Statements) 2019 – referral from the Pension Committee

The Pensions Committee had referred a report on the unaudited Annual Report (and Financial Statements) for the year ended 31 March 2019 for the Lothian Pension Fund and Scottish Homes Pension Fund to the City of Edinburgh Council for information, in its role as administering authority of the Pension Funds.

Decision

To note the unaudited Annual Report for the year ended 31 March 2019 for the Lothian Pension Fund and the Scottish Homes Pension Fund.

(References - Pensions Committee 26 June 2019 (item 4); referral from the Pensions Committee, submitted)

14 Lothian Buses Oversight - Motion by Councillor Jim Campbell

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

“Council:

- a) Notes that the Vice Convener of the Transport and Environment Committee was clear with Council last month that she saw no place for private number plates in a public bus service company.
- b) Is concerned by recent press reports on this subject.
- c) Instructs the Convener of Transport and Environment, or in her absence, the Vice Convener, to write to the Chair of Lothian Buses asking that the following is provided to Council relating to private number plates owned by Lothian Buses or any subsidiary organisation:
 - the number
 - book cost
 - best estimate of the current market value.”

Decision

To approve the motion by Councillor Jim Campbell.

Declaration of Interests

Councillors Booth, Laidlaw and Macinnes declared a non-financial interest in the above item as Directors of Transport for Edinburgh Ltd.

15 Independent Night-life Co-ordinator - Motion by Councillor Staniforth

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

Council:

- 1) Notes that the position of an independent night-life co-ordinator was raised numerous times at the Music is Audible working group but generally agreed to be beyond the scope of that working group.
- 2) Notes that several cities have chosen to adopt a night-life co-ordinator (often called a ‘night mayor’) including Amsterdam, New York, Paris, Zurich, Toulouse and Mannheim.

- 3) Notes that because every city has unique needs and culture methods of funding and electing or selecting a night-life co-ordinator vary from city to city as does their exact remit.
- 4) Notes that in most cases, though they work with local government, the night-life co-ordinator of a city has a degree of independence from local government.
- 5) Notes that Edinburgh has a vibrant and complex night-time economy which would benefit from the oversight and management of a night-life co-ordinator.
- 6) Notes that, unlike many cities, Edinburgh's city centre is residential in nature which further emphasises the need for its night-life co-ordinator to have a bespoke remit.
- 7) Agrees to establish a 'Night-Life Co-ordinator' working group to assess how the city could best facilitate the introduction of a night-life co-ordinator.
- 8) Agrees that the working group should include one councillor from each of the current political parties active in the council and that representatives of the city night life such as nightclub owners, event organisers, Lothian buses, major city cab companies, theatres, residents' representatives, the NHS, the Edinburgh alcohol and drug partnership and anyone else the working group feels it needs to include once it has met.
- 9) Agrees the working group shall choose its convener at its inaugural meeting.
- 10) Agrees that the working group aims to present a report detailing options for the establishment of an independent night-life co-ordinator for Edinburgh within one year "

Motion

To approve the motion by Councillor Staniforth

- moved by Councillor Staniforth, seconded by Councillor Miller

Amendment 1

To note points 1 – 3 in the motion by Councillor Staniforth and replace points 4 - 10 with:

- 4) Notes that Council currently works in partnership with other agencies, ie Police Scotland, Lothian Buses, Street Assist, Street Pastors to support the night time economy;

- 5) Notes that Council chairs the Edinburgh Community Safety Partnership, a strategic group responsible for coordinating a multi-agency response to promote community safety; and
- 6) Calls for the feasibility of a Night-life Co-ordinator to be discussed at Edinburgh Community Safety Partnership, and requests that an invitation be extended to licensed trade representatives to be part of the discussion.

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

Amendment 2

In paragraph 10 of the motion by Councillor Staniforth, delete all after 'establishment' and replace with 'of a night time co-ordinator for Edinburgh including recommendations about how and to which bodies they will be accountable.'

- moved by Councillor Aldridge, seconded by Councillor Osler

In accordance with Standing Order 21(11), Amendment 2 was accepted as an addendum to the motion.

Voting

The voting was as follows:

For the Motion (as adjusted)	-	15 votes
For Amendment 1	-	44 votes

(For the Motion (as adjusted): Councillors Aldridge, Booth, Burgess, Mary Campbell, Corbett, Gloyer, Graczyk, Lang, Main, Miller, Osler, Rae, Ritchie, Neil Ross and Staniforth.)

For Amendment 1: The Lord Provost, Councillors Barrie, Bird, Brown, Bruce, Cameron, Ian Campbell, Jim Campbell, Kate Campbell, Child, Cook, Day, Dickie, Dixon, Doggart, Douglas, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Hutchison, Johnston, Key, Laidlaw, Macinnes, McLellan, McNeese-Mechan, McVey, Mitchell, Mowat, Munn, Munro, Perry, Rankin, Rose, Rust, Smith, Watt, Webber, Whyte, Wilson and Work.)

Decision

To approve Amendment 1 by Councillor McNeese-Mechan.

16 Bike to Work Scheme Revamp - Motion by Councillor Main

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

“This Council;

- 1) Notes the well documented benefits to personal health and wellbeing benefits active travel affords.
- 2) Notes switching from car use to cycling contributes to Climate Emergency carbon reduction targets and reduces pollution that is harmful to health.
- 3) Notes that last year Council’s Health and Social Care staff alone travelled over 1 million miles in Edinburgh, mainly by car, as part of their working day at a cost of over £500k.
- 4) Notes the Department of Transport’s updated guidance on the Cycle to Work Scheme, published on 12th June, removes the ceiling of £1000 and allows for the purchase of e-bikes and modified bikes for the less abled.
- 5) Notes the success of schemes such as ‘A Better Way to Work’, funded by the Climate Challenge fund, which provide support to cycle to work, including route planning, buddying and cycle loan.
- 6) Therefore Council agrees that a report is brought to Policy and Sustainability Committee within one cycle, detailing how the new scheme can be promoted to all staff and how the Council will actively support those members of staff who wish to cycle to work and/or use cycling as part of their chosen transport in work.”

Motion

To approve the motion by Councillor Main.

- moved by Councillor Main, seconded by Councillor Staniforth

Amendment

To insert to the motion by Councillor Main:

- 6) Welcomes this latest UK Government update which will further assist to reach their ambitions to double cycling activity by 2025.

Renumbers paragraph 6 to 7 and adds new paragraph

- 8) The report to include an assessment of procurement options for the renewal of the Scheme in 2020 that allows staff to have a choice of retail providers including independent bike shops in the City with a view to increasing accessibility and uptake.

- moved by Councillor Brown seconded by Councillor Bruce

In accordance with Standing Order 21(11), paragraph 8) of the addendum was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Main:

- 1) To note the well documented benefits to personal health and wellbeing benefits active travel affords.
- 2) To note switching from car use to cycling contributed to Climate Emergency carbon reduction targets and reduced pollution that was harmful to health.
- 3) To note that last year Council's Health and Social Care staff alone travelled over 1 million miles in Edinburgh, mainly by car, as part of their working day at a cost of over £500k.
- 4) To note the Department of Transport's updated guidance on the Cycle to Work Scheme, published on 12th June, removed the ceiling of £1000 and allowed for the purchase of e-bikes and modified bikes for the less abled.
- 5) To note the success of schemes such as 'A Better Way to Work', funded by the Climate Challenge fund, which provided support to cycle to work, including route planning, buddying and cycle loan.
- 6) Therefore to agree that a report be brought to Policy and Sustainability Committee within one cycle, detailing how the new scheme could be promoted to all staff and how the Council would actively support those members of staff who wished to cycle to work and/or use cycling as part of their chosen transport in work.
- 7) To agree that the report include an assessment of procurement options for the renewal of the Scheme in 2020 that allowed staff to have a choice of retail providers including independent bike shops in the City with a view to increasing accessibility and uptake.

17 Edinburgh South Community Football - 50th Anniversary - Motion by Councillor Cameron

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

“Council warmly congratulates Edinburgh South Community Football Club on its 50th anniversary.

Originally established in 1969 by the late Mr Eddie Hobbs as Inch Boys Club Football Team, Edinburgh South Community Football Club as of today has over 60 teams and over 750 players of all ages and levels, and is truly an inclusive community football club, with a rapidly expanding girls’ section.

The club has already achieved SFA Community Status and this year, Edinburgh South CFC is on track to receive the (top) Platinum award.

In this, its 50th anniversary year, Council asks the Lord Provost to mark the sporting and community achievements of Edinburgh South CFC in an appropriate way.”

Decision

To approve the motion by Councillor Cameron.

18 St Andrew’s Fair Saturday – Motion by Councillor McNeese-Mechan

The following motion by Councillor McNeese-Mechan was submitted in terms of Standing Order 16:

“Council:

- 1) Recognises that Fair Saturday, a global cultural project with a social impact, will be celebrated in 2019 by a growing number of cities worldwide.
- 2) Notes that City of Edinburgh Council celebrated St Andrew’s Fair Saturday, which is Scotland’s contribution to the Fair Saturday movement, in 2018.
- 3) Agrees to work with Fair Saturday to become an official Fair Saturday city.
- 4) Requests a report to Culture and Communities Committee within 1 cycle, setting out how the Council can support and promote Edinburgh St Andrew’s Fair Saturday on 30 November 2019, a day devoted to culture, social causes and celebrating St Andrew’s Day.”

Decision

To approve the motion by Councillor McNeese-Mechan.

19 Dunedin International Folk Dance Festival - Motion by the Lord Provost

The following motion by the Lord Provost was submitted in terms of Standing Order 16:

“Council notes that:

- a) Dunedin Dancers was formed in 1970 by members of the Edinburgh University New Scotland Country Dance Society to provide reciprocal exchanges with other European Folk-Dance Festivals. It was named after the Gaelic name for Edinburgh – ‘Dùn Èideann’. The group have a mix of older and young people who dance at many events and performances.
- b) Dunedin Dancers is a traditional dance group, with over 200 members, and meets weekly for social dancing, complemented by two informal dances and one formal ball per year. The group present a wide range of Scottish traditional dancing styles, including; Scottish Country Dancing, ceilidh, Scottish Step dancing, Highland and occasionally Ladies Step, performing at Church Hill Theatre, the Mound, and the Grassmarket.
- c) Dunedin Dancers also organises a City Biennial International Folk-Dance Festival. Established in 1971, the Festival provides an opportunity for traditional-folk-dancers from other countries, alongside those from the City, to showcase an international range of folk-dancing to new audiences. The 2019 Festival (14th – 20th July 2019) represents the 25th year of this biennial event, which will bring two folk-dance groups from Estonia and France, performing together with local Polish and Irish dancing groups and providing shared workshops in traditional dance culture.

In acknowledging the civic and cultural contribution of the Dunedin Dancers Biennial Festival, alongside the importance of growing the City’s reach as the world’s leading Festival City, in welcoming this international event, Council requests that the Lord Provost, marks the 25th anniversary in an appropriate way.”

Decision

To approve the motion by the Lord Provost.

20 Edinburgh Interfaith Association – 30th Anniversary - Motion by the Lord Provost

The following motion by the Lord Provost was submitted in terms of Standing Order 16:

“Council notes that:

- a) Edinburgh Interfaith Association (EIFA) was officially formed in 1989 to “promote and facilitate positive engagement between the faith communities of our religiously and culturally diverse city.”
- b) EIFA is Scotland’s longest running interfaith charity and have a long history of working with and across the City’s faith communities. Through dialogue and education, EIFA strives to make Edinburgh a more respectful and peaceful city.
- c) EIFA aims to promote religious and cultural harmony and diversity in Edinburgh by bringing peoples of all faiths together. The Association’s broad range of initiatives help advance; (i) mutual understanding, trust, respect, co-operation and peace between the communities of Edinburgh, (ii) to advance the general level of awareness on interfaith and multicultural issues among the wider population, and (iii) educate, inform and provide a platform for engagement and understanding on the diversity within religious and spiritual traditions and associated multi-cultural beliefs.
- d) EIFA has also facilitated the visits (and related events) to Scotland by eminent religious and spiritual leaders, including; The Venerable Thich Nhat Hanh, His Holiness The Dalai Lama, Bhai Sahib Mohinder Singh, Chief Rabbi David Rose, Sister Joan Chittister, Archbishop Abuna Elias Chacour, and other distinguished persons such as Arun Gandhi, Prof Tariq Ramadan, Karen Armstrong, Nobel Prize winner Mairead Corrigan Maguire and many others.
- e) For over 20 years, EIFA regularly visit local schools, accompanied by representatives of religious or faith communities in Edinburgh, to offer talks on particular faiths or provide multi-faith panel discussions on moral, or spiritual/religious issues. In addition, the group organise and promote numerous public talks, formal and informal dialogues, panel events, film screenings, exhibitions, conferences on subjects such as Islamophobia and ‘Science and Religion’, and across a number of years, released a number of social commentary documentary films, including the 2014 ‘Faith and I’ which witnessed the lives of three young women of faith, and the positive influence which faith had on their lives within the Sikh, Muslim and Jewish Traditions. This film was produced in response to the rise of anti-Islamic and anti-Semitic

offences in 2012. The film has since been used in schools and universities in Edinburgh as an educational reference on religion and interfaith.

- f) In Celebrating Women, EIFA's 'Women of Faith' Dialogue Series, focusses on women in the diverse religious traditions who have inspired our communities and overcome boundaries, shining a light on women who are greatly admired, but often forgotten, by profiling amazing stories, in order to ensure that these women are no longer 'unsung.'
- g) Building upon EIFA's work in the Capital, and their international connections with other interfaith interests, in February 2019 delegates from across the UK and Europe gathered together at a conference at the City Chambers where the Lord Provost assisted in the official launch of a new Capital Cities Interfaith Network (CCIN).
- h) The CCIN will be vital in helping to promote interfaith understanding and relations which help maintain strong, open, peaceful and cohesive communities. Members of the Network hope that a mutual exchange of learning and best practice, will aid interfaith organisations to speak with a unified voice on issues that matter to them and their cities and communities. The CCIN is supported by Mairead McGuinness, First Vice President of the European Parliament, who recognises the importance of embracing and celebrating the increasing religious diversity of Europe.
- i) The Lord Provost is Patron of Edinburgh Interfaith Association.

In acknowledging the civic, equality, multi-cultural, inclusion, educational and international contributions of the Edinburgh Interfaith Association, Council requests that the Lord Provost marks the 30th anniversary in an appropriate way.”

Decision

To approve the motion by the Lord Provost.

21 Leith Victoria Boxing Club - Motion by Councillor Munro

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

“Council congratulates Leith Victoria Boxing Club, Scotland’s oldest boxing club, who celebrate 100 years of the Noble Art in 2019. In appreciation of their significant contribution to amateur boxing, Council agrees to ask the Lord Provost to mark the occasion in the appropriate manner to thank the club.”

Decision

To approve the motion by Councillor Munro.

22 Seafield Recycling Centre - Motion by Councillor Lang

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

- “1) Council recognises its responsibility to make it as easy as possible for residents to reuse and recycle their household waste, and the importance of local recycling centres in helping to meet this duty.
- 2) Council notes the new access arrangements which came into force in Seafield recycling centre on 3 June, which followed significant changes to the internal layout of the centre.
- 3) Council is concerned by the problems which arose following the new access arrangements, resulting in substantial delays at peak periods for those residents seeking to access the site and even the temporary closure of the centre because of road safety concerns on Seafield Road.
- 4) Council appreciates the work of officers in responding to the initial disruption by making adjustments to the internal operation of the site but recognises user complaints about delays in getting into the site have continued.
- 5) Council therefore agrees that the report on recycling centres, due before the September 2019 meeting of the Transport and Environment Committee, should be widened to cover:
 - (a) the reasoning and rationale for the new layout and access point at the Seafield Recycling Centre.
 - (b) feedback from staff and users of the site since the changes were made.
 - (c) what further options exist to make additional changes at the centre to reduce waiting times and increase the throughput of residents using the site.”

Motion

To approve the motion by Councillor Lang.

- moved by Councillor Lang, seconded by Councillor Staniforth

Amendment

- 1) Council recognises its responsibility to make it as easy as possible for residents to reuse and recycle their household waste, and the importance of local recycling centres in helping to meet this duty.
- 2) Council notes the new access arrangements which came into force in Seafield recycling centre on 3 June, which followed significant changes to the internal layout of the centre.
- 3) Council notes the reasons for these changes included the delivery of a new transfer station to improve reliability of household waste collection service as well as being able to separate heavy vehicles from members of the public for significant safety reasons and that the new design provides an additional 100 yards of queueing space for vehicles.
- 4) Council is concerned by the problems which arose during the first two weeks of operation following the new access arrangements, resulting in delays at peak periods for those residents seeking to access the site and the temporary closure of the centre because of road safety concerns on Seafield Road.
- 5) Council appreciates the work of officers in responding to the initial disruption by adjusting the internal operation of the site and recognises that no further shut downs of the site have been required since then.
- 6) Council notes that if further closures occur in the next four weeks that the forthcoming report to the September 2019 Transport and Environment Committee will be expanded to include:
 - (a) the rationale behind the new layout and access point at the Seafield Recycling Centre
 - (b) feedback from staff and users since the changes were made
 - (c) what further options exist to make additional changes at the centre to reduce waiting times and increase the throughput of residents using the site
- 7) Council requests an Elected Members briefing on all issues surrounding the new access is circulated within two weeks

- moved by Councillor Macinnes, seconded by Councillor Day

In accordance with Standing Order 21(11), the amendment was accepted in place of the motion.

Decision

To approve the amendment by Councillor Macinnes.

23 Operation Close Pass – Collaboration - Motion by Councillor Booth

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

“Council:

- 1) notes recent research from British Cycling, based on 15,000 respondents, which found that almost 90% of cyclists experience a “close pass” – an overtake within 1.5m – at least weekly, 66% said they were concerned about their safety while cycling on Britain’s roads, and almost 40% said they experienced a close pass daily;
- 2) notes that in the West Midlands police area, since its launch in September 2015, the Operation Close Pass initiative has been credited with bringing about a 20 per cent reduction in the number of cyclists killed or injured on the roads;
- 3) Notes the original Operation Close Pass was developed by West Midlands Police following analysis of road safety data, and was part of a suite of measures to improve road safety for vulnerable road users, and that WMP are now considering extending the principle of Operation Close Pass to allow them to detect and act on other offences including seat belt, mobile phone and vehicle defect offences;
- 4) Welcomes the recent collaboration between Police Scotland and Cycling Scotland, which has seen Operation Close Pass exercises carried out throughout Scotland, including in Edinburgh, and awareness raising activity to encourage drivers to treat vulnerable road users with respect through the Give Everyone Cycle Space campaign.
- 5) Agrees to explore the option for collaboration between the police and the council on innovative approaches to road safety for vulnerable road users, extending the principle of Operation Close Pass, and to report back to Transport and Environment Committee on options within 3 cycles.”

Decision

To approve the motion by Councillor Booth.

24 1.5% Budget Efficiency Savings - Motion by Councillor Whyte

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

“Council:

- 1) Notes that the Administration budget committed to finding a 1.5% efficiency saving, reducing the spend on Council Services compared to last year.
- 2) Regrets the lack of public information on how this will be achieved, and the subsequent lack of scrutiny in Council or by local people on the impact of these efficiency savings.
- 3) Recognises that the Convener of Education, Children and Families Committee gave an undertaking that individual head teachers would know the effect on devolved school budgets, if any, before the schools break for the summer.
- 4) Is concerned that almost a quarter of the financial year in which these savings have to be made has already passed.
- 5) Instructs the Chief Executive to prepare a report listing options so that Council can agree the required 1.5% savings target at its next meeting.”

Motion

To approve the motion by Councillor Whyte

- moved by Councillor Whyte, seconded by Councillor Jim Campbell

Amendment

Council:

- 1) Notes point one of the Motion by Councillor Iain Whyte and deletes points two to five replacing with;
- 2) Notes the Coalition Budget Motion approved on 21 February 2019 requested the Chief Executive to report back to Council on the measures included within the 1.55% by the autumn;
- 3) Notes that head teachers received information on the devolved school management budgets on 14 June 2019;
- 4) Notes that a Revenue Budget Framework 2019-2024 Progress Update went to Finance and Resources Committee on 23 May 2019 and Council on 30 May 2019; and

- 5) Notes that a further update will be brought to Finance and Resources Committee on 15 August 2019 which will identify any remaining savings.”

- moved by Councillor Rankin, seconded by Councillor Cameron

In accordance with Standing Order 21(11), Paragraphs 3 and 5 of the amendment were accepted as amendments to the motion.

Voting

The voting was as follows:

For the motion (as adjusted)	-	32 votes
For the amendment	-	25 votes

(For the motion (as adjusted): Councillors Aldridge, Booth, Brown, Bruce, Burgess, Jim Campbell, Mary Campbell, Cook, Corbett, Doggart, Douglas, Gloyer, Graczyk, Hutchison, Johnston, Laidlaw, Lang, McLellan, Main, Miller, Mitchell, Mowat, Osler, Rae, Ritchie, Rose, Neil Ross, Rust, Smith, Staniforth, Webber and Whyte.

For the amendment: The Lord Provost, Councillors Barrie, Bird, Cameron, Ian Campbell, Kate Campbell, Child, Day, Dickie, Dixon, Fullerton, Gordon, Griffiths, Henderson, Howie, Key, Macinnes, McVey, Munn, Munro, Perry, Rankin, Watt, Wilson and Work.

Decision

To approve the following adjusted motion by Councillor Whyte:

- 1) To note that the Administration budget committed to finding a 1.5% efficiency saving, reducing the spend on Council Services compared to last year.
- 2) To regret the lack of public information on how this would be achieved, and the subsequent lack of scrutiny in Council or by local people on the impact of these efficiency savings.
- 3) To note that head teachers received information on the devolved school management budgets on 14 June 2019.
- 4) To note concern that almost a quarter of the financial year in which these savings had to be made had already passed.
- 5) To note that a further update would be brought to the Finance and Resources Committee on 15 August 2019 which would identify any remaining savings.

25 Valedictory – Allan McCartney

The Lord Provost, paid tribute to Allan McCartney, Committee Manager, who was retiring after 39 years local government service, with 32 of those years being with Lothian Regional Council and the current City of Edinburgh Council. He commended Allan's support to the democratic process and Councillors and his calm professional approach in fulfilling his role as Committee Manager to the City of Edinburgh Council. He thanked him for his outstanding contribution to the conduct of the Council and its business and on behalf of the Council, he wished him well for a lengthy and enjoyable retirement.

26 Chair

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

27 International Campaign to Abolish Nuclear Weapons (ICAN) 'Cities Appeal' - Motion by Councillor Burgess

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

"This Council:

- 1) Notes that the City of Edinburgh Council is a member of the Nuclear Free Local Authorities (NFLA) and the Hiroshima-led 'Mayors for Peace' both of which have been working for over 3 decades to promote multilateral nuclear disarmament;
- 2) Notes that NFLA and Mayors for Peace work with the International Campaign to Abolish Nuclear Weapons (ICAN), which received the Nobel Peace Prize in 2017 for its work in encouraging over two thirds of United Nations members to agree to the International Treaty to Prohibit Nuclear Weapons;
- 3) Notes ICAN's new 'Cities Appeal' which urges Councils to formally support the International Treaty to Prohibit Nuclear Weapons which has already been signed by a number of important global cities likes Hiroshima, Nagasaki, Sydney, Melbourne, Washington DC, Los Angeles, Geneva, Mainz, Trondheim, Zaragoza and in the UK, Manchester and Renfrewshire;
- 4) In supporting the Cities Appeal, is concerned about the grave threat that nuclear weapons pose to communities throughout the world, believes that our residents have the right to live in a world free from this threat, that any use of nuclear weapons, whether deliberate or accidental, would have catastrophic,

far-reaching and long-lasting consequences for people and the environment and therefore welcomes the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and calls on the UK Government to join it;

- 5) Agrees that the Council Leader will write to ICAN to endorse their ‘Cities Appeal’ in support of the International Treaty to Prohibit Nuclear Weapons.”

Motion

To approve the motion by Councillor Burgess.

- moved by Councillor Burgess, seconded by Councillor Miller

Amendment 1

To take no action on the matter.

- moved by Councillor Rose, seconded by Councillor McLellan

Voting

The voting was as follows:

For the motion	-	37 votes
For amendment 1	-	17 votes

For the motion: Councillors Griffiths (Depute Convener), Aldridge, Barrie, Bird, Booth, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Fullerton, Gloyer, Gordon, Graczyk, Henderson, Howie, Key, Macinnes, McVey, Main, Miller, Munn, Munro, Osler, Perry, Rae, Rankin, Ritchie, Staniforth, Watt, Wilson and Work

For the amendment: Councillors Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Rose, Rust, Smith, Webber and Whyte.

Abstentions: Councillor Neil Ross.)

28 European Cities Regarding Short Term Lets – Emergency Motion by Councillor Watt

The Lord Provost ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency to allow the Council to give early consideration to this matter.

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

“Council:

- Notes the letter written by ten European Cities in response to the opinion given by the advocate general of the European Court of Justice regarding digital short-term letting platforms.
<https://www.amsterdam.nl/bestuur-organisatie/college/wethouder/laurens-ivens/persberichten/press-release-cities-alarmed-about/>
- Notes the Scottish Government’s consultation on the regulation of short-term lets in Scotland closes on 19 July 2019.
- Supports the efforts being made by Amsterdam, Barcelona, Berlin, Bordeaux, Brussels, Krakow, Munich, Paris, Valencia and Vienna to ensure that Cities can set and enforce rules for short-term letting.
- Asks that the Council Leader writes an open letter of support to the Leaders of the ten City Councils and sends a copy to all Scottish MEPs and MP and MSP representatives for the Capital.”

Motion

To approve the motion by Councillor Watt

- moved by Councillor Watt, seconded by Councillor Kate Campbell

Amendment

To add to the motion by Councillor Watt:

Notes that after the withdrawal of the UK from the European Union Edinburgh will no longer be subject to this ruling and requests that the Leader also writes to the Brexit Secretary of the UK Government to ask that the rights of cities to determine their own regulations in the above matter are respected in the withdrawal agreements and any subsequent agreements with the EU.

- moved by Councillor Mowat, seconded by Councillor Whyte

Voting

The voting was as follows:

For the motion - 25 votes

For the amendment - 28 votes

(For the motion: Councillors Griffiths (Depute Convener), Barrie, Bird, Cameron, Ian Campbell, Kate Campbell, Child, Day, Dickie, Dixon, Fullerton, Gordon, Henderson, Howie, Key, Macinnes, McVey, Munn, Munro, Perry, Rankin, Ritchie, Watt, Wilson and Work.

For the amendment: Councillors Aldridge, Booth, Brown, Bruce, Burgess, Jim Campbell, Mary Campbell, Cook, Corbett, Daggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, McLellan, Miller, Mitchell, Mowat, Osler, Rae, Rose, Neil Ross, Rust, Smith, Staniforth, Webber and Whyte.

Abstentions: Councillor Graczyk.)

Decision

To approve the amendment as follows:

Council:

- Notes the letter written by ten European Cities in response to the opinion given by the advocate general of the European Court of Justice regarding digital short-term letting platforms.
<https://www.amsterdam.nl/bestuur-organisatie/college/wethouder/laurens-ivens/persberichten/press-release-cities-alarmed-about/>
- Notes the Scottish Government's consultation on the regulation of short-term lets in Scotland closes on 19 July 2019.
- Supports the efforts being made by Amsterdam, Barcelona, Berlin, Bordeaux, Brussels, Krakow, Munich, Paris, Valencia and Vienna to ensure that Cities can set and enforce rules for short-term letting.
- Asks that the Council Leader writes an open letter of support to the Leaders of the ten City Councils and sends a copy to all Scottish MEPs and MP and MSP representatives for the Capital.
- Notes that after the withdrawal of the UK from the European Union Edinburgh will no longer be subject to this ruling and requests that the Leader also writes to the Brexit Secretary of the UK Government to ask that the rights of cities to determine their own regulations in the above matter are respected in the withdrawal agreements and any subsequent agreements with the EU.

29 Sir William Y Darling Bequest for Good Citizenship

The Council, 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 Paragraph 1 of Part 1 of Schedule 7(A) of the Act.

Details were given of nominations for the Sir William Y Darling Award for Good Citizenship for the municipal year 2018/2019.

Decision

To make the Sir William Y Darling Award for Good Citizenship for the municipal year 2018/2019 to Brenda Devlin.

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

Appendix 1

(As referred to in Act of Council No 2 of 27 June 2019)

QUESTION NO 1

By Councillor Miller for answer by the Convener of the Housing and Economy Committee at a meeting of the Council on 27 June 2019

Question

How many properties have been the subject of investigation due to short term holiday lettings in the last 12 months and the previous 12 months, including issues relating to planning, antisocial behaviour, noise, waste, and safety including fire risks and overcrowding

Answer

The most recent update on Short Term Lets was considered by [Corporate Policy and Strategy Committee](#) in May 2019.

The Communications team has taken additional steps to raise awareness of the Scottish Government Consultation both through media communications and social media.

The Council is looking at new ways of working in response to the growth of short stay lets, including a proactive approach to enforcement and engagement with residents. This includes the use of impact warning letters to tackle a large concentration of short stay lets. The planning service has also successfully piloted taking enforcement action against key safes on listed buildings.

The data below has been updated to take account of most recent information, alongside a change in how complaints about short term lets are categorised:

Area	Period	Cases
Planning Enforcement	January to December 2018	117
	January to June 2019	109
Private Rented Sector Enforcement and Trading Standards	June 2017 to June 2018	21
	June 2018 to June 2019	20
Family Household and support (ASB)	From April 2019*	22
Environmental Health	From July 2018	5
Total		294

*Recording of complaints in respect of short term lets was changed in April 2019 from categories of Antisocial Behaviour. Complaint figures prior to that could only be provided by manual checking of all ASB complaints received by the Council.

Supplementary Question

Thank you, Lord Provost, and thank you to the Convener for the answer to the question. I wonder if the Convener could comment on whether the figures that are provided represent the scale and the extent of the problem that we see in the city and whether the Council should be taking any more proactive approach towards this issue?

Supplementary Answer

Thank you, Councillor Miller for your question. I think we would all agree that they don't represent the scale of the issue we've got. I think it's very positive that we've seen a doubling of the amount of enforcement cases, so in six months we've done almost as many as we did in the previous year, and I think that demonstrates the commitment to tackling this issue. That has taken significant additional resource and we know that SPICe has for instance said that there's 12 thousand lets across the city, I think the short-term lets working group which has been well attended and had valuable contributions from across the Chamber is in agreement that planning enforcement is not the answer, it will not provide us with the solution. I think we have taken a proactive role as a Local Authority in setting out what we do think the solution will be, which is a regulatory framework, and we have been very clear about how we think that needs to be implemented and the legislative change that is needed. We made representations to the Scottish Government both politically

and through officers attending working groups and that has resulted in a consultation on the regulation of short term lets which the Scottish Government is undertaking at the moment and we hope that that will bring the type of legislative change in regulatory framework that will allow us to get to grips with the problems. So I think we have been proactive and I would just ask that all members of the public, we need as many voices from Edinburgh as possible making the case, that we do need legislative change and we do need a licensing regime because there is serious impacts from short term lets in the city and we need the tools to be able to tackle them.

QUESTION NO 2

**By Councillor Johnston for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 27 June 2019**

Tram Extension – Final Design

Question

What opportunities will the public have to engage with the final design?

Answer

As you will no doubt be aware, extensive consultation was undertaken and evidenced during the development of the final business case. Workshops for local residents and interest groups were held throughout the comprehensive design process. The designs presented to Committee have formed the basis of the engagement with contractors.

As part of the Traffic Regulation Order (TRO) statutory process, members of the public will have further opportunity to give their views on the finalised road design.

Further information on the project can be found at:

www.edinburgh.gov.uk/tramstonewhaven.

**Supplementary
Question**

Lord Provost, I am somewhat disappointed with that answer. As we all know there are some groundworks going on for the tram extension and just last month the project director, Alejandro Mendoza said that the ground investigation works we are doing will allow our design team to develop a robust final design. Given we don't know what's been found and that we don't have a final design, will the transport convener think again and perhaps run some public engagement workshops so everyone can engage and have confidence in this project?

**Supplementary
Answer**

Thank you for your supplementary. I think when I look back at the development of the design that we are dealing with at this point, the level of engagement that we had with local resident groups with stakeholder groups that might be impacted, around issues of everything from the design of the specific design of it and the impact right through to act of travel schemes there to the local requirements or for example the residents on Constitution Street, I think the

degree of engagement that we have had has been remarkable and it's been remarkably successful in terms of helping us to shape that. I think your question is somewhat disingenuous. The groundworks going on at the moment is to establish engineering changes that might be required not a change in the final design, so I think that should be recognised. What's happening at the moment is that they're looking at the what the finding in the different areas in order to make sure that we deliver this programme in a well-engineered safe secure manner which can give the city confidence in what we're doing. As mentioned in the response there will be a further opportunity under the TRO schemes in that members of public can then comment on it as well and to raise questions about it as well. So (a) that is a further opportunity and (b) the engagement we've had so far has been unbelievable from local residents and we found it incredibly beneficial and it has shaped the final design already.

QUESTION NO 3

By Councillor Laidlaw for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 27 June 2019

Question (1) What new measures have been implemented this year to address the issue of weeds on our streets and pavements?

Answer (1) The Council's approach to weed control was reported to Transport and Environment Committee on 9 August 2018 - http://www.edinburgh.gov.uk/download/meetings/id/58090/item_81_-_progress_in_implementing_the_integrated_weed_control_programme. This successful approach has continued in 2019.

Question (2) Can the convener provide details of the number of referrals, number of treatments administered and number of repeat treatments?

Answer (2) Under the approach outlined in August 2018, it is intended to administer two treatments per year. This was achieved in 2018. The delivery of this in 2019 is weather dependent, and treatments cannot of course be delivered effectively during periods of inclement weather, as recently experienced.

There have been approximately 65 contacts with the Council about excessive weeds since January 2019. In addition, there have been a further 11 relating to the treatment of weeds.

Question (3) What system is in place to gauge effectiveness of the treatments?

Answer (3) Following treatment, visual inspections are undertaken on a regular basis to assess the effectiveness of treatment.

**Supplementary
Question**

It's that time of year again. I thank the Convener for her answer, it gives new meaning to the phrase rose tinted spectacles, clearly she sees something very different to the majority of residents when she's cycling round the city, even the World Heritage Site we see roads so covered in grass you could play long balls, we see practically herbaceous borders going up along the Dean Bridge, we see the city walls becoming living walls. So I'd like to know what metrics she's using her answer to define the successful approach that has been taken?

**Supplementary
Answer**

Have you noticed the rain that we've had in the last little while, have you noticed it? We have this question again and again and again about weeds and again and again and again we talk about the fact that if there is rain

**Comments by
the Lord
Provost**

Excuse me Councillor Macinnes - the question's been asked and the Convener is answering it, if members don't want to listen to the answer then they're free to leave, but please don't talk across the Convener when she's giving an answer to a member's question.

**Supplementary
Answer
continued**

Thank you Lord Provost. As stated in the written answer the delivery of our weed treatment programme is highly weather dependent, anybody with a garden who is looking at the issue of weeds, knows only too well that if you're trying to de-weed a path you have to have a period where there is no rain, in order to allow that to be effective, Exactly the same thing goes for our city-wide issues. We last year introduced a much faster method of treating weeds courtesy of the introduction of quad bikes, that's being used again this year. They're already out now doing it in this period of much better weather, we will see a difference. I think you should take into account the local conditions before you ask questions of that nature again.

QUESTION NO 4

By Councillor Mowat for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 27 June 2019

To ask the Convener of Transport and Environment to:

Question (1) Provide details of the numbers of choked drains that have been unblocked in the past 12 months by Ward?

Answer (1) In the past 12 months 30,172 gullies have been visited, 23,760 gullies were unblocked. These visits are broken down by ward as follows:

Ward	Number of Gullies Unblocked
1	2,341
2	1,897
3	3,071
4	4,023
5	3,632
6	2,705
7	1,961
8	481
9	641
10	666
11	2,219
12	1,031
13	1,207
14	944
15	1,102
16	1,331
17	920

Question (2) Provide details of whether these have been treated as a result of individual complaints being raised by members of the public or as part of regular maintenance?

- Answer** (2) Of the 23,760 gullies treated:
- 3,378 reports were raised by members of the public in the past 12 months (around 3,000 enquires are received per annum); and
 - 20,382 were part of regular maintenance.

Broadly, there are usually around 3,000 enquiries/contacts about gullies per annum. The predominant reasons are where the sump is blocked with silt and other debris, or the grating is blocked with leaves. Taken over the size of the Edinburgh road network, this figure can be considered reasonable

- Question** (3) Confirm there is a planned maintenance schedule for the clearing of choked drains and could this be provided, broken down by Ward?

- Answer** (3) The routine gully cleaning rota is based on a 24-month schedule. Sensitive gullies are attended to on a six-monthly basis. The routine gully cleaning programme (overleaf) is based on routes within the old neighbourhood areas therefore, we are unable to provide this information by individual ward.

Supplementary Question Thank you, Lord Provost. Will there be a review of the planned maintenance schedule in light of the severe rainfall this week to assess whether the flooding experienced in parts of the city was exacerbated by choked gully's and blocked drains.

Supplementary Answer Thank you for your supplementary Councillor Mowat. We have a 24 month rolling programme of gully maintenance and that has been as up-to-date as possible, it's also impacted by the weather, so there have been some slight delays around it. We also have a maintenance programme that looks specifically at sensitive locations, we've already identified that there are issues that can cause localised flooding when we face the kind of extreme weather event that we had on Monday, seems like a very long time ago because of the work that has been involved since, but it was only Monday. We recognise that obviously gully

maintenance is important, also too in this particular instance was the capacity of the sewer system to deal with such an extraordinary dump of rain on the city. We had half a month's worth of rain in three hours. I would challenge almost any city to be able to accommodate that without some degree of localised flooding. What was really important I think however, was our response to it, we had for example one instance where at Bankhead Grove the trams had to stop running because of that precise issue and we had that back up and running very very quickly, that was down to the response of the City of Edinburgh teams in order to get that moving. We've since seen quite a lot of road repairs that have been done to repair road surfaces in particular locations and that of course is going to be continuing until we get to the end of that. I'd like to take this opportunity really to say how well I think the response worked across the emergency services, across Scottish Water group, and across our own particular teams that were out in that. In terms of the gully maintenance, yes we will go back and have a look at it again to see whether or not anything can be learnt from that, of course when we have an extraordinary event as we did on Monday, we have to look at that, but I am confident that the processes in place are strong and that we need to simply look at some tweaks around timing, again it was impacted by weather in the last month.

**Comments by
the Lord
provost**

Can I just ask Councillor Macinnes, if you are doing a review as you've just committed to, will that be reported back to the Transport and Environment Committee.

**Councillor
Macinnes**

Yes I'll do so, under the business bulletin I imagine, as soon as possible.

Cyclic Routine Gully Cleaning Programme for 2018 - 2020

Proposed Work Schedule by Old Neighbourhood Area

Neighbourhood	Start Date	Finish Date	weeks to complete
North	01/10/18	29/03/19	26
<i>Sensitive routes</i>	<i>29/10/18</i>	<i>17/11/18</i>	<i>03</i>
City Centre and Leith	01/04/19	19/07/19	16
<i>Sensitive routes</i>	<i>03/06/19</i>	<i>22/06/19</i>	<i>03</i>
East	22/07/19	18/10/19	13
<i>Sensitive routes</i>	<i>11/11/19</i>	<i>29/11/19</i>	<i>03</i>
South	21/10/19	31/01/20	15
South West	03/02/20	29/05/20	17
<i>Sensitive routes</i>	<i>08/06/20</i>	<i>26/06/20</i>	<i>03</i>
West	01/06/20	25/09/20	17
Proposed Programme Timescale – 24 MONTHS			

Adhoc Event (V) routes to be scheduled prior to large event / within 24-month programme - nightshift can attend where noise is not an issue.

NOTES: -

1. 'Sensitive' gullies are cleaned twice a year city wide in June (prior to summer rain storms) and November (after leaves fall of trees).
2. **The dates in this schedule are subject to change** as gully cleaning vehicles cannot operate in the winter months when temperatures are below 0°C. Long periods of heavy rain and vehicle availability can also reduce resources carrying out routine cyclic gully cleaning.
3. When all the gullies in a Neighbourhood Area have been attended on their routes (but not necessarily cleaned), and the area routes have been finished, ad-hoc (one-off) routes are carried out for gullies that could not be accessed during the routine cleaning (due to parked cars, road works, etc). These Ad-hoc routes are scheduled to be carried out within a few weeks of completing a Neighbourhood Area.

QUESTION NO 5

By Councillor Mowat for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 27 June 2019

In the plans put out for consultation on the Low Emission Zones the proposed boundaries have the effect of diverting traffic through adjacent residential areas. Can the Convener confirm:

Question (1) If there was an EIA carried out prior to proposing the boundaries?)

Answer (1) EIAs (Environmental Impact Assessments) are assessments undertaken for development proposals which may have significant environmental impacts. For public plans, strategies and programmes such as Low Emission Zones (LEZs), the relevant assessment framework is a Strategic Environmental Assessment (SEA).

Integrated Impact Assessment work is being undertaken to support LEZs and includes environmental impacts. A pre-screening of whether the SEA framework applies has been undertaken and has been determined as not applicable.

LEZs primary objective is to achieve compliance with the Local Air Quality Management regime, as defined under the Environment Act 1995, including objectives for nitrogen dioxide (NO_x) concentrations. Tackling traffic management issues can be achieved through other means.

The development of the LEZs is in line with the [Scottish Government National Low Emissions Framework](#) (NLEF) guidance. The air quality model (developed and run by SEPA) to assess NO_x levels across the city is in line with the [National Modelling Framework](#) (NMF).

Question (2) If an EIA was carried out please append a link to it in the response to these questions?

Answer (2) See response to Q(1).

Question (3) Have baseline measurements for CO₂, NO_x, PM₁₀, PM 2.5 and noise been carried out along all the boundaries and adjacent streets proposed?

Answer (3) LEZ development is focussed on NO_x Air Quality Management Areas. As such assessment against this pollutant is the focus.

A report setting out this assessment has been prepared by SEPA and was considered by Transport and Environment Committee in [February 2019](#).

Question (4) If the answer to 2, is yes, where is this information published?

Answer (4) The air quality evidence report is available on the Council's website
http://www.edinburgh.gov.uk/CET/downloads/file/3/air_quality_evidence_report_%E2%80%93_edinburgh.

Question (5) What assessment has been made of the impact of displacement of non-compliant EuroVI engine vehicles on streets adjacent to the boundaries?

Answer (5) EuroVI diesel vehicles (both car and heavy diesel vehicles) are compliant. It should also be noted that Euro 4 petrol engines are compliant.

The city centre boundary has been defined taking into consideration:

- The location of air quality exceedances – defined partly by the AQMAs and the SEPA model;
- The need to provide clear and legible alternative routes for non-compliant vehicles; and
- The boundary aligns with arterial roads that are suitable to carry higher levels of traffic.

It should be acknowledged that the majority of streets in the wider city centre contain residential properties, not just those areas adjacent to the proposed city centre LEZ boundary.

Supporting measures and actions (including those targeting modal shift, reducing the use of private cars in the city centre, supporting sustainable travel in and around the city

centre) will be delivered through the Edinburgh City Centre Transformation project and the City Mobility Plan, as well as other transport initiatives.

Question (6) If such an assessment has been made where can this data be found?

Answer (6) These results will be presented to Transport and Environment Committee in October 2019.

Supplementary Question Thank you Lord Provost. Convener, in answer 5 you reply that the low emission zone boundaries were drawn up to align with arterial routes that are suitable to carry higher levels of traffic, does this mean that the route through Randolph Crescent, Great Stuart Street and Ainslie Place is now designated as an arterial routes to replace the A1 despite the fact that it is currently signed as not suitable for HGV's?

Supplementary Answer I'll come back to you with some specific responses to that Councillor Mowat because it is obviously a very specific question. I would however see that in terms of the way in which the Low Emission Zone proposals are being laid out at the moment it does reflect an enormous degree of work in terms of trying to fit within SEPA recommendations and the national framework for how we organise it. I think it's worth noting in terms of your question, where you talk about the effect of diverting traffic through adjacent residential areas, I'd like to draw attention to the fact that there's barely a street in Edinburgh that is not residential and I think that's something that we ought to be taking into account when commenting on this.

QUESTION NO 6

**By Councillor Mowat for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 27 June 2019**

Question

Will the arrangement in place for the end of May and early June in response to Councillor Rose's question 5.3 answered at the May 2019 Council meeting relating to Southside, Fountainbridge and Newington, apply to other student areas e.g. City Centre Ward or elsewhere?

Answer

Yes, this arrangement applies to all areas with high student populations.

QUESTION NO 7

By Councillor Webber for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 27 June 2019

Can the Convener please reassure families that information previously provided stating the target intake date of spring 2020 is still correct as many families are counting on this timescale by confirming:

- Question** (1) When we can anticipate the building of the new Nether Currie Early Years facility to commence?
- a. If not yet known when can we expect the start date to be confirmed?
- Answer** (1) Construction will begin on Monday 1 July 2019.
- Question** (2) What date can we expect the first intake for pupils?
- a. If not yet known, when can we expect this to be confirmed?
- Answer** (2) August 2020.
- Question** (3) When will the staff recruitment process begin ahead of the building completion date?
- Answer** (3) Recruitment is ongoing on a city-wide basis for the 1140 Early Years programme.
- Question** (4) When can we expect the Landscape architects, engaged by CEC, to provide plans for the proposed improvements of existing primary schools (this was promised in 2018)?
- Answer** (4) The architects will work with stakeholders to develop plans from August 2019. The final plans should be available by Easter 2020

QUESTION NO 8

By Councillor Laidlaw for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 27 June 2019

Given the apparent lack of progress and detail around the West Edinburgh High School, can the convener please provide an update on:

- Question** (1) Proposed location of the school following the Education, Children and Families Committee decision to explore alternatives to the Ratho Station site?
- Answer** (1) Site options are still being considered. Statutory consultation would be required to establish the location and catchment area for the new school.
- Question** (2) Estimated construction completion timescales?
- Answer** (2) Latest projections indicate the new school would be required for August 2024.
- Question** (3) Funding available and funding required?
- Answer** (3) There is no funding currently allocated to the project. Depending on the size, the costs could range from £30m-£50m.
- Question** (4) How will pupils be accommodated at other schools until the project is completed, especially in light of sign-off of major new developments in this catchment?
- Answer** (4) Until 2024 pupils can be accommodated in their existing schools. A rising rolls project would be progressed for any school which has immediate accommodation issues.
- Supplementary Question** I thank the Convener for his answer. I think there will still be. despite his answers, significant concern from parents and western fringe of the city about the lack of progress on the new high school and I wondered in his answer if the Officer had taken into account the new major developments at Cammo and along the Burnshot Road when making these 2024 projections?

**Supplementary
Answer**

Thank you for your supplementary. I am almost sure they have but I'll go back and check they haven't and will need to redraft the figures.

QUESTION NO 9

By Councillor Rust for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 27 June 2019

Can the Convener please confirm;

- Question** (1) Who made the decision to issue letters to Primary School Headteachers regarding lack of money to provide special needs support?
- Answer** (1) The Executive Director for Communities and Families, in consultation with Head Teacher representatives, agreed that schools be communicated with by e-mail.
- Question** (2) On what date were these letters issued and on what date was a subsequent communication issued by the Council reversing the reduction in financial support?
- Answer** (2) An e-mail was sent to schools on 28 May 2019. A further e-mail advising that the devolved hours would be reinstated to 18/19 levels and the low incidence process would be advised shortly was sent on 6 June 2019. A meeting took place with HT representatives on 7 June 2019 to discuss and agree the approach for Low Incidence allocations after which a communication agreed with the Head Teacher representatives was issued to all primary HT's on 11 June 2019.
- Question** (3) Who made the decision to overturn the refusal to spend more money on additional support needs?
- Answer** (3) Following consultation with the Convener and Vice-Convener, the instruction was issued to the Executive Director for Communities and Families to reverse the decision with immediate effect.
- Question** (4) When and by what means were all elected members advised?

Answer (4) Following communications from Head Teachers, the Convener and Vice Convener raised the issue with officers and were advised of the email formally on 3 June 2019. The Leader and Deputy Leader were provided with a briefing on 6 June 2019.

Question (5) Where was the money located / from where will the spend be funded and will any sacrifices be made to accommodate this spend?

Answer (5) Additional resources have been identified within the budget and are currently being discussed with the Convener and Vice-Convener.

Question (6) Is the sum of £5million (as reported in the media) accurate?

Answer (6) The £5m is neither an actual nor a definitive figure but was based on the assumption that all applications received would be granted and at the highest level. All outstanding applications have since been assessed by officers and schools advised of the outcome on 24 June 2019.

Question (7) What was the overspend in budget last year?

Answer (7) The audit hours budget was overspent by £232k in 2018/19.

Supplementary Question Thank you Lord Provost and I thank the convener for his answer. In terms of the answer to question 4 it would seem that only 4 Councillors in this Chamber were advised. Given that the last time I looked will have schools in our ward and I was contacted by two parent councils as well as individual parents on the sensitive issue, does he agree that it is completely unacceptable that no other elected Member was advised?

Supplementary Answer Sorry I was just trying to reflect on what you meant by question 4. What I was intending doing, and I was hoping you were going to ask in terms of the last question, is that, the process has just been finished in terms of looking at all the applications and the allocations and I'm sure it will be interesting, that will be a much better figure, a much better briefing to have, so what I would endeavour to do and give you a guarantee that, once this process is finished I'll organise a briefing for all councillors in this room to find out

who applied for what and what was granted, and the officers will then be able to explain if anybody's got any issues at that briefing.

QUESTION NO 10

By Councillor Brown for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 27 June 2019

Question

Further to the Convener's comments at Full Council Budget Meeting on 21st February 2019 and the subsequent establishment that Road Mole was indeed more than a just a Computer Generated Image on Twitter, can the Convener offer an update on progress being made in conducting a trial of said machine as a way to help solve Edinburgh's potholes problems?

Answer

Officers met with CSJ Civil Engineering to better understand the current specification, ability, productivity and availability of the "Road Mole". The technology is in its early infancy and still under its development, and therefore not currently applicable to Edinburgh. From discussions it would appear to be more suited to trunk road scenarios than urban situations. However, a site visit to Liverpool on 8 July is planned to see it in operation.

QUESTION NO 11

**By Councillor Staniforth for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 27 June 2019**

On the 9th June the road to Seafield Recycling Centre was closed due to safety concerns. In light of this:

Question (1) What was the extent of public consultation on the use of the road before the entrance on Fillyside Road was closed and the Seafield Road entrance opened?

Answer (1) The changes at Seafield Recycling Centre were made to maintain the health and safety of visitors to the site, as operational changes were being introduced. Consultation was undertaken as part of the planning process (site layout was included within the original planning application) therefore there was no expectation of a need for further public consultation.

Question (2) Why were traffic numbers so under-estimated at the site that the entrance had to be closed down?

Answer (2) There was no under-estimation in the forecasted use of the site. On occasion, and as can be reasonably expected, there can be peaks in use which are often weather influenced.

The site layout was designed based on analysis of previous site usage and provides an additional 100 yards of road space for vehicles to wait within the site.

For safety reasons on that particular day, when it was identified that there was a significant build-up of vehicles on the site and queuing, the decision was taken to temporarily close the site to new visitors for a short period.

Despite the Council continuing to make drivers aware of the change to the facility's access arrangements, some early users have not been adhering to the new traffic management system in place.

- Question** (3) What is being done to ensure that entry to Seafield Recycling Centre is both safe and efficient in the future?
- Answer** (3) Officers are continuing to monitor the movement of vehicles entering and leaving the site, as well as while they are on the site. Adjustments are being made to the site layout to improve vehicle movement. Officers are also drafting business continuity arrangements to allow for any future pressures should they arise.
- Supplementary Question** Thank you, Lord Provost. Does the Convener agree that actually when making significant alterations to recycling centre it would be appropriate to consult the users of the recycling centre as well rather than simply relying on statutory planning consultations?
- Supplementary Answer** Yes, I think it might have been helpful, it might have helped reduce some of the heat in the discussion once it was opened, but the simple fact of the matter is that the changes were being made for safety reasons. With the implementation of the new transfer station at that site, it was absolutely necessary to make the changes to allow some degree of separation between heavy vehicles moving around the site and the public coming in. I do appreciate that for the local population, particularly those coming from the Portobello end, there is this perception that it's a more inconvenient situation for them, however, within the site there has been an extra hundred yards put in of waiting time inside the site. So in other words in a safe area, and I hope that over time as people get used to the changes, as people start to use up sites, more and more that will be understood as to why we were doing that. I think it's a very important aspect, the question of safety in terms of people moving around with both cars, heavy loads, all of those kinds of things on a site like that.

QUESTION NO 12

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 27 June 2019

Question (1) What grass collection equipment is owned and operated by the parks and greenspaces team?

Answer (2) The Parks and Greenspaces team owns and operates three machines which can be used for collecting grass and/or litter, two are towed by large tractors and the third is operated by a mini tractor.

Question (2) On what basis is any such equipment deployed across the four localities?

Answer (2) This equipment is not deployed on a geographical basis, but rather it is used mainly on sports pitches across the city, in situations where the grass is too long and the clippings would interfere with play if left.

Supplementary Question Thank you very much and I thank the Convener for the answers that she provided. In her answer she rightly identified the need for grass collection on sports fields because otherwise they risk being unplayable, but I know for a number of different reasons the grass-cutting has been later this year and certainly in my ward, and I know in others we have had pretty significant swathes of open green space which have been left with huge piles of grass, leaving them unusable for people who are not necessarily even playing sports but just wanting to use and enjoy these areas. So does the Convener think there is perhaps a case for looking at some additional capital investment for more of these machines so that grass collection in these open areas where it's feasible to do so becomes the norm rather than the exception?

Supplementary Answer Thank you for your supplementary Councillor Lang. As you'll be aware the move towards using this equipment only in terms of sports pitches, is a decision that was taken

previously at Committee. I am happy to ask officers to come back and have a conversation with you and I about what you've just raised about it, but I suspect that it goes beyond the scope of your question in terms of the capital cost, what other services you might have to cut in order to do that, to do as you outlined and so on but I am certainly happy to have that conversation and I would propose that we do so post recess.

QUESTION NO 13

**By Councillor Lang for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 27 June 2019**

Question (1) 1. What percentage of streets have been treated for weeds this year, broken down by ward?

Answer (1) Percentage of herbicide application on streets - up to 18 June in 2018 and 2019:

Ward	2018	2019
1	80%	75%
2	60%	100%
3	100%	20%
4	100%	100%
5	25%	5%
6	60%	0%
7	100%	50%
8	30%	0%
9	50%	0%
10	85%	30%
11	35%	50%
12	40%	30%
13	30%	30%
14	40%	50%
15	65%	10%
16	70%	10%
17	65%	5%

Question (2) How do these figures compare to this time in (a) 2018 and (b) 2017?

Answer (2) The table above compares 2018 and 2019. In 2017 this work was recorded in spray log books and it has not been possible to collate this information in time to respond to this request.

Question (3) What further resources are being allocated to weed clearance over the next three months?

Answer (3) 6 quad bikes fitted with spraying equipment will be operational when weather conditions permit.

Question (4) Can the Council's weed control policy be uploaded to the section of the website relating to weed control?

Answer (4) This will be uploaded by the end of June 2019.

Question (5) How many complaints or requests for weed clearance have been received so far this year, broken down by ward?

Answer (5) There have been approximately 65 contacts with the Council about excessive weeds since January 2019. In addition, there have been 10 further contacts relating to the treatment of weeds. The breakdown below shows the number of contacts recorded on Confirm by ward. The remaining 25 have not been recorded by ward.

Wards	Volume
01-Almond	5
02-Pentland Hills	1
03-Drum Brae/Gyle	3
04-Forth	2
05-Inverleith	5
06-Corstorphine/Murrayfield	2
07-Sighthill/Gorgie	3
10-Meadows/Morningside	1
11-City Centre	7
12-Leith Walk	2
13-Leith	5
14-Craigentinny/Duddingston	6
15-Southside/Newington	2
16-Liberton/Gilmerton	4
17-Portobello/Craigmillar	2
Grand Total	50

Supplementary Question I'm rather hesitant about asking this question due to the answer Councillor Laidlaw received but I'll give it a try. Lord Provost I have to say I do think that there is a risk that the Administration comes across as slightly dismissive of this as an issue. I don't think I'm the only one who looks at parts of the city and thinks it is becoming something of Day of the Triffids frankly, and we now know why because the level of weed control is well down compared to 2018 and in fact some wards have had no streets treated whatsoever over the course of the last six months. So whatever the reasons behind it, can the Convener clarify whether in reality, has the team that deals with this got the capacity to catch up and if it does when will that be done by?

**Supplementary
Answer**

Yes it does have the capacity to catch up and it will be doing so now that the weather has cleared and we're able then to actually apply the weed killer. As I mentioned earlier last year we introduced quad bikes, that allows us to move much further and faster, I think at about four times the rate that is allowed by people operating on foot. So we are able to cover large areas quite quickly now that the weather is clear that allows us to apply it that catch up will happen. I would say though, it's worthwhile drawing attention to the written answer that has been provided which is an honest question, we've had 65 complaints since the beginning of this year. Given the weather, given the scale of that, I don't believe that that is an enormously high figure. Yes do we have to respond to it, of course, there is no question about this Administration being dismissive of concerns but what this Administration is doing is trying to be realistic and the context that we've been operating in has been incredible weather rain pattern over the last month which has delayed an awful lot of the work that would have been done. Were now in a position where this could actually get on and get that work done. There is no question that we are dismissing this, there is no question that we're underestimating this, but we have to reflect the reality of how we're able to operate in this area and that is highly weather dependent. I think the fact that we're into the second year of quad bike use will make a difference and over the coming years we'll see that happening more and more, but we have to accept the fact that this is highly dependent on external factors over which I unfortunately have no control.

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QUESTION NO 1

**By Councillor Jim Campbell for
answer by the Convener of the
Transport and Environment
Committee at a meeting of the
Council on 22 August 2019**

Question

On what date were either, or both, Transport for Edinburgh and Lothian Buses first informed in writing of the Councils intention to adopt a EURO VI standard for diesel power vehicles to enter the proposed LEZ for Edinburgh?

Answer

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QUESTION NO 2

**By Councillor Neil Ross for answer
by the Convener of the Housing,
Homelessness and Fair Work
Committee at a meeting of the
Council on 22 August 2019**

Question (1) Is the Convener aware of instances reported in the national press of Council tenants abusing their tenancy agreements by sub-letting on a short-term basis?

Answer (1)

Question (2) What action has the Council taken to identify any short-term letting of Council tenancies?

Answer (2)

Question (3) How many instances of short-term letting of Council tenancies have been found in the past twelve months on a per ward basis?

Answer (3)

Question (4) What action has the Council taken to deal with instances of sub-letting and does this include the issuing of fines and evictions?

Answer (4)

Question (5) What is the Council's policy to allow Council tenants to sub-let a spare room?

Answer (5)

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QUESTION NO 3

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019

Question (1) How many bookings were made for the uplift of bulky waste items in each of the last five years?

Answer (1)

Question (2) How many bookings have been made for the uplift of bulky waste items in each month since the start of 2019?

Answer (2)

Question (3) What performance target exists in terms of the time period between bookings and assigned collection dates?

Answer (3)

Question (4) For bookings made so far this year, what percentage have had bulky items collected a) within two weeks b) within four weeks c) within six weeks d) within eight weeks and e) after more than eight weeks?

Answer (4)

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QUESTION NO 4

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019

At the February 2019 meeting of the Council and in response to question 5.12, the Convener provided a timetable for actions to address parking issues in Newbridge. This included the preparation of an outline design of possible restrictions and the commencement of a TRO process in March 2019 and to advertise a draft TRO in May 2019.

Question (1) Has an outline design been prepared yet?

Answer (1)

Question (2) When does she now expect a draft TRO to be advertised?

Answer (2)

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QUESTION NO 5

**By Councillor Johnston for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 22 August 2019**

Question (1) What progress has been made with Graffiti tagging database?

Answer (1)

Question (2) How many 'tags' are in the database and how many have been linked to the individuals' response?

Answer (2)

Question (3) How many enforcement notices has the council issued to the owners of private properties who have failed to tackle graffiti?

Answer (3)

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QUESTION NO 6

By Councillor Douglas for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019

Question (1) When are the Council expecting to develop and publish a surface water management plan?

Answer (1)

Question (2) What assistance are they planning to provide in the meantime to residents who now find their properties are at an increased risk of flooding?

Answer (2)

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QUESTION NO 7

By Councillor Laidlaw for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019

Question

Can the Convener:

1. Update Council on the progress that has been made on the sponsorship of roundabouts which seems to have made little progress in the past year?
2. Inform Council if any special considerations are preventing the City of Edinburgh from mirroring successful sponsorship schemes active in the other Lothian local authorities and Fife?

Answer

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QUESTION NO 8

By Councillor Miller for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019

Question

Edinburgh is a signatory of the Charter of Brussels, which sets out practical and realistic targets to have a positive impact on cycling by 2020. Could the Convener please identify:

- a) which targets have been met, including Edinburgh's most recent measurements
- b) which targets have not yet been met, what actions/plans will ensure Edinburgh is successful by 2020, including our current scores

https://ecf.com/sites/ecf.com/files/Charter_of_Brussels.pdf

Answer

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QUESTION NO 9

**By Councillor Miller for answer by
the Convener of the Transport
Committee at a meeting of the
Council on 22 August 2019**

Question

Could the Convener of Transport & Environment please give the number of incidences of vehicles contravening the “Summertime streets” vehicle-free or restricted vehicle access streets in the Old Town.

Answer

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QUESTION NO 10

**By Councillor Young for answer by
the Convener of the Transport
Committee at a meeting of the
Council on 22 August 2019**

Question

Can the Convener guarantee that bookings will no longer be taken for cruise liner visits at Hawes Pier in Queensferry for future periods covering the Ferry Fair?

Answer

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QUESTION NO 11

By Councillor Young for answer by the Convener of the Transport Committee at a meeting of the Council on 22 August 2019

Kirkliston Traffic Study Report

The above traffic study was committed to in May 2017 and carried out in June 2018. Unfortunately a final public report on the findings and proposed action plan has still to be published.

Question (1) When will the report on the results of the traffic study at the Kirkliston cross-roads and other parts of West Edinburgh be made public?

Answer (1)

Question (2) What progress has been made in developing options to alleviate the congestion issues at the Kirkliston cross-roads since ward councillors and the representatives of the community council were briefed in December 2018?

Answer (2)

Question (3) What timetable exists to progress actions in light of the traffic study results?

Answer (3)

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QUESTION NO 12

By Councillor Young for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 22 August 2019

Reminder Demand and Final Notice Letters for Council Tax

As these are some of the most frequent 'standard letters' issued by the Council, please provide information on the review process - specifically:

- | | |
|-----------------|---|
| Question | (1) How often is the wording (factual info, tone of voice and terminology) reviewed and at what seniority level? |
| Answer | (1) |
| Question | (2) When was the last time the letters were reviewed? |
| Answer | (2) |
| Question | (3) When was the last time any 'customer research' was carried out to get feedback on the letter wording? What was that feedback? |
| Answer | (3) |
| Question | (4) Have the letters been reviewed by any debt advice agencies or equalities organisations to advise on issues such as plain English, accessibility for those with support needs, and tone of voice impact on vulnerable adults? |
| Answer | (4) |
| Question | (5) How many complaints have been received about the wording used in the council tax letters in the last year (either 2018 calendar year or the most recent 12 months)? |
| Answer | (5) |

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QUESTION NO 13

By Councillor Osler for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019

Flood Guidance

The Council website provides flood guidance on getting sandbags ready and lists premises where these can be collected.

Question (1) How often is this list reviewed and updated?

Answer (1)

Question (2) When was the last time it was reviewed and updated?

Answer (2)

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QUESTION NO 14

By Councillor Osler for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019

Road Works in Restalrig Area

At the beginning of the month residents in the Restalrig area reported works happening with in one case no notice being given to residents and in another case less than 24 hours notice with the result that residents with disabilities were unable to make arrangements to maintain access to their home and all residents were faced with the threat of having their cars towed to make way for those works.

Question (1) What is considered an acceptable notice period for residents with regard to road works in their area?

Answer (1)

Question (2) Was this notice period adhered to at Restalrig this month?

Answer (2)

Question (3) If not, why was the notice period so poor or even non-existent?

Answer (3)

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Making the Festivals work for everyone

We're right in the thick of festival season, with performers, visitors and residents flocking to enjoy the world's biggest and best cultural extravaganza. And while it's fantastic that so many people want to share in the excitement, there's no doubt that the swell in population puts additional pressure on the city centre.

This year we've put a number of measures in place to help maintain a [welcoming and enjoyable atmosphere](#). Under Summertime Streets we've restricted motor vehicle access to some of the most popular areas in the Old Town, helping to keep pedestrians safe and opening up historic streets like Victoria Street and Cockburn Street for people to relax and wander. We're also working to keep our streets as clean and clutter-free as possible, with extra cleansing staff patrolling the city and our bad joke-themed campaign encouraging people to bin their rubbish.

On Sunday night, Madness will close this year's [Summer Sessions](#) – which, despite the changeable weather, have brought some amazing acts to Princes Street Gardens. Following feedback from last year, we made sure that public access to the Gardens was increased on concert days and that security measures needed on Princes Street were adapted to limit the impact as much as possible. It's worth reiterating that the Gardens are open as normal to the public more than 98% of the time. It's also worth noting that nearly 11,000 local residents attended last year's summer sessions and with such a fantastic line up this year, we expect even more Edinburghers to have attended.

While we're already past the midpoint of the busiest month in Edinburgh's calendar, the next six months aren't going to see any let-up in our workload, as we continue to deliver on our [ambitious programme for the Capital](#).

Our plans for a sustainable Capital

A significant chunk of this work revolves around our commitment to making real, transformative changes to our city, and it's essential that we involve the people who live, visit and work here. That's why I'm delighted with the level of participation in recent consultations on Low Emission Zones, City Centre Transformation (CCT) and the Meadows to George Street project, which together received more than 8,000 responses.

There's no question we need to act radically to tackle climate change and reduce carbon emissions, and we've set ourselves a super-ambitious target of becoming [carbon-neutral by 2030](#). Our game-changing plan to introduce a Low Emission Zone will help us get there by limiting the most polluting vehicles in our city, while our ambitious CCT proposals include major improvements to the Meadows to George Street route, prioritising movement by foot, bicycle and public transport and creating a liveable city centre.

Our George Street and New Town public realm design project is very much part of this vision, and last month we were delighted to receive more than £20m of funding towards the scheme from Sustrans Scotland and Transport Scotland's [Places for Everyone](#) programme.

Timetable for shaping Edinburgh's future

Earlier this month we agreed a timetable to progress our next local development plan, [City Plan 2030](#), to help shape a sustainable, inclusive and successful Edinburgh.

The main consultation stage 'Choices for City Plan 2030' will run from December to February. When adopted in 2022, it will provide guidance to the development community about how they can contribute to the long-term future of our city.

We're also reviewing our planning guidance for retail in the city centre to make sure we move with the times and respond to retail trends. Our ongoing consultation asks if we should make planning policy more flexible for different types of businesses in areas such as Princes Street. I'd really encourage you to tell us what you think so we can [make the most of our historic city centre](#) and this iconic thoroughfare.

We'll make sure that all these plans tie in to City Centre Transformation, Low Emission Zones and the overall City Mobility Plan so that we're taking the city forward in a joined up, strategic way.

We're changing lives

We should all be proud of the coverage this week about a delighted family of five, who have just moved into their brand new, three-bedroom Council house.

The family moved into their new North Sighthill home from temporary accommodation – and reading about what these homes mean for families was a moving and poignant reminder of why investment in our ambitious programme to build 20,000 homes along with housing association partners is so worthwhile.

The [North Sighthill development](#) is part of a major regeneration project including almost 100 homes for social rent with the rest for mid-market rent and private sale.

Higher and higher

Pupils and staff returned to school this week after yet another positive set of exam results achieved by our young people.

Our pass rate for Highers was above the Scottish average, National 5 passes were up on last year and there were several other improvements with especially strong levels of attainment in S6.

So, my thanks go to the dedicated teachers and staff who worked so hard to prepare pupils and parents/carers who supported their children over the past year. For some the results may not have been what they were hoping for, but there's no wrong pathway for our young people #MyLearnerJourney.

Growing success of garden waste

The sign-up window for the next service year of our garden waste collections closed last week and we're now planning the collection routes and getting permit stickers printed and sent out in time for the 19/20 collections to begin from 7 October.

We'll now have [over 75,000 brown bins](#) to collect all over the city every fortnight, up from the current service year. This increase shows people really value and appreciate the service we're providing – while also generating £1.7m of additional revenue that we can reinvest in vital Council services.

Our two waste transfer stations (Seafield and Bankhead) and the new waste collection depot at Bankhead will allow us to continue to drive improvements in the collection of all waste and recycling materials – giving households the reliable and effective service they rightly expect.

Praise for flooding response

It won't have escaped your attention that we've been hit by some pretty extreme weather this summer, with storms during June, July and August. Due to the localised, freak nature of the storms (a fortnight's rain in half an hour) it's not always possible to avoid some surface water and flooding, and my thoughts are with anyone who experienced damage to their homes or property.

We've done everything we can to limit the impacts and it's down to the hard work of our roads and flooding teams that we've been able to minimise disruption during this period. Officers have worked round the clock to attend to flooding issues and monitor watercourses, such as the Water of Leith, while squads have rapidly responded to repair any damage to roads and pavements. I'd like to take this opportunity to thank them for their efforts.

A new chapter

You may have read this week that my partner and I are about to adopt – and that I'll be taking leave to start the hardest and most rewarding job I'm sure I'll ever have.

I'm acutely aware of my duty to the people of Edinburgh and I look forward to returning to the City Chambers to continue delivering the change our future generations demand of us.

In the meantime, I'll be asking my fellow councillors to approve cover arrangements while I'm on six weeks of adoption leave to cover my responsibilities. I'm confident our Council can demonstrate that we can be a modern, progressive workplace.

I'd like to thank my colleagues, family, friends and the hundreds of people who have got in touch to offer their good wishes and support as we enter this exciting new chapter of our lives.

Get involved

Keep up to date with all Council news via our [news section online](#). You can watch live council and committee meetings via our [webcast](#) service and join the debate on Twitter using #edinwebcast. If you wish to unsubscribe, please [email](#) us.

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The City of Edinburgh Council

10:00am, Thursday, 22 August 2019

Appointments to Committee and Committee Terms of Reference

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To appoint two replacement members to the Governance, Risk and Best Value Committee.
- 1.2 To repeal the existing Committee Terms of Reference and Delegated Functions and approve in its place appendix 1, such repeal and approval to take effect from 23 August 2019.
- 1.3 To agree that the Community Council Investigation Officer should be the Head of Strategy and Communications.

Andrew Kerr

Chief Executive

Contact: Gavin King, Democracy, Governance and Resilience Senior Manager

E-mail: gavin.king@edinburgh.gov.uk | Tel: 0131 529 4239

Appointments to Committee and Committee Terms of Reference

2. Executive Summary

- 2.1 To appoint two replacement members to the Governance, Risk and Best Value Committee, amend the Committee Terms of Reference and Delegated Functions and to establish an independent complaints panel to consider complaints against community councillors.

3. Background

- 3.1 The Council agreed on 27 June 2019 that executive committee conveners and vice conveners would no longer be permitted to be members of the Governance, Risk and Best Value Committee.
- 3.2 On 27 June 2019 Council adopted the revised Scheme for Community Councils. The Scheme included a new complaints process which requires the establishment of an independent complaints panel.
- 3.3 On 27 June 2019 Council agreed changes to the Council's operational governance framework including the Committee Terms of Reference. Changes were made to the rules surrounding the Pensions Committee, but the full range of changes considered by the Pensions Committee were not made to its terms of reference.

4. Main report

- 4.1 Councillor Kate Campbell (Convener of the Housing, Fair Work and Homelessness Committee) and Councillor Watt (Vice-Convener of the Housing, Fair Work and Homelessness Committee) are members of the Governance, Risk and Best Value Committee. Council is asked to appoint two replacement members – one from the SNP group and one from the Labour group.
- 4.2 The Pensions Committee on 26 June 2019 considered changes to its governance arrangements that would better reflect the additional regulatory duties that applied to overseeing pension funds. The Council on 27 June 2019 made changes to its

Standing Orders and Scheme of Delegation to Officers to reflect this but changes were not made to the Committee Terms of Reference and Delegated Functions. These changes are now proposed and are detailed in appendix one to this report.

- 4.3 The Council agreed a revised Scheme of Community Councils in June 2019. Following a request from the Scottish Government the Scheme included an enhanced Community Councillors' Code of Conduct with a corresponding complaints process (appendix 2). This process includes two routes for resolution of a complaints, firstly through communication with the Community Council and secondly through a Panel Hearing.
- 4.4 It is proposed that a new committee is established that would consist of three councillors taken from all 63 elected members. The elected members whose ward is where the community council is based would not be eligible for that Panel. This Panel would consider a report by the Investigation Officer and hear from the individual who the complaint is about. They would then take a decision on whether a sanction should be applied and what that sanction should be. The Panel will also be able to make recommendations to the relevant community council or the City of Edinburgh Council.
- 4.5 An Investigation Officer is also required to be appointed and it is proposed that the Head of Strategy and Communications fulfils this role.

5. Next Steps

- 5.1 Guidance will be provided to elected members in advance of any Community Council complaint hearing.

6. Financial impact

- 6.1 The resource required to manage the complaint process will be contained within the Strategy and Communications budget.

7. Stakeholder/Community Impact

- 7.1 The Scheme for Community Councils undertook a full consultation in line with the Local Government (Scotland) Act 1973.
- 7.2 The Pensions Committee had considered and agreed that governance changes should be taken forward.

8. Background reading/external references

8.1 [Scheme for Community Councils](#)

8.2 [Operational Governance Framework 2019 – City of Edinburgh Council – 27 June 2019](#)

8.3 [Review of Scheme for Community Councils – City of Edinburgh Council - 27 June 2019](#)

9. Appendices

Appendix One – Committee Terms of Reference and Delegated Functions

Appendix Two – Community Council Complaints Procedure

CITY OF EDINBURGH COUNCIL
COMMITTEE TERMS OF REFERENCE
AND
DELEGATED FUNCTIONS

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COMMITTEE TERMS OF REFERENCE AND DELEGATED FUNCTIONS

A. GENERAL

These terms of reference and delegated functions ("**Committee Terms of Reference**") apply from 23 August 2019 and set out the powers delegated by the City of Edinburgh Council ("**Council**") to its committees and sub-committees ("**Committees**") pursuant to the Local Government (Scotland) Act 1973 (the "**Act**").

1. Delegation to Committees

- 1.1. Subject to law, to the provisions of these Committee Terms of Reference, and to any restriction, direction or instruction of Council, there shall be delegated to the respective Committees all the functions and matters contained in:
- 1.1.1. these Committee Terms of Reference;
 - 1.1.2. any scheme made under the Act or statute; and
 - 1.1.3. any minute of the Council making specific delegation to the Committee.

2. Reserved matters

- 2.1. The following matters are reserved to the Council:
- 2.1.1. all functions reserved by law to the Council;
 - 2.1.2. determining the strategic objectives of the Council;
 - 2.1.3. election of the Leader, Deputy Leader, Lord Provost, Depute Convener and Bailies;
 - 2.1.4. appointment of committees of the Council, agreeing and/or amending their terms of reference and delegation of functions to them;
 - 2.1.5. deciding the composition of committees of the Council and appointment of members to serve on them, including external members;
 - 2.1.6. appointment of members to serve on joint committees, joint boards and any outside body;
 - 2.1.7. making, amending, revoking, re-enacting or adopting standing orders and Committee Terms of Reference and Delegated Functions;
 - 2.1.8. approving or amending any scheme of delegation to officers;
 - 2.1.9. the annual review of the revenue budget and the fixing of council tax;
 - 2.1.10. the annual review of the capital investment programme and approval of any capital project with a value exceeding £50,000, not included in the capital investment programme;

- 2.1.11. any material expenditure which is not included in the annual revenue budget;
- 2.1.12. setting of special responsibility allowances;
- 2.1.13. making, amending, revoking, re-enacting or adopting, bye-laws, schemes, regulations or rules made under statute subject to confirmation by Scottish Ministers where applicable;
- 2.1.14. the formal adoption of Local Development Plans;
- 2.1.15. the approval of a Proposed Strategic Development Plan and the delegation of authority to the strategic development planning authority (SEsplan);
- 2.1.16. the determination of an application for planning permission for a development of a class mentioned in A38A (i) of the Town and Country Planning (Scotland) Act 1997;
- 2.1.17. appointment and dismissal of the Chief Executive and appointment of a chief official;
- 2.1.18. any decision in relation to any proposal to delegate a power or duty to or accept a delegated power from any other local authority or to co-operate or combine with any other local authority in providing services;
- 2.1.19. promoting or opposing the making of local legislation;
- 2.1.20. creation of Council companies;
- 2.1.21. the preparation and review of the Scheme for Community Councils (Special Meeting);
- 2.1.22. amendments to the Treasury Policy Statement, and
- 2.1.23. approval of the annual Treasury Strategy and annual treasury management performance.

3. Committee Membership

- 3.1 Committee membership will be proportionate according to the elected representation of political parties unless expressly agreed otherwise at a meeting of the full Council.

4. Urgent decisions

- 4.1. 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 or Vice-Convener, may take action, subject to the matter being reported to the next meeting of the Council or Committee.

5. Substitutes

- 5.1. Where permitted by law and where specified in these Committee Terms of Reference, a member may, subject to paragraph 5.2 below appoint a substitute member from his or her political group to attend a meeting of the committee in his or her place, by email to the Clerk in advance of the meeting.
- 5.2. Any member proposed to be appointed as a substitute must, where specified in these Committee Terms of Reference, have completed the appropriate training for the committee concerned.
- 5.3. The substitute member will be a member of the committee for that meeting and will be entitled to take part in the meeting with the full powers, duties and responsibilities of a member.

6. Convener of Sub-Committee

- 6.1. The Convener of a sub-committee will be appointed by its parent committee.

B. COMMITTEE TERMS OF REFERENCE AND DELEGATED POWERS

Executive Committees

1. Policy and Sustainability Committee

1.1. **Constitution:** 17 Members of the Council including:

- 1.1.1. 5 SNP
- 1.1.2. 5 Conservative
- 1.1.3. 3 Labour
- 1.1.4. 2 Green
- 1.1.5. 2 SLD

Convener and Vice-Convener

- 1.2. The Leader of the Council will be the Convener of the Policy and Sustainability Committee.
- 1.3. The Deputy Leader of the Council will be the Vice-Convener of the Policy and Sustainability Committee.

Quorum

- 1.4. Six members of the Policy and Sustainability Committee will constitute a quorum.

Substitution

- 1.5. Substitutes are permitted.

Delegated functions

- 1.6. Power is delegated to the Policy and Sustainability Committee to:
 - 1.6.1. advise the Council on outcomes, strategic objectives and key priorities;
 - 1.6.2. develop and approve Council policies, including reform, smart city, human resources, community planning and partnership working;
 - 1.6.3. adopt and implement the management framework for planning, implementing, reporting and reviewing Council service delivery;
 - 1.6.4. ensure the Council meets its statutory responsibilities in terms of best value;
 - 1.6.5. ensure the Council meets its statutory responsibilities in terms of diversity and equalities;
 - 1.6.6. monitor implementation of the Council's business and service development plans, corporate strategies, change programmes, corporate initiatives and service reviews;

- 1.6.7. facilitate and encourage public participation and empowerment ensuring the involvement of citizens, the community, neighbourhood networks, partners and key stakeholders in the committee decision-making process;
- 1.6.8. instruct such performance information as the committee requires to fulfil its remit and monitor overall performance in the delivery of services and the Council's financial performance;
- 1.6.9. set and monitor all relevant grants programmes and award grants;
- 1.6.10. provide scrutiny of those services delegated to the Integration Joint Board. This should include scrutiny of internal controls, performance, quality and compliance with the law;
- 1.6.11. determine any reviews of community asset transfer requests;
- 1.6.12. provide oversight and take decisions on matters relating to sustainability and climate change
- 1.6.13. provide oversight and take decisions on major economic policy and strategy and significant cross-cutting regeneration projects;
- 1.6.14. provide strategic oversight of Edinburgh City Region Deal;
- 1.6.15. advise, agree, scrutinise and review Edinburgh Police and Fire and Rescue Service city-wide plans, policies and performance;
- 1.6.16. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action;
- 1.6.17. determine differences between committees except where the difference involves a decision on an individual planning or licensing application; and
- 1.6.18. take all decisions which are not reserved to the Council or delegated to another committee of the Council

2. Culture and Communities Committee

2.1. **Constitution:** 11 members of the Council as follows:

- 2.1.1. 3 SNP
- 2.1.2. 3 Conservative
- 2.1.3. 2 Labour
- 2.1.4. 2 Green
- 2.1.5. 1 SLD

Convener and Vice Convener

2.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

2.3. Four members will constitute a quorum.

Substitution

2.4. Substitutes are permitted.

Delegated functions

2.5. Power is delegated to the Culture and Communities Committee in relation to the matters listed in paragraph 2.6, to:

- 2.5.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
- 2.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
- 2.5.3. set standards for service delivery and secure value for money;
- 2.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
- 2.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
- 2.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
- 2.5.7. facilitate and encourage public, engagement, consultation, participation and feedback;
- 2.5.8. set and monitor all relevant grants programmes and award grants;

- 2.5.9. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action to be taken;
 - 2.5.10. review the impact of the committee's policies on the city
- 2.6. The matters referred to in paragraph 2.5 are as follows:
- 2.6.1. Community Justice;
 - 2.6.2. community safety
 - 2.6.3. health except those matters delegated to another committee or the Integration Joint Board;
 - 2.6.4. Cultural development, festivals and events;
 - 2.6.5. Sport and Recreation;
 - 2.6.6. Arts and museums;
 - 2.6.7. Libraries and community centres;
 - 2.6.8. Parks and green spaces;
 - 2.6.9. community and locality planning
 - 2.6.10. community empowerment; and
 - 2.6.11. Community Councils.

3. Education, Children and Families Committee

- 3.1. **Constitution:** 11 members of the Council as follows:

- 3.1.1. 3 SNP
- 3.1.2. 3 Conservative
- 3.1.3. 2 Labour
- 3.1.4. 2 Green
- 3.1.5. 1 SLD

Additional members for education items:

- 3.1.6. 3 Religious Representatives
- 3.1.7. 1 Parent Representative (non-voting)

Convener and Vice Convener

- 3.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

- 3.3. Four members will constitute a quorum except in the case of education business where five members will constitute a quorum.

Substitution

- 3.4. Substitutes are permitted for all members of the Council.

Delegated functions

- 3.5. Power is delegated to the Education, Children and Families Committee to:
 - 3.5.1. exercise all the functions of the Council as education authority (education business), within the terms of the relevant legislation; and
 - 3.5.2. exercise the functions as social work authority, within the terms of the relevant legislation, in relation to children.
- 3.6. In addition, in relation to the matters listed in paragraph 3.7, to:
 - 3.6.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
 - 3.6.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
 - 3.6.3. set standards for service delivery and secure value for money;
 - 3.6.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals.
 - 3.6.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
 - 3.6.6. monitor arrangements to ensure best value and continuous improvement across all services;
 - 3.6.7. facilitate and encourage public, engagement, consultation, participation and feedback;
 - 3.6.8. set and monitor all relevant grants programmes and award grants;
 - 3.6.9. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action; and
 - 3.6.10. review the impact of the committee's policies on the city.
- 3.7. The matters referred to in paragraph 3.6 are as follows:
 - 3.7.1. the Council's education, children and families services;
 - 3.7.2. Lifelong Learning; and
 - 3.7.3. major capital programmes or projects implementation, asset planning and facilities management for the Council's education, children and families services.

4. Finance and Resources Committee

4.1. **Constitution:** 11 members of the Council as follows:

- 4.1.1. 3 SNP
- 4.1.2. 3 Conservative
- 4.1.3. 2 Labour
- 4.1.4. 2 Green
- 4.1.5. 1 SLD

Convener and Vice Convener

4.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

4.3. Four members will constitute a quorum.

Substitution

4.4. Substitutes are permitted.

Delegated functions

4.5. Power is delegated to the Finance and Resources Committee in relation to matters listed in paragraph 4.6 to:

- 4.5.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
- 4.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
- 4.5.3. set standards for service delivery and secure value for money;
- 4.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
- 4.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
- 4.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
- 4.5.7. facilitate and encourage public engagement, consultation, participation and feedback;
- 4.5.8. set and monitor all relevant grants programmes and award grants;
- 4.5.9. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved

Petitions procedure and determine the appropriate action to be taken;
and

4.5.10. review the impact of the committee's policies on the city.

4.6. The matters referred to in paragraph 4.5 are as follows:

4.6.1. Council's revenue and capital budgets;

4.6.2. Council's expenditure and budget policy;

4.6.3. Monitoring the Council's Treasury Management policies and practices;

4.6.4. Council's long term financial plan;

4.6.5. Procurement and contracts;

4.6.6. monitoring of Council debt and debt recovery;

4.6.7. Common Good Fund;

4.6.8. human resources (not including policy);

4.6.9. ICT

4.6.10. Disposal and development of Council owned property and land transactions;

4.6.11. All charitable and other trust funds vested in the Council except where the Council has expressly made other arrangements.

5. Housing, Homelessness and Fair Work Committee

5.1. **Constitution:** 11 members of the Council as follows:

5.1.1. 3 SNP

5.1.2. 3 Conservative

5.1.3. 2 Labour

5.1.4. 2 Green

5.1.5. 1 SLD

Convener and Vice Convener

5.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

5.3. Four members will constitute a quorum.

Substitution

- 5.4. Substitutes are permitted.

Delegated functions

- 5.5. Power is delegated to the Housing, Homelessness and Fair Work Committee in relation to matters listed in paragraph 5.6 to:
 - 5.5.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
 - 5.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
 - 5.5.3. set standards for service delivery and secure value for money;
 - 5.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
 - 5.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
 - 5.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
 - 5.5.7. facilitate and encourage public, engagement, consultation, participation and feedback;
 - 5.5.8. set and monitor all relevant grants programmes and award grants
 - 5.5.9. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action to be taken;
 - 5.5.10. review the impact of the committee's policies on the city.
- 5.6. The matters referred to in paragraph 5.5 are as follows:
 - 5.6.1. Housing;
 - 5.6.2. Homelessness and housing support;
 - 5.6.3. Employability and fair work;
 - 5.6.4. Economic development projects and policies that are not reserved to the Policy and Sustainability Committee;
 - 5.6.5. External relations and inward investment; and
 - 5.6.6. Inclusive growth.

6. Transport and Environment Committee

6.1. **Constitution:** 11 members of the Council as follows:

- 6.1.1. 3 SNP
- 6.1.2. 3 Conservative
- 6.1.3. 2 Labour
- 6.1.4. 2 Green
- 6.1.5. 1 SLD

Convener and Vice Convener

6.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

6.3. Four members will constitute a quorum.

Substitution

6.4. Substitutes are permitted.

Delegated functions

6.5. Power is delegated to the Transport and Environment Committee in relation to the matters listed in paragraph 6.6, to:

- 6.5.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
- 6.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council or officers;
- 6.5.3. set standards for service delivery and secure value for money;
- 6.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
- 6.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
- 6.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
- 6.5.7. facilitate and encourage public, engagement, consultation, participation and feedback;
- 6.5.8. set and monitor all relevant grants programmes and award grants;

- 6.5.9. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action to be taken;
 - 6.5.10. review the impact of the committee's policies on the city.
- 6.6. The matters referred to in paragraph 6.5 are as follows:
- 6.6.1. Strategic Transport Planning;
 - 6.6.2. Traffic management, roads and parking;
 - 6.6.3. Public transport;
 - 6.6.4. Public Realm Projects;
 - 6.6.5. Flood prevention;
 - 6.6.6. Waste services;
 - 6.6.7. Environmental health and trading standards; and
 - 6.6.8. Street cleaning and open space maintenance.

7. Governance, Risk and Best Value Committee

- 7.1. **Constitution:** 11 members of the Council as follows:

- 7.1.1. 3 SNP
- 7.1.2. 3 Conservative
- 7.1.3. 2 Labour
- 7.1.4. 2 Green
- 7.1.5. 1 SLD

Convener

- 7.2. The Convener of the committee will be a member of the opposition.
- 7.3. The Conveners and Vice Conveners of the following Committees shall not be eligible to serve as members of the Governance, Risk and Best Value Committee:

- 7.3.1 The Policy and Sustainability Committee;
- 7.3.2 The Culture and Communities Committee;
- 7.3.3 The Education, Children and Families Committee;
- 7.3.4 The Finance and Resources Committee;
- 7.3.5 The Housing, Homelessness and Fair Work Committee; and
- 7.3.6 The Transport and Environment Committee.

Quorum

- 7.3. Four members of the Governance, Risk and Best Value Committee will constitute a quorum.

Substitution

- 7.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive.

Delegated functions

- 7.5. Power is delegated to the Governance, Risk and Best Value Committee to exercise the following functions:
- 7.5.1. To monitor the financial performance of the Council and its subsidiary undertakings, the effectiveness of the Council's audit and inspection, risk management and governance arrangements and of the control environment of the Council and associated anti-fraud and anti-corruption arrangements; including:
 - 7.5.2. Scrutinising information on:
 - (a) Council Budgets;
 - (b) Management of Council assets;
 - (c) The Council's Treasury Management strategy and policies;
 - (d) Control, monitoring and review of income and expenditure, both revenue and capital;
 - (e) Council subsidiaries ;
 - (f) Council Companies (excluding those associated with the pension fund);
 - (g) Children's Panel; and
 - (h) Common Good Fund.
 - 7.5.3. Monitoring the annual audit plan and reviewing all Council audit and inspection work against the plan.
 - 7.5.4. Receiving and considering summaries of internal and external audit reports which relate to any issue falling within the remit of this committee.
 - 7.5.5. Monitoring internal controls, corporate risk management and key operational governance areas.
- 7.6. Scrutiny on a specific issue should follow a committee decision.
- 7.7. To instruct a report on any matter within the remit of an executive committee but where a decision is yet to be taken; the report as instructed will initially be considered by the executive committee.
- 7.8. Referring back to the appropriate Executive Committee for its consideration any financial performance issue, which might have implications for policy development within the remit of the Executive Committee

- 7.9. To scrutinise the operational performance of all council services and Council subsidiaries in relation to the Council's agreed pledges, outcomes, policy objectives and statutory performance targets, including:
- 7.9.1. considering information that relate to issues falling within the remit of Council services, including complaints handling, customer care and ombudsman reports;
 - 7.9.2. monitoring employment, organisational development and equalities issues as they relate to the operation of the council corporately and to its individual services; and
 - 7.9.3. scrutinising major projects and programmes, service reviews and transformational change.
- 7.10. To invite Conveners or Vice-Conveners to attend committee, and where appropriate, to question and hold them to account on the operational or financial performance of any service area falling within their remit.
- 7.11. To refer back to the appropriate Executive Committee for its consideration any service performance issues that might have implications for policy development coming within the remit of the Executive Committee
- 7.12. To initiate and undertake planned scrutiny reviews of any matter falling within the remit of this committee or specific scrutiny reviews requested by an Executive Committee.
- 7.13. To promote the observance by Councillors of high standards of conduct and assist them in observing the code of conduct, in accordance with any guidance issued by the Standards Commission for Scotland.
- 7.14. To report, as required, on any matter within the committee's remit to Council.

Other Committees

8. Committee on Discretionary Rating Relief Appeals

- 8.1. **Constitution:** 5 members of the Council as follows:

- 8.1.1. 1 SNP
- 8.1.2. 1 Conservative
- 8.1.3. 1 Labour
- 8.1.4. 1 Green
- 8.1.5. 1 SLD

Convener

- 8.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

- 8.3. Two members of the Committee on Discretionary Rating Relief Appeals will constitute a quorum

Substitution

- 8.4. Substitutes are permitted.

Delegated functions

- 8.5. Power is delegated to the Committee on Discretionary Rating Relief Appeals:
- 8.5.1. To review decisions taken by the Executive Director of Resources to refuse discretionary rating relief;
 - 8.5.2. To consider representations from organisations or individuals, justifying the granting of discretionary rating relief to them;
 - 8.5.3. To decide whether or not to grant discretionary rating relief as a result of considering the organisation's or individual's representations; and
 - 8.5.4. To decide what, if any, conditions should be fulfilled prior to discretionary rating relief being granted.

9. Leadership Advisory Panel

- 9.1. **Constitution:** 5 members of the Council as follows:

- 9.1.1. Leader of the Council
- 9.1.2. Deputy Leader of the Council
- 9.1.3. Conservative Group Leader
- 9.1.4. Green Group Leader
- 9.1.5. Scottish Liberal Democrat Group Leader
- 9.1.6. three statutory representatives, appointed by the Education, Children and Families Committee when considering education business

Convener

- 9.2. The Convener of the Committee will be the Leader of the Council.

Quorum

- 9.3. Two members of the Leadership Advisory Panel will constitute a quorum except on education business when the quorum will be three members.

Substitution

- 9.4. Substitutes are permitted for members of the Council only

Delegated functions

- 9.5. Power is delegated to the Leadership Advisory Panel:

9.5.1. To decide any matter of urgency arising during any recess period, subject to the provision of any relevant enactment, to exercise all functions of the Council or Committee, which would otherwise have dealt with the matter that:

- (a) can not await the resumption of the normal meetings timetable; and
- (b) can not appropriately be decided by the Chief Executive or Executive Director in accordance with urgency provisions within these Committee Terms of Reference.

10. Planning Committee

10.1. **Constitution:** 11 members of the Council as follows:

- 10.1.1. 3 SNP
- 10.1.2. 3 Conservative
- 10.1.3. 2 Labour
- 10.1.4. 2 Green
- 10.1.5. 1 SLD

Convener

10.2. The Convener and Vice-Convener will be members of the City of Edinburgh Council.

Quorum

10.3. Four members of the Planning Committee will constitute a quorum.

Substitution

10.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Planning Officer.

Delegated functions

10.5. Power is delegated to the Planning Committee:

- 10.5.1. To exercise the functions of the Council as planning, building standards and statutory addressing authority and to determine planning policies including:
 - 10.5.1.1. Development frameworks including public realm for place making;
 - 10.5.1.2. Strategic Infrastructure;
 - 10.5.1.3. Non-statutory planning guidance;
 - 10.5.1.4. designate and review conservation areas;

- 10.5.1.5. management plans for world heritage sites.
- 10.5.2. To express and interpret these policies as specific tasks and projects and set service standards;
- 10.5.3. To review performance in the delivery of services, the achievement of service standards and the impact of the Committee's activities on the City;
- 10.5.4. To conduct relations with external bodies relevant to the Committee's service responsibilities, including approval of a response to proposals by other authorities or bodies on which the Council is being consulted;
- 10.5.5. To appoint representatives on outside bodies relevant to the committee's service responsibilities;
- 10.5.6. To consider the development and use of land in the city and wider city region and approve relevant stages of the local development plan and to refer it to Council for adoption. ;
- 10.5.7. To take decisions in pursuit of the committee's policies, subject to compliance with corporate personnel and financial policies and regulations;
- 10.5.8. To determine any charges for services provided by the committee; and
- 10.5.9. To provide financial assistance, in pursuit of the committee's policies.

11. Pensions Committee

11.1. **Constitution:** ~~5-7~~ members including 5 members of the Council as follows:

- 11.1.1. 1 SNP
- 11.1.2. 1 Conservative
- 11.1.3. 1 Labour
- 11.1.4. 1 Green
- 11.1.5. 1 SLD
- 11.1.6. 2 external members nominated by the Lothian Pension Funds Consultative Panel, 1 employer and 1 member representative representing the employers and members in the pension funds.

11.2. The Pensions Committee will also be attended and overseen by the Pension Board, a body constituted under the Public Services Pensions Act 2013 and the Local Government Pension Scheme (Governance) (Scotland) Regulations 2014 and with powers regulated by the United Kingdom Pensions Regulator. The constitution and operations of the Pension Board will be determined in accordance with regulation and, where appropriate, considered and approved by the Pension Board and/or the Pensions Committee.

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41.1.7.

Convener

41.2.11.3. The Convener will be a member of the City of Edinburgh Council.

Quorum

41.3.11.4. Three members of the Pensions Committee will constitute a quorum.

Substitution

41.4.11.5. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Executive Director of Resources.

Delegated functions

41.5.11.6. Power is delegated to the Pensions Committee :

41.5.1.11.6.1. exercise all functions of the pension funds and associated legal and corporate structures, within the terms of the legislation;

41.5.2.11.6.2. determine the overall policy objectives of the pension funds in accordance with the best interests of fund members and employers and within relevant-all applicable legislation;

41.5.3.11.6.3. determine the strategy for the investment of pension funds monies including the variety and suitability of investments and to review and monitor investment arrangements;

41.5.4.11.6.4. ensure appropriate investment management arrangements are in place for pension funds monies and to review investment manager performance;

41.5.5.11.6.5. establish and maintain arrangements for the effective management and administration of the pension funds including staffing and budgetary arrangements.

41.5.6.11.6.6. approve the allocation of resources to the Investment and Pensions Division Lothian Pension Fund group for the operation and administration of the pension funds from the Revenue Budget and Capital Investment Programme assets of the pension funds in accordance with the applicable pension regulations, including the approval of segregated financial arrangements and accounts for the pension funds and the agreement of contracts;

11.6.7. to appoint members to the Pension Board and approve bespoke terms of reference and standing orders where allowable under the Council framework for the Pensions Committee and the Pension Board as required to accommodate the applicable pensions and financial services regulation;

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~~11.6.7-11.6.8.~~ approve responses to consultation papers issued by government and other authorities; and

~~11.6-11.7.~~ monitor overall performance of the pension funds in the delivery of services and financial performance, consider all matters in respect of the pension funds including:

~~11.6.4-11.7.1.~~ determining policies for the management and regulation of the ~~Investment and Pensions Division~~ Lothian Pension Fund group and within the strategic policy and planning framework approved by the Council;

~~11.6.2-11.7.2.~~ approving strategies, programmes and projects and work with officers and partners to implement them;

~~11.6.3-11.7.3.~~ setting standards for service delivery;

~~11.6.4-11.7.4.~~ securing best value in the provision of services and reviewing the control and assurance environment (including internal audit processes) for the Lothian Pension Fund group;

~~11.6.5-11.7.5.~~ taking all executive decisions in respect of the pension funds which are not reserved to the Council or delegated to another committee of the Council;

~~11.6.6-11.7.6.~~ ensuring systematic appraisal of the control environment and framework of internal controls in respect of the ~~Investment and Pensions Division~~ Lothian Pension Fund to provide reasonable assurance of effective and efficient operations and compliance with laws and regulations;

~~11.6.7-11.7.7.~~ promoting the development of an appropriate risk management strategy and risk management procedures;

~~11.6.8-11.7.8.~~ ensuring highest standards of probity and public accountability;

~~11.6.9-11.7.9.~~ ensuring sound financial procedures are in place for authorising and monitoring expenditure;

~~11.6.10-11.7.10.~~ agreeing internal audit plans and to ensure internal audit work is properly planned with due regard to risk, materiality and coverage;

~~11.6.11-11.7.11.~~ overseeing and review action taken on internal audit recommendations;

~~11.6.12-11.7.12.~~ reviewing all matters relating to external audit, including audit plan, action points and reports, and to monitor implementation of external audit recommendations; and

~~11.6.13-11.7.13.~~ promoting, monitoring and developing continuous improvement.

12. Personnel Appeals Committee

12.1. **Constitution:** 9 members of the Council as follows:

- 12.1.1. 3 Conservative
- 12.1.2. 2 SNP
- 12.1.3. 2 Labour
- 12.1.4. 1 Green
- 12.1.5. 1 Scottish Liberal Democrat

Convener

12.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

12.3. Three members of the Personnel Appeals Committee will constitute a quorum.

Substitution

12.4. Substitutes are permitted.

Delegated functions

12.5. Power is delegated to the Personnel Appeals Committee to:

- 12.5.1. hear and decide appeals on a decision taken, or a failure to take a decision, by an Executive Director, or his/her nominee, under the Procedures for Hearing Employee Grievances.
- 12.5.2. hear and decide appeals to a decision to:
 - 12.5.2.1. dismiss or take other forms of punitive disciplinary action; and
 - 12.5.2.2. issue a warning, oral or written under the Procedure for Consideration of Appeals by Executive Directors against Disciplinary Action and the Procedure for Consideration of Appeals against Disciplinary Action.
- 12.5.3. hear and decide disputes under the Avoidance of Industrial Disputes Procedure.
- 12.5.4. decide appeals from teaching staff in regard to the application and interpretation of the terms of the Scheme of Salaries and Conditions of Service for Teaching Staff in School Education.

13. Placing in Schools Appeals Committee

13.1. **Constitution:** One person from each of the following panels:

- 13.2. Panel 1: All members of Council and religious representatives on the Education, Children and Families Committee.
- 13.3. Panel 2: Parents of children of school ages.
- 13.4. Panel 3: Persons with experience in education and acquainted with educational conditions in the Council's area, nominated by the Executive Director of Communities and Families.

Chair

- 13.5. Each meeting appoints a Chair.

Quorum

- 13.6. Three members of the Placing in Schools Appeals Committee will constitute a quorum.

Substitution

- 13.7. Substitutes are only permitted from the same Panel.

Delegated functions:

- 13.8. Power is delegated to the Placing in Schools Appeals Committee:
 - 13.8.1. To hear and decide appeals against decisions of the Council to refuse placing requests and exclude pupils all in terms of Section 28 C, D, E, G and H of the Education (Scotland) Act 1980 as amended; and
 - 13.8.2. To consider appeals against decisions by the Executive Director of Communities and Families to refuse early admission to school.

14. Committee on Pupil Student Support

- 14.1. **Constitution:** 5 members of the Council as follows:

- 14.1.1. 1 SNP
- 14.1.2. 1 Conservative
- 14.1.3. 1 Labour
- 14.1.4. 1 Green
- 14.1.5. 1 SLD
- 14.1.6. 1 religious representative from the Education, Children and Families Committee

Convener

- 14.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

14.3. Two members of the Committee on Pupil and Student Support will constitute a quorum.

Substitution

14.4. Substitutes are permitted.

Delegated functions:

14.5. To consider school placing requests, and decide the priority order of placing requests.

15. Recruitment Committee

15.1. **Constitution:** 7 members of the Council as follows:

- 15.1.1. Leader of Council
- 15.1.2. Deputy Leader of the Council
- 15.1.3. Convener of the Finance and Resources Committee
- 15.1.4. Appropriate Convener or Vice-Convener for the role
- 15.1.5. A representative from each of the opposition groups

Convener

15.2. The Convener of the committee will be the Leader of the Council.

Quorum

15.3. Three members of the Recruitment Committee will constitute a quorum.

Substitution

15.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive and in line with the relevant Council policy.

Delegated functions

15.5. Power is delegated to the Recruitment Committee to short list and interview candidates and recommend an appointment to the Council for posts at Chief Executive, Executive Director and Heads of Service Division level (Chief Officials).

16. Regulatory Committee

16.1. **Constitution:** 9 members of the Council as follows:

- 16.1.1. 3 Conservative
- 16.1.2. 2 SNP
- 16.1.3. 2 Labour
- 16.1.4. 1 Green
- 16.1.5. 1 Scottish Liberal Democrat

Convener

16.2. The Convener and Vice-Convener will be members of the City of Edinburgh Council.

Quorum

16.3. Four members will constitute a quorum.

Substitution

16.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive.

Delegated functions

16.5. Power is delegated to the Regulatory Committee to:

- 16.5.1. exercise the functions of the Council as Licensing authority under the Civic Government (Scotland) Act 1982 and other statutory provisions which are not within the remit of any other Committee.
- 16.5.2. exercise the functions of the Council on all licensing functions which are not reserved to the Council, its officers or delegated to another Committee.
- 16.5.3. determine individual applications for registration and licences under the Civic Government (Scotland) Act and other statutory provisions which are not delegated to officers, in accordance with approved policies.
- 16.5.4. express and interpret licensing policies as specific projects, to set service standards and monitor performance in the delivery of services including financial performance relating to Regulatory Committee matters.
- 16.5.5. liaise with external bodies relevant to the Committee's service area, considering and approving responses to consultation proposals.
- 16.5.6. appoint representatives to outside bodies within the Committee's remit.
- 16.5.7. approve charges as required by statute and determine licence fees.
- 16.5.8. determine applications for road construction consent which are not delegated to the Executive Director of Place.
- 16.5.9. determine applications for permission to place tables and chairs on footways which are recommended for refusal by the Executive Director of Place.
- 16.5.10. exercise the Council's responsibilities in respect of safety at sports grounds.
- 16.5.11. exercise the Council's functions regarding notification of parades and processions so far as not delegated to officers.

17. The City of Edinburgh Planning Local Review Body

17.1. **Constitution:** 5 members of the Council as follows:

- 17.1.1. Any five members who are also members of the Planning Committee but not the Convener of the Planning Committee.

Convener

17.2. Each meeting appoints a Convener.

Quorum

17.3. Three members of the City of Edinburgh Planning Review Body will constitute a quorum.

Substitution

17.4. Substitutes are only permitted from the pool of trained members of the Planning Committee.

Delegated functions:

17.5. Power is delegated to the City of Edinburgh Planning Local Review Body to fulfil the obligations of the Council, as planning authority, under section 43A of the Town and County Planning (Scotland) Act 1997 for the conduct of reviews.

18. Committee on the Jean F Watson Bequest

18.1. **Constitution:** 8 members of the council as follows:

- 18.1.1. 2 SNP
- 18.1.2. 2 Conservative
- 18.1.3. 2 Labour
- 18.1.4. 1 Green
- 18.1.5. 1 Scottish Liberal Democrat
- 18.1.6. one nominee of Friends of City Art Centre
- 18.1.7. two external members appointed by the Executive Director of Resources, in consultation with the Convener.

Convener

18.2. The Convener of the Committee will be a member of the City of Edinburgh Council.

Quorum

18.3. Four members of the Committee on the Jean F Watson Bequest will constitute a quorum.

Substitution

18.4. Substitutes are permitted.

Delegated functions:

18.5. Power is delegated to the Committee on the Jean F Watson Bequest to:

18.5.1. Use monies from the Jean F Watson Bequest to purchase and commission for the City's collection works of artists and craftspeople born, practising in, or otherwise associated with Scotland, and in particular Edinburgh; all decisions to be guided by the Collection and Disposal Policy for the City Museums and Galleries.

18.5.2. Use monies from the Catherine E Cowper Trust to purchase and commission items for the Museum of Childhood; all decisions to be guided by the Collection and Disposal Policy for the City Museums and Galleries.

19. Community Council Independent Complaints Panel

19.1. Constitution: All members of the Council with each panel consisting of three elected members.

19.2. Councillors whose ward is where the Community Council subject to the complaint is a member, will not be eligible for that Panel meeting.

Convener

19.3. The Convener of the Committee will be a member of the City of Edinburgh Council.

Quorum

19.4. Three members of the Community Council Independent Complaints Panel will constitute a quorum.

Delegated functions:

19.5. Power is delegated to the Community Council Independent Complaints Panel to:

19.5.1. Make a final determination of the complaint against a community councillor.

19.5.2. Apply the following sanctions:

19.5.2.1. Censure of behaviour and a written undertaking to behave in accordance with the Scheme's Code of Conduct.

19.5.2.2. Suspension from community council meetings and activities for a period of time to be agreed by a majority of the Panel.

19.5.2.3. Request by a majority of the panel members for the named community councillor to step down.

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19.5.2.4. In serious cases, an expulsion from the community council, approved by a unanimous vote of the Panel.

19.5.3. Make recommendations to the relevant community council; and

19.5.4. Make recommendations to the City of Edinburgh Council.

18.5.2.

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Sub-Committees

19.20. Development Management Sub-Committee (Parent: Planning Committee)

19.1-20.1. **Constitution:** All 11 members of the Planning Committee, as follows: -

- 19.1.1-20.1.1. 3 SNP
- 19.1.2-20.1.2. 3 Conservative
- 19.1.3-20.1.3. 2 Labour
- 19.1.4-20.1.4. 2 Green
- 19.1.5-20.1.5. 1 Scottish Liberal Democrat

Convener

19.2-20.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

19.3-20.3. Four members of the Development Management Sub-Committee will constitute a quorum.

Substitution

19.4-20.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Planning Officer.

Delegated Functions

19.5-20.5. To discharge all functions of Management of Development Control required under the Planning Acts including the determination of planning applications (except for applications for National Developments and major developments significantly contrary to the Development Plan which require to be determined by full Council, or applications under the Council's Scheme of Delegation for Local Developments).

19.6-20.6. To determine applications for High Hedge Notices and withdraw or vary such notices as prescribed under the High Hedges (Scotland) Act 2013.

19.7-20.7. To determine cases for street naming and the numbering of properties.

20.21. Licensing Sub-Committee (Parent: Regulatory Committee)

20.1-21.1. **Constitution:** 9 members of the Council as follows:

- 20.1.1-21.1.1. 3 Conservative
- 20.1.2-21.1.2. 2 SNP
- 20.1.3-21.1.3. 2 Labour
- 20.1.4-21.1.4. 1 Green
- 20.1.5-21.1.5. 1 Scottish Liberal Democrat

Convener

20.2-21.2. The Convener of the Licensing Sub-Committee is the Convener of the Regulatory Committee.

Quorum

20.3-21.3. Three members constitute a quorum.

Substitution

20.4-21.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive.

Delegated functions:

20.5-21.5. Power is delegated to the Licensing Sub-Committee to:

20.5.1-21.5.1. exercise the functions of the Council as Licensing authority under the Civic Government (Scotland) Act 1982 and other statutory provisions which are not within the remit of any other Committee;

20.5.2-21.5.2. exercise the functions of the Council on all licensing functions which are not reserved to the Council, its officers or delegated to another Committee;

20.5.3-21.5.3. determine individual applications for registration and licences under the Civic Government (Scotland) Act and other statutory provisions which are not delegated to officers, in accordance with approved policies;

20.5.4-21.5.4. determine applications for road construction consent not delegated to the Executive Director of Place;

20.5.5-21.5.5. determine applications for permission to place tables and chairs on footways recommended for refusal by the Executive Director of Place;

20.5.6-21.5.6. exercise the Council's responsibilities in respect of safety at sports grounds; and

20.5.7-21.5.7. exercise the Council's functions regarding notification of parades and processions so far as not delegated to officers.

21.22. Pensions Audit Sub-Committee (Parent: Pensions Committee)

Constitution

22.1. Three members from the Pensions Committee of which a minimum are two City of Edinburgh elected members.

22.2. Two non-voting members of the Pension Board will also be able to attend the Pensions Audit Sub-Committee to oversee its activities.

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21.1.

Quorum

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21.2-22.3. Two members of the Pensions Audit Sub Committee will constitute a quorum.

Convener

21.3-22.4. The Convener of the Pensions Audit Sub-Committee will be appointed from the membership of the Pensions Committee, excluding the Convener of that committee.

Substitution

21.4-22.5. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Executive Director of Resources.

Delegated functions

21.5-22.6. Power is delegated to the Pensions Audit Sub-Committee to consider and make appropriate recommendation(s) to the Pensions Committee:

21.5.1-22.6.1. To ensure systematic appraisal of the control and assurance environment and framework of internal control (including internal audit processes) of pension funds to provide reasonable assurance of the effective and efficient operations and compliance with laws and regulations;

21.5.2-22.6.2. To promote the development of an appropriate risk management strategy and risk management procedures;

21.5.3-22.6.3. To ensure the highest standards of probity and public accountability;

21.5.4-22.6.4. To ensure sound financial procedures are in place for authorising and monitoring expenditure and the allocation of pension fund resources;

21.5.5-22.6.5. To consider and scrutinise an annual report on any companies owned by the Council that are connected to the activities of the Pension-pension Fund funds and the Lothian Pension Fund group;

21.5.6-22.6.6. To review the consolidated annual financial statements of the pension funds/Lothian Pension Fund group s and the International Standard on Auditing 260 (ISA 260) communication of audit matters;

21.5.7-22.6.7. To agree internal audit plans and to ensure that internal audit work is planned with due regard to risk, materiality and coverage;

~~21.5.8-22.6.8.~~ To oversee in light of the audit plan the performance of the audit service;

~~21.5.9-22.6.9.~~ To oversee and review action taken on internal audit recommendations; and

~~21.5.10-22.6.10.~~ To review all matters relating to external audit, including audit planning, action points and reports, and to monitor the implementation of external audit recommendations.

~~22-23.~~ Property Sub-Committee (Parent: Finance and Resources Committee)

~~22.1-23.1.~~ **Constitution:** 10 members of the Council as follows:

- ~~22.1.1-23.1.1.~~ 3 SNP
- ~~22.1.2-23.1.2.~~ 3 Conservative
- ~~22.1.3-23.1.3.~~ 2 Labour
- ~~22.1.4-23.1.4.~~ 1 Green
- ~~22.1.5-23.1.5.~~ 1 SLD

Convener

~~22.2-23.2.~~ The Convener will be a member of the City of Edinburgh Council.

Quorum

~~22.3-23.3.~~ Four members of the Property Sub-Committee will constitute a quorum.

Substitution

~~22.4-23.4.~~ Substitutes are permitted.

Delegated functions:

~~22.5-23.5.~~ Power is delegated to the Property Sub-Committee to:

~~22.5.1-23.5.1.~~ oversee the work of the Edinburgh Shared Repairs Service;

~~22.5.2-23.5.2.~~ to take decisions in relation to the Council's Shared Repair Service that fall within the remit of the Finance and Resources Committee in relation to financial and legal risks; and

~~22.5.3-23.5.3.~~ consider any outstanding issues that require detailed scrutiny in relation to the closure of the Property Conservation Programme Momentum project.

~~23-24.~~ Special Sub-Committee on Adult Social Care (Parent: Culture and Communities Committee)

23.1-24.1. **Constitution:** 5 members of the Council as follows:

- 23.1.1-24.1.1. 1 Labour
- 23.1.2-24.1.2. 1 SNP
- 23.1.3-24.1.3. 1 Conservative
- 23.1.4-24.1.4. 1 Green
- 23.1.5-24.1.5. 1 SLD

Convener

23.2-24.2. The parent committee appoints the Convener.

Quorum

23.3-24.3. Two members of the Special Sub-Committee on Adult Social Care will constitute a quorum.

Substitution

23.4-24.4. Substitutes are permitted.

Delegated functions

23.5-24.5. Power is delegated to the Special Sub-Committee on Adult Social Care to:

- 23.5.1-24.5.1. maintain an overview of the quality of social work experience for Edinburgh's citizens by considering reports of HMI, SWIA, and Care Commission inspections and internal reviews of health and social care establishments and services, and action taken;
- 23.5.2-24.5.2. monitor the implementation of new initiatives relating to quality;
- 23.5.3-24.5.3. maintain an overview of the implementation of national and local policies.
- 23.5.4-24.5.4. address issues relating to the work of services which arise during the course of the business of the sub-committee and make recommendations to the Culture and Communities Committee;
- 23.5.5-24.5.5. celebrate the success of services, including identification of examples of good practice; and
- 23.5.6-24.5.6. provide a high quality experience for officers and sub-committee members by adopting an agreed set of protocols for the conduct of Special Sub-Committees.

24-25. Sub-Committee on Standards for Children and Families (Parent: Education, Children and Families Committee)

24.1-25.1. **Constitution:** 9 Members in total comprising of 1 religious representative and 8 Members of the Council as follows:

[24.1.1-25.1.1.](#) 3 Conservative

[24.1.2-25.1.2.](#) 2 SNP

[24.1.3-25.1.3.](#) 2 Labour

[24.1.4-25.1.4.](#) 1 Green

[24.1.5-25.1.5.](#) 1 Scottish Liberal Democrat

Convener

[24.2-25.2.](#) The parent committee will appoint the convener.

Quorum

[24.3-25.3.](#) Three members will constitute a quorum.

Substitution

[24.4-25.4.](#) Substitutes are permitted.

Delegated functions

[24.5-25.5.](#) Power is delegated to the Sub-Committee on Standards for Children and Families to:

[24.5.1-25.5.1.](#) Provide oversight of the quality of education and care experiences for young people in the City of Edinburgh by scrutinising the reports and follow up actions of Education Scotland inspections in schools;

[24.5.2-25.5.2.](#) Consider an annual report on Care Inspectorate inspections in early years provision;

[24.5.3-25.5.3.](#) Consider individual reports on Care Inspectorate inspections in residential schools, care services for children and local authority reviews of service areas, establishments and units;

[24.5.4-25.5.4.](#) Monitor the implementation of initiatives relating to quality improvement and assurance, and attainment and achievement;

[24.5.5-25.5.5.](#) Maintain an overview of the implementation of national and local policies specifically related to quality standards by officers, establishments and services;

[24.5.6-25.5.6.](#) Contribute to the support and challenge agenda within the context of establishment plans; and

[24.5.7-25.5.7.](#) Celebrate the success of establishments, units, teams and the service including recognising items of good practice.

Community Councillors Complaints Procedure

October 2019

Foreword

Community councils in Edinburgh are established under the City of Edinburgh Council's (CEC) [Scheme for Community Councils](#) (the Scheme), as provided for under the Local Government (Scotland) Act 1973 and thereafter, the Local Government etc (Scotland) Act 1994. The Scheme sets out the roles and responsibilities of community councils and councillors. Furthermore, the Scheme contains a Code of Conduct for Community Councillors which must be adhered to by all those who hold the position.

From time to time complaints will be made about the conduct of individual community councillors. These complaints will be dealt with through the Community Councillor Complaints Procedure.

Please note that CEC has a separate [procedure](#) to record and manage complaints by members of the public about CEC services and this should not be confused with the Community Councillor Complaints Procedure.

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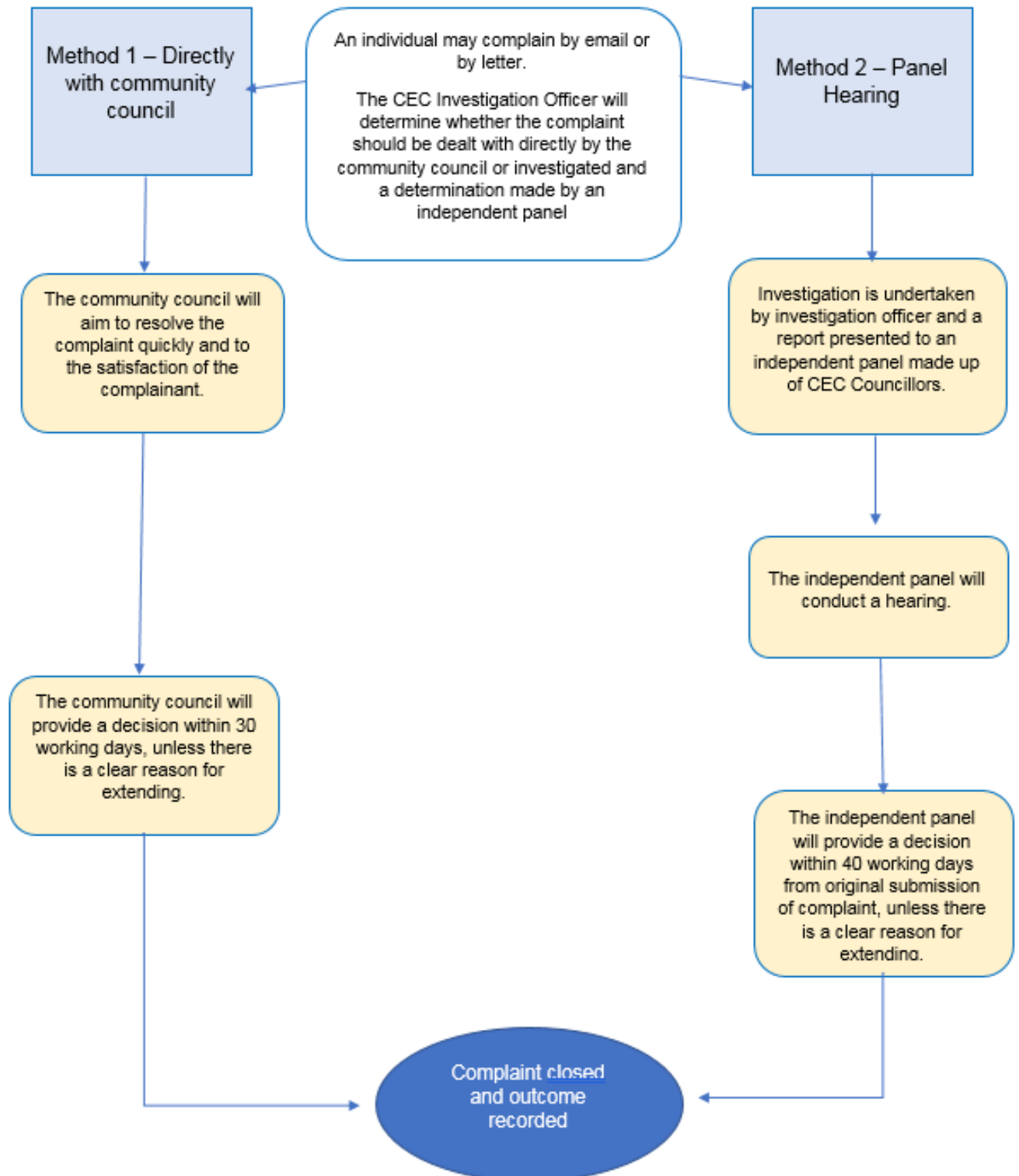
1. How to use this procedure

- 1.1 This procedure explains how complaints regarding Community Councillor's conduct should be handled by the City of Edinburgh Council and subsequently the community council or Investigation Officer tasked with dealing with the complaint. Information for complainants is available on the [CEC website](#).
- 1.2 When using this document please also refer to the Scottish Public Services Ombudsman (SPSO) Statement of Complaints Handling Principles' and best practice guidance on complaints handling, from the Complaints Standards Authority at the SPSO (www.valuingcomplaints.org.uk).

2. What is a complaint?

- 2.1 Complaints must relate to alleged breaches of the Code of Conduct for Community Councillors, contained within the City of Edinburgh Council Scheme for Community Councils.
- 2.2 A complaint is not:
- A dispute of a personal nature which does not encompass an individual's role as a community councillor.
 - An issue that is in court or has already been heard by a court or a tribunal.
 - A disagreement with a decision, where a statutory right of appeal exists.
 - An attempt to reopen a previously concluded complaint or to have a complaint reconsidered, where a final decision has been reached.
- 2.3 This list is not exhaustive.
- 2.4 These issues will not be treated as complaints but individuals will be directed to the appropriate procedures.

3. Complaints procedure flowchart



4. The complaint handling process

- 4.1 The procedure provides two routes for the resolution of complaints:
- a. **Directly with Community Council (Method 1)**, and
 - b. **Panel Hearing (Method 2)**
- 4.2 The CEC Investigation Officer will determine which method should be utilised on receipt of a complaint.
- 4.3 Method 1 aims to provide a quick simple and streamlined process for resolving complaints directly with the community council concerned. Method 2 allows for more detailed investigation and an independent determination by the Community Council Complaints Panel in instances where complaints are more complex or serious.

	Method 1 – Directly with community council	Method 2 – Panel Hearing
Type of complaint	Simple, straightforward complaint requiring little or no investigation	Complaints that are complex or serious and require an investigation (to be determined by the CEC Investigation Officer)
Timescale to respond	30 working days (to be acknowledged within 3 working days)	40 working days (to be acknowledged within 3 working days)
Extensions	Must be authorised by the CEC Investigation Officer.	Must be authorised by the CEC Investigation Officer.
Investigation	The community council concerned	CEC Investigation Officer
Who responds	The community council concerned	The Community Council Complaints Panel
Response format	Verbal or written – whichever is appropriate (good practice to follow up a verbal response in writing)	Written

5. On receipt of a complaint

- 5.1 A complaint can be made in writing or by email.
- 5.2 A complainant may nominate a third-party representative to make a complaint on their behalf.
- 5.3 More than one complaint about the same incident or issue will be considered together.
- 5.4 All complaints must be submitted to the CEC Investigation Officer. Representations submitted elsewhere, including directly to community councils or other CEC officers, will not be formally considered as complaints.
- 5.5 On receipt of a complaint the CEC Investigation Officer will acknowledge, record and determine which method shall be utilised.

5.6 Record

- The individual shall be asked for all necessary information to get a full understanding of their complaint.
- Clarification shall be sought regarding what the individual wants to achieve by complaining and what provisions of the code of conduct have been breached.
- The following details shall be recorded as a minimum:
 - complainant details;
 - date complaint was received;
 - nature of the complaint; and
 - the community councillor to which the complaint refers.

5.7 Acknowledge

- All complaints must be acknowledged on receipt. Acknowledgement will include details regarding the method to be utilised and expected response period.

6. Method 1: Directly with Community Council

- 6.1 Method 1 aims to quickly resolve straightforward complaints, which require little or no investigation. On receipt the CEC Investigation Officer will direct such complaints to the office-bearers of the parent community council for the community councillor subject to the complaint (excluding office-bearers subject to complaints themselves). They will be responsible for resolving and responding to the complaint.

6.2 **Resolve**

- On the spot if possible – if an apology is appropriate the [guidance as set out by the SPSO](#) should be followed.
- A meeting of the community council may be required to consider the complaint and appropriate course of action.

6.3 **Respond**

- Respond within 30 working days.
- Responses to complaints can be verbal or in writing – whichever is most appropriate. It is good practice to follow up a verbal response in writing for clarification. Templates are available on request from the CEC Investigation Officer.
- It is important to keep a full and accurate record of the decision reached and given to the complainant. As a minimum, the following information should be recorded:
 - detail of the complaint;
 - date closed (the date the verbal response is provided or the letter/email is sent); and
 - outcome of complaint (upheld, not upheld or partially upheld).
- The CEC Investigation Officer must be informed as to how the community council has dealt with the complaint once this has been closed.

7. Method 2: Panel Hearing

- 7.1 Complaints handled via the Panel Hearing Method are typically complex, serious or require detailed examination before a position can be stated. These complaints will be identified on receipt by the CEC Investigation Officer.
- 7.2 The Investigation Officer will conduct the investigation or appoint a suitable individual to do so on their behalf. This individual will carry out an investigation which aims to establish all the facts relevant to the points made in the complaint.
- 7.3 The CEC Investigation Officer will also establish an independent complaints panel (Community Council Complaints Panel) made up of no less than three CEC Councillors. Care shall be taken to ensure that the Panel is sufficiently independent.
- 7.4 The CEC Investigation Officer will submit a report with recommendations to the Panel for determination.

Resolution of complaint

Independent Complaints Panel (Community Council Complaints Panel)

- 7.5 A hearing will be held to consider the report submitted by the CEC Investigation Officer. This shall be subject to CEC Standing Orders.
- 7.6 The Panel will make a final determination on the complaint.
- 7.7 The following sanctions can be applied in the case of an individual community councillor:
- Censure of behaviour and a written undertaking to behave in accordance with the Scheme's Code of Conduct.
 - Suspension from community council meetings and activities for a period of time to be agreed by a majority of the Panel.
 - Request by a majority of the panel members for the named community councillor to step down.
 - In serious cases, an expulsion from the community council, approved by a unanimous vote of the Panel.
- 7.8 The decision of the Panel will be communicated by letter within 40 working days of receipt of the initial complaint to:
- The complainant.
 - The community councillor subject to the complaint.
 - The office bearers of their community council.
- 7.9 All Panel meetings will be held in private (as provided for under Schedule 7A of the Local Government (Scotland) Act 1973) and all materials relating to the complaint/investigation will be sent to the CEC Investigation Officer on completion for archiving. This will be retained for three years as detailed by the [CEC Retention Schedule](#) (ref 20.004.003).

8. Extensions to timelines

- 8.1. In exceptional circumstances, where there are clear and justifiable reasons for doing so, the CEC Investigation Officer may authorise an extension to the timeline. Examples of when this may be appropriate include:
- individuals concerned being temporarily unavailable;
 - essential accounts or statements, required to establish the circumstances of the case, are needed from individuals, but they cannot help because of long-term sickness or leave;
 - where it is not possible to obtain further essential information within normal timescales;

- when operations are disrupted by unforeseen or unavoidable circumstances, for example severe weather conditions; and
- the individual has agreed to mediation as a potential route for resolution.

8.2. This list is not exhaustive.

8.3. An extension to the timescale must be considered as soon as it becomes apparent that this is required. All parties will be informed if permission for an extension is given. The complainant shall be made aware of delays or complexities that may impact progress.

9. Time limit for making complaints

9.1. Complaints should be made within six months of the incident occurring, unless there are special circumstances for granting an extension. Any such circumstances will be considered on a case by case basis by the CEC Investigation Officer.

10. Maintaining confidentiality

10.1 The complainant and subject's confidentiality should be maintained at all times. All complaints will also be subject to legal requirements including data protection legislation.

11. Who can make a complaint?

11.1 Anyone who is affected by the community council can make a complaint.

Sometimes an individual may be unable or reluctant to make a complaint on their own. Complaints brought by third parties will be accepted where personal consent has been given.

11.2 Individuals under 16 may complain themselves or can ask a trusted adult such as a parent, older brother or sister, or a guardian to complain on their behalf.

11.3 If an individual considers themselves to be a vulnerable adult they can complain directly, or they can ask a trusted person to complain on their behalf.

11.4 Anonymous complaints are not permitted under this procedure, however, if the complaint relates to a sensitive incident or issue, the CEC Investigation Officer can allow the name of the complainant to be withheld in such limited circumstances.

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City of Edinburgh Council

10.00am, Thursday, 22 August 2019

Royal Burgh - 900th Anniversary Working Group - Proposal

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To approve the formation of a short-life working group, to be chaired by the Lord Provost, with the protocol, membership and remit which are described in the report.

Andrew Kerr

Chief Executive

Contact: Hayley Barnett

E-mail: hayley.barnett@edinburgh.gov.uk | Tel: 0131 529 3996

Royal Burgh - 900th Anniversary Working Group - Proposal

2. Executive Summary

- 2.1 The report recommends that committee approve the creation of a short-life working group to explore the possibilities of celebrations to mark the city's 900th anniversary as one of the first burghs of Scotland and what form/duration these may take.

3. Background

- 3.1 Although there is no surviving royal charter specifically granting Edinburgh its original burgh status, we can be reasonably certain that it became a royal burgh sometime between 1124 and 1127.
- 3.2 Burghs were introduced into Scotland by King David I as part of his feudalisation of the kingdom at his accession in 1124. He created a network of these during his reign, including Edinburgh. They became the original basis of municipal government in Scotland, lasting, with changes and reforms, until 1973.
- 3.3 An early charter by King David to Dunfermline Priory specifically references Edinburgh as one of 'his burghs', alongside Dunfermline, Stirling and Perth. While this charter is undated, the date range has been ascertained by academic historians to fit within the first three years of David I's reign (1124-1127).
- 3.4 The royal burgh status was confirmed in 1329 in a charter by King Robert I specifically to the burgesses of Edinburgh, confirming their rights and privileges. This charter survives and is also in the possession of the city council, being its oldest surviving burgh record. The 600th anniversary of this 'Bruce charter' was celebrated in 1929.
- 3.5 Other UK cities have undertaken similar celebrations in the past, including:
- Glasgow's 800th anniversary of its burgh status in 1975
 - York's 800th anniversary of its 1212 King John charter in 2012
 - Aberdeen's 800th anniversary of its 1215 King Alexander II charter in 2015
 - The City of London's 950th anniversary of its 1067 King William I charter in 2017

4. Main report

900th Anniversary Short-Life Working Group

4.1 Membership

Councillors:

- Lord Provost
- Convener of the Education, Children and Families Committee
- Convener of the Transport and Environment Committee
- Convener of the Culture and Communities Committee

Council Officers:

- Kevin Wilbraham – Information Governance Manager and Council Data Protection Officer
- Frank Little - Service Manager, Cultural Venues (Museums & Galleries)

Non-Council Members:

- Master of the Royal Company of Merchants – Secretary

A representative from each of the following:

- Festivals Edinburgh
- Edinburgh Tattoo
- Marketing Edinburgh
- The University sector
- Edinburgh World Heritage

Additional business stakeholder and external members or officers as required as proposals develop (to be determined by the Chair)

Removal of any members must be approved by the City of Edinburgh Council.

4.2 Chair

The Lord Provost will chair this Working Group. In their absence, the group will be chaired by another elected member.

4.3 Substitutes

Substitutes are permitted for elected members.

Substitutes are permitted for officers, from the same service area.

Substitutes are permitted for external members.

4.4 Remit

To discuss whether there is appetite for a celebration to mark the 900th anniversary of Edinburgh becoming a burgh.

To consider how represented stakeholders can work together to mark the occasion.

To investigate opportunities for commercial and heritage funding

To develop proposals to be presented to City of Edinburgh Council for approval

4.5 Meeting Arrangements

The Working Group will have flexible meeting arrangements and the Chair has authority to call a meeting.

4.6 Code of Conduct

The Councillors' Code of Conduct (paragraphs 3.14 – 3.15) specifies members' responsibilities regarding private information.

The Member Officer Protocol (paragraphs 4.7 – 4.12) specifies officers' responsibilities regarding private information.

Non-Council members should be aware that the discussion and papers at this meeting are confidential, and not for public disclosure.

5. Next Steps

- 5.1 An initial meeting will be organised to discuss if there is an appetite for such a celebration and if so what form/duration this/these may take.

6. Financial impact

- 6.1 The cost of resourcing a working group can be met from existing revenue budgets.
- 6.2 Any proposals will be brought back to Committee for approval and will require full costings.

7. Stakeholder/Community Impact

- 7.1 Committees should confirm that working groups have clear objectives and give consideration to whether a working group is the correct vehicle to take these forward.
- 7.2 An annual re-appointment report will be considered by City of Edinburgh Council confirming the lifespan and necessity for all working groups.

8. Background reading/external references

- 8.1 None.

9. Appendices

9.1 None.

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The City of Edinburgh Council

10:00am, Thursday, 22 August 2019

Senior Councillor Remuneration

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To note that the Council Leader is taking adoption leave from 23 August 2019 to 7 October 2019.
- 1.2 To note that the Depute Council Leader will cover the duties and responsibilities of the Council Leader during the period of his adoption leave along with another temporarily appointed SNP member to ensure a joined-up approach to the leadership of the Council.
- 1.3 To appoint a councillor as a senior councillor with an allowance of £39,310 pro rata from 23 August 2019 to 7 October 2019.

Andrew Kerr

Chief Executive

Contact: Gavin King, Democracy, Governance and Resilience Senior Manager

E-mail: gavin.king@edinburgh.gov.uk | Tel: 0131 529 4239

Senior Councillor Remuneration

2. Executive Summary

- 2.1 Approval is sought to appoint a senior councillor whilst Councillor McVey is absent on adoption leave for the period 23 August 2019 to 7 October 2019.

3. Background

- 3.1 The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 is the relevant legislation for senior councillor remuneration.

4. Main report

- 4.1 The Council Leader (Councillor McVey) has confirmed that he will be on adoption leave from 23 August 2019 to 7 October 2019.
- 4.2 As a progressive local authority, the Council fully endorses and champions the need for Edinburgh to be a fair and inclusive Capital city. This includes the need for the Council itself to demonstrate good practice and leadership in respect of widening access to and participation with democracy and removing barriers to people being able to achieve and maintain elected office.
- 4.3 Council previously agreed a motion on 14 December 2017 requesting that the Executive Director of Resources work with COSLA to develop new guidance for elected members which would enable all forms of parental leave to be supported, whilst recognising that Councillors do not qualify for the same legal provisions afforded to employees.
- 4.4 The Executive Director of Resources and the Head of Human Resources have both been working for some considerable time to ensure that COSLA respond positively to this request. Regrettably, the pace at which COSLA has responded has been disappointing, to date, despite Council officers providing significant input, direct advice and regular follow ups to enable this guidance to be developed.

- 4.5 As a part of this work by Council Officers, COSLA officials were provided with the Local Government Association (LGA) model policy for Councillor parental leave, developed by the LGA Labour Group. This model policy is attached to this report as appendix 1 for information and has been adopted by several English Councils on a voluntary basis. In the absence of national guidance being supplied for Scottish Local Authorities, this policy has been used to inform the proposals now being set out for Council approval. Council Officers understand that COSLA now intends to bring forward draft guidance through one of its Special Interest Groups later this year. However, given the timing of the Council Leader's adoption leave, officers consider that the LGA model policy provides sufficient guidance within which to propose the arrangements set out in this report.
- 4.6 In addition to the principles that this report has taken into account, the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 sets out how much Councils can pay individual senior councillors and the number of senior councillors.
- 4.7 The Regulations do not allow the Council to appoint more than one Council Leader and there are no provisions in the legislation for any leave, including parental leave.
- 4.8 The maximum amount that can be paid to a senior councillor is 75% of the amount paid to the Council Leader. The Council can only have a maximum of 26 senior councillors (does not include the Leader of the Council and the Lord Provost) and the yearly total must not exceed £681,366. Thus, there is sufficient capacity and funding available for an additional role.
- 4.9 To ensure that there are sufficient arrangements in place whilst the Council Leader is on parental leave, approval is sought to appoint a senior councillor for this time period with a senior councillor allowance of £39,310 (pro rata for the six week period) who would work alongside the Depute Leader.

5. Next Steps

- 5.1 Not Applicable.

6. Financial impact

- 6.1 There are sufficient funds available to pay this senior councillor allowance within the limits permitted by the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007.

7. Stakeholder/Community Impact

- 7.1 The Council must comply with the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007.

8. Background reading/external references

8.1 None

9. Appendices

Appendix – LGA Policy for Councils – Parental Leave

Parental Leave Policy for Councils

Introduction

This Policy sets out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.

The objective of the policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

There is at present no legal right to parental leave of any kind for people in elected public office. This applies to MPs as well as councillors, and has been the subject of lengthy debate. These policies can therefore only currently be implemented on a voluntary basis, although Labour Councils are encouraged to implement them as per the Labour Party Democracy Review which has called for Labour-controlled councils and Labour Groups to adopt a parental leave policy. Discussions are ongoing about changing the law to enable compulsory provision, but until then these policies constitute best practice which Labour Groups (and the councils they control) are strongly advised to adopt.

Legal advice has been taken on these policies, and they conform with current requirements.

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.

3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the

next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.

3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

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The City of Edinburgh Council

10.00am, Thursday, 22 August 2019

Added Members and voting rights on the Education, Children and Families Committee

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To note the legal position that it is within the Council's powers to confer or remove voting rights of added members on the Education, Children and Families Committee.
- 1.2 To note that no formal legal challenge has been received by Perth and Kinross Council following their decision to remove such voting rights in April 2019.
- 1.3 To determine whether or not to remove the voting rights of added members.
- 1.4 To determine whether there should be further added members per the original motion (as set out in para 4.1) which would require the consequential change as detailed in para 4.5.

Andrew Kerr

Chief Executive

Contact: Nick Smith, Head of Legal and Risk

E-mail: nick.smith@edinburgh.gov.uk | Tel: 0131 529 4377

Added Members and voting rights on the Education, Children and Families Committee – Legal Opinion

2. Executive Summary

- 2.1 A legal opinion was sought from external Counsel, which confirms that it is competent for the Council to confer or remove voting rights from the added members on the Education, Children and Families Committee.

3. Background

- 3.1 The Education, Children and Families Committee has 11 members of the Council and has three religious representatives and one parent representative. The parent representative is currently a non-voting member whilst the religious representatives have voting rights.
- 3.2 At 2 May 2019 Council, an addendum was proposed making changes to the added members for education matters on the Education, Children and Families Committee.
- 3.3 The proposed changes included making all added members for education matters non-voting members.
- 3.4 The matter was continued to the next meeting of Council in order that a legal Opinion could be sought in relation to removing the voting rights from added members.
- 3.5 At 30 May 2019 Council a Motion was approved which requested that a report be brought back to August 2019 Council providing an update on the decision with regard to similar voting rights taken by Perth and Kinross Council.

4. Main report

- 4.1 At 2 May 2019 Council the Green Group proposed an addendum to make changes to the added members for education matters on the Education, Children and Families Committee, as follows:

“To agree changes to the Added Members for Education Matters on the Education, Children and Families Committee as follows –

(a) To add an additional parent representative.

(b) To add a senior pupil representative.

(c) To make all Added Members for Education Matters non-voting members”

- 4.2 Following the decision by Council on 2 May 2019 to continue the matter to the 30 May meeting, a legal opinion was sought from external Counsel. The opinion confirms that it is competent for the Council to either confer or remove the voting rights of the added members on the Education, Children and Families Committee.
- 4.3 At 30 May 2019 Council a Motion was approved which requested that a report be brought back to August 2019 Council providing an update on the decision taken by Perth and Kinross Council in April 2019 to remove such voting rights.
- 4.4 Perth and Kinross Council has confirmed that no formal legal challenge by way of judicial review or otherwise has been raised in relation to the decision taken by them.
- 4.5 The Local Government (Scotland) Act 1973 requires that committees have at least two-thirds of the membership made up by elected members. If Council wishes to increase the membership of the Education, Children and Families Committee by 2 non-voting members then it will require to add an elected member who, in terms of the political balance, should either be from the SNP group or the Conservative group.
- 4.6 Council is asked to determine whether or not to remove the voting rights of added members and whether there should be further added members per the original motion (as set out in para 4.1).

5. Next Steps

- 5.1 The next steps are dependent on the decision of Council.

6. Financial impact

- 6.1 There is no specific financial implication arising from this report.

7. Stakeholder/Community Impact

- 7.1 Initial informal discussions have taken place with the religious representatives on the Committee. A letter was received from the Roman Catholic Church which was circulated to all members prior to Council on 30 May 2019.

- 7.2 Any decision on membership must reflect what is set out in the Local Government (Scotland) Act 1973.
- 7.3 There is a risk of challenge if voting rights are removed from the religious representatives.

8. Background reading/external references

- 8.1 Report to Council dated 2 May 2019 “Review of Appointments to Committees, Boards and Joint Boards for 2019/2020”.
- 8.2 Addendum by the Green Group, Item 7.1, Motions and Amendments – Full Council 2 May 2019.
- 8.3 Motion by Councillor Perry, Item 7.1, Motions and Amendments – Full Council 30 May 2019.

9. Appendices

None.

The City of Edinburgh Council

10am, Thursday, 22 August 2019

Chief Officer roles

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 Council is requested to approve the following recommendation from the Chief Executive in his statutory capacity as the statutory Head of Paid Service.
- 1.2 The appointment, on a permanent basis, of the Head of Strategy and Communications with immediate effect.
- 1.3 To note that, subject to this recommendation being approved, the Council has reduced the number of Chief Officials it employs by 3 since 2018.

Andrew Kerr

Chief Executive

Contact: Stephen Moir, Executive Director of Resources

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Chief Officer roles

2. Executive Summary

- 2.1 Council is requested to approve the following recommendation from the Chief Executive in his statutory capacity as the statutory Head of Paid Service.
- 2.2 The appointment, on a permanent basis, of the Head of Strategy and Communications with immediate effect.

3. Background

- 3.1 At its meeting on 10 December 2015, Council approved a Chief Officer/Chief Official executive management structure comprising, at Tier 1, a Chief Executive, Executive Director of Resources, Executive Director of Communities and Families, Executive Director of Place and Chief Officer of the Health and Social Care Partnership. The Tier 2 management structure contains a number of Head of Service roles reporting into the Tier 1 posts.
- 3.2 Following the Tier 2 Head of Communications post becoming vacant and the interim trialling of a combined role of Head of Strategy and Communications being undertaken by the substantive Head of Strategy and Insight, this report proposes to formally delete the vacant Chief Officer of Head of Communications and to permanently adjust responsibilities accordingly.

4. Main report

Chief Executive's Service

- 4.1 The Chief Executive's Service currently includes two directly reporting Heads of Service at Tier 2: Head of Strategy and Insight and Head of Communications.
- 4.2 Following the resignation of the Head of Communications, this post was held vacant in the Chief Officer structure and the responsibilities for the strategic leadership of the Communications team were transferred to the Head of Strategy and Insight on an interim basis, to enable a further review. The functions of policy, insight, partnerships, governance, democracy, and resilience are often aligned with communications functions in many other local authorities and the opportunity to align these activities under a single Head of Service is deemed appropriate and may lead to further economies of scale being achieved in the future.

- 4.3 Subject to approval, this proposal will reduce the Chief Executive's Service permanently from Tier 2 direct reports to one post, which would be the re-designated role of Head of Strategy and Communications.

5. Next Steps

- 5.1 The appointment, of the Head of Strategy and Communications be made permanent with immediate effect.

6. Financial impact

- 6.1 There are no financial implications arising from this report. Whilst there will be some potential revenue savings generated from the deletion of a vacant Chief Officer role, a degree of the associated funding will be utilised to make changes to the officer structures at an operational level, in accordance with the scheme of delegation.

7. Stakeholder/Community Impact

- 7.1 The proposed changes to the Chief Officer structure of the Council are wholly compliant with relevant legislative provisions and good practice.
- 7.2 There are no equality, diversity of rights impacts arising from these proposed changes
- 7.3 There are no sustainability impacts arising from these proposed changes.

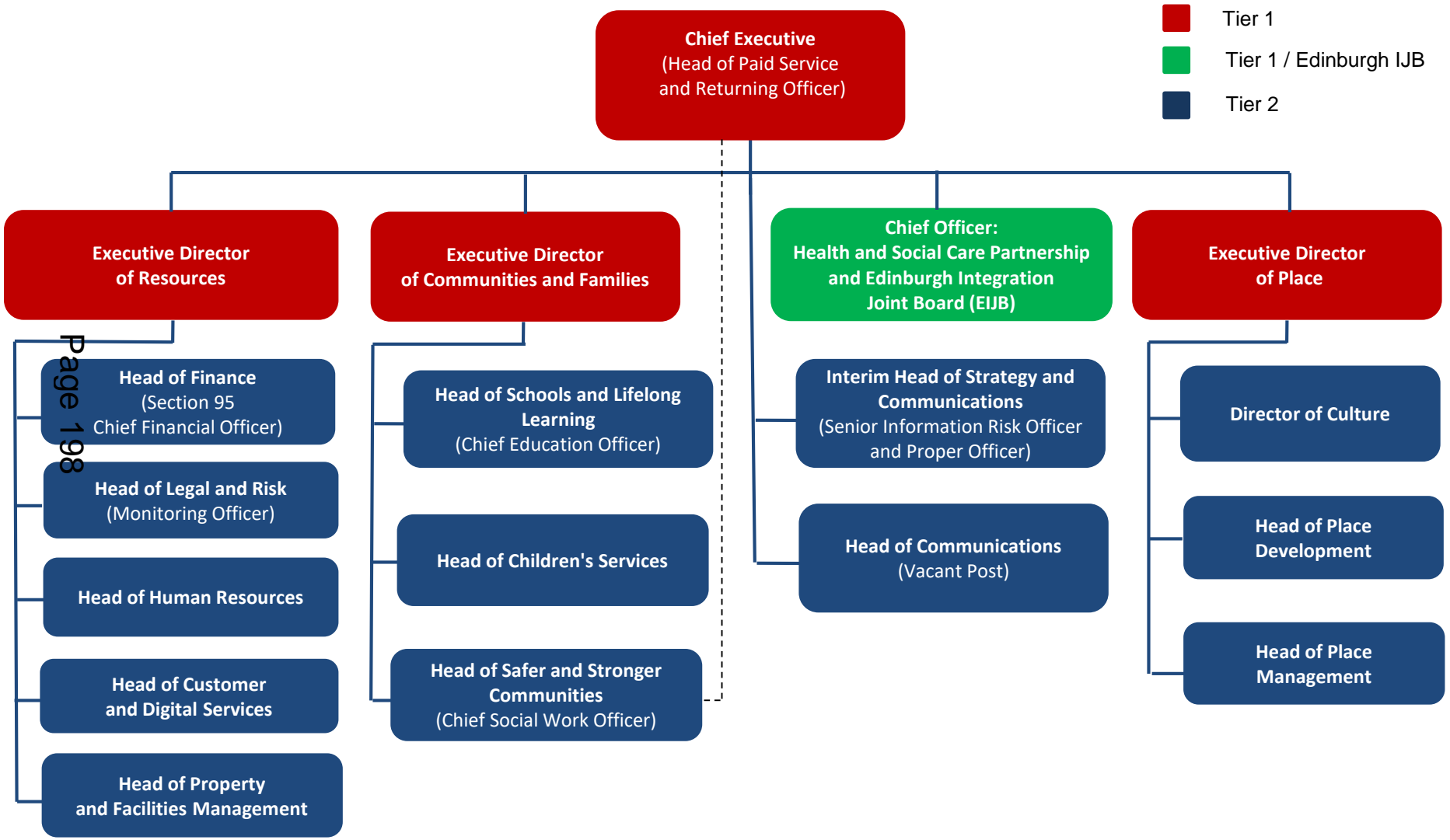
8. Background reading/external references

None

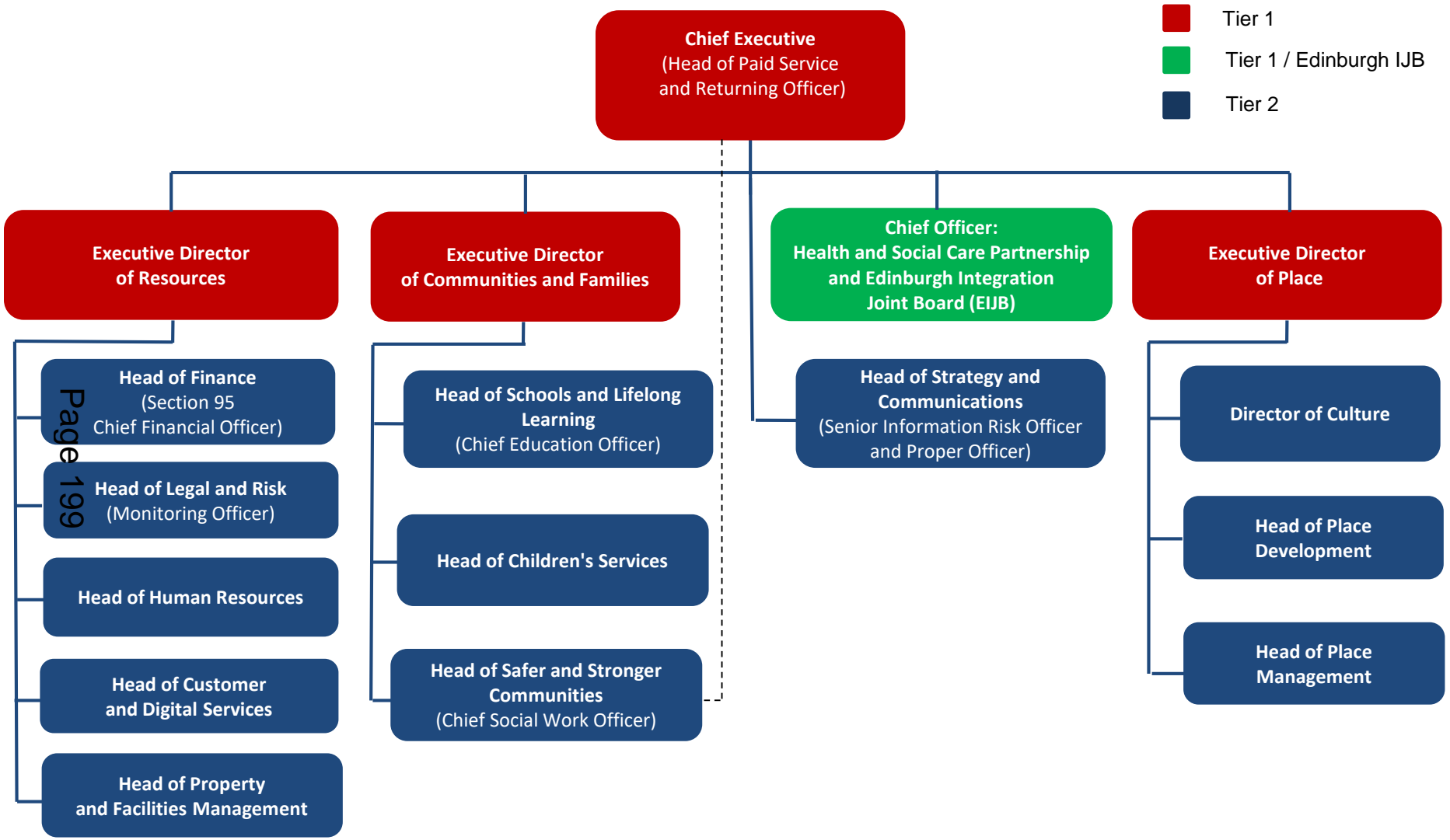
9. Appendices

- 9.1 Appendix 1 – Current Chief Officer Structure
- 9.2 Appendix 2 – Proposed Chief Officer Structure

Current Chief Officer Management Structure



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The City of Edinburgh Council

10.00am, Thursday, 22 August 2019

Coalition Commitments Update – August 2019

Item number
Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 That Council notes that Coalition Commitments are part of a five year delivery programme and the rate of progress will be different for each commitment.
- 1.2 That Council notes that the Coalition Commitments form part of the wider Council Performance Framework. Council wide performance and service delivery was reported in the Annual Performance Report to Council on 27 June 2019.
- 1.3 That Council agrees this update from the Coalition Commitments progress report to Council on 27 June 2019. This outlines a new approach to determining the status of each commitment and discharges the motion to review the achievements, next steps and measures.

Andrew Kerr

Chief Executive

Contact: Laurence Rockey, Head of Strategy and Communications

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Coalition Commitments Update – August 2019

2. Executive Summary

- 2.1 A progress update on all 52 Coalition Commitments was reported to [Council on 27 June 2019](#). This report also builds on the six-monthly updates that were presented to the Executive Committees in December 2018 and January 2019.
- 2.2 In the period May to June 2018, Executive Committees agreed the actions, measures and targets for the commitments they are responsible for delivering. The June 2019 progress update included the most recent data and comparisons to previous years, where available. As part of the reporting process, analysis is carried out for each of the commitments to determine where SMART objectives can be applied. There are instances where it is more appropriate to monitor delivery of project milestones or citizen experience, and we have therefore applied the appropriate methodology to each commitment. Throughout the five year term each commitment is reviewed by members and future reports will be presented to the Policy and Sustainability Committee. As delivery progresses we will add additional measurements where appropriate.

3. Background

- 3.1 The Council Business Plan ([A Programme for the Capital: The City of Edinburgh Council Business Plan 2017-22](#)) was approved in August 2017. The plan sets out the administration's priorities and what will be achieved over the five year term.

4. Main report

- 4.1 The Coalition Commitments form part of the wider Council Performance Framework, which includes indicators covering performance and service delivery. Performance with service delivery was reported to full council on 27 June 2019 through the Annual Performance Report. The Corporate, Policy and Strategy Committee (now Policy and Sustainability) also considered analysis of the 2017/18 benchmarking data provided by the Scottish Local Government Benchmarking Framework on 14 May 2019.
- 4.2 The June 2019 progress update reported the key achievements, planned next steps and performance on measures for all 52 commitments. It also provided a status. The status of each commitment was based on:

- The number of elements in each and determining those which had progressed quicker than others.
- Some of the commitments being defined in both qualitative and quantitative terms.
- All of the information provided taken in its entirety (key achievements, next steps and performance for measures).

4.3 The motion from Council on 27 June 2019 asked for a re-evaluation of the status for each commitment, based on the following categories:

- Those which have been fully achieved.
- Those which have been partially achieved, and the action being taken to achieve them.
- Those which have not been partially or fully achieved, and the reasons, including external reasons beyond the council's control, for that.
- Those which will not be achieved, or have been abandoned or reversed, and the reason for that, including any external reasons beyond the council's control.

4.4 In order to maintain consistent reporting and to retain baselines for actions, measures and targets, a re-evaluation of the status for each commitment has been carried out and is detailed in Appendix 1. This includes a rationale for the new status. As with the previous status, all factors are taken in to account. An individual factor, such as a drop in performance for one measure cannot be used to solely determine the status. Appendix 1 also includes further information on the measures used to track progress and considers which additional measures could be added to future updates. The June 2019 progress update is included as Appendix 2. This provides the full detail of the key achievements, next steps and measures for each commitment.

4.5 In determining the new status, consideration of whether the commitment can be fully achieved by the end of the five year term has also been taken in to account. This may include reasons beyond the council's control. Where appropriate, new data which has been released since the end of the reporting year has also been used to determine the new status. This new approach to determining the status will be used for future progress updates.

5. Next Steps

5.1 The planned work to fully achieve each commitment, where possible, was detailed in the report to [Council on 27 June 2019](#).

6. Financial impact

- 6.1 The financial impact is set out within the individual commitments and the Council Business Plan.

7. Stakeholder/Community Impact

- 7.1 The commitments actions and measures continue to support transparency of Council performance and delivery.

8. Background reading/external references

- 8.1 [Programme for the Capital - The City of Edinburgh Council Business Plan 2017-22](#), The City of Edinburgh Council, 24 August 2017
- 8.2 [Implementing the Programme for the Capital - Coalition Commitments Progress to June 2018](#), The City of Edinburgh Council, 28 June 2018
- 8.3 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Finance and Resources Committee, 4 December 2018
- 8.4 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Corporate Policy and Strategy Committee, 4 December 2018
- 8.5 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Transport and Environment Committee, 6 December 2018
- 8.6 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Education, Children and Families Committee, 11 December 2018
- 8.7 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Planning Committee, 12 December 2018
- 8.8 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Housing and Economy Committee, 24 January 2019
- 8.9 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Culture and Communities Committee, 29 January 2019

Appendices

Appendix 1: Coalition Commitments – Review of Status

Appendix 2: Coalition Commitments Progress Update – June 2019

Coalition Commitments – Review of Status

Previous status

On track	Commitment on track with the relevant actions and measures in place to monitor delivery
Making progress	Ongoing, but commitment delivery slower than anticipated
Work required	Actions and measures identified, however timescales may not be achieved

New status

Those which have been fully achieved	<i>All elements of the commitment have been delivered.</i>
Those which have been partially achieved, and the action being taken to achieve them	<i>Some elements of the commitment have or are currently being delivered.</i>
Those which have not been partially or fully achieved, and the reasons, including external reasons beyond the council's control, for that	<i>Work to achieve the commitment has still to commence. The delay in commencing may include reasons that are beyond the councils control.</i>
Those which will not be achieved, or have been abandoned or reversed, and the reason for that, including any external reasons beyond the council's control	<i>The decision not to progress on all or elements of the commitment has been made. This could include reasons that are beyond the councils control.</i>

The assessment of the status takes into account:

1. The key achievements which set out the range of work that has been undertaken to date.
2. The next steps which identify key activities and actions to be progressed or issues that may affect progress.
3. The measures and performance in meeting these measures.

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
<p>1 - Deliver a programme to build at least 10,000 social and affordable homes over the next 5 years, with a plan to build 20,000 by 2027.</p>	On track	Partially achieved	<p>In 2018/19 there were over 2,300 affordable homes under construction on 38 sites across the city.</p> <p>Year two of this commitment saw 1,626 homes approved for social rent, mid-market rent and low-cost home ownership. This was an increase of over 150 on the previous year, making it over 3,100 homes approved since the commitment was made. Due to the programme strength in 2018/19, an additional £12 million in grant funding from the Scottish Government was secured. Investment was a record total of £53.1 million.</p> <p>The 2019-24 Strategic Housing Investment Plan outlined a programme which would deliver nearly 10,500 new affordable homes. The long term plan to build 20,000 homes by 2027 is dependent on funding being available. Currently, funding is only in place up to 2020/21.</p>	<p>Annual targets are set around the amount of grant funding available. The Strategic Housing Investment Programme details the pipeline programme and the funding required to deliver it.</p> <p>Future reporting will include housing completions and the number of homes projected through the pipeline programme.</p>
<p>2 - Create the conditions for businesses to thrive. Invest in supporting businesses, social enterprise, training in hi tech, creative and other key sectors including co-operatives. Help link business with young people to ensure the workforce of the future is guaranteed work, training or education on leaving school.</p>	On track	Partially achieved	<p>This commitment can be broken down into many components, the monitoring of which is captured in The Economy Strategy.</p> <p>The strategy sets out how the Council and partners will deliver inclusive growth across the city as agreed at the Housing and Economy Committee on 7 June 2018. In the first year of the strategy the council and partners made good progress in supporting businesses and delivering investment. This included supporting over 1,000 businesses and helping 2,967 clients in to work and learning.</p>	<p>Measures continue to be reported through the Edinburgh Economy Strategy Good Growth Monitoring Framework. A relevant selection of these measures, with targets were included in the June update.</p>

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<p>3 - Work with the business community to grow the number of Living Wage employers year on year.</p>	<p>Making progress</p>	<p>Partially achieved</p>	<p>The Living Wage Foundation accreditation covers all providers of services in the Council, including care at home. As one of the largest employers in Edinburgh, the Council is setting a leading example to the business community.</p> <p>Procurement practice includes a Fair Work Practice question in tenders over £50k and encourages the payment of the Living Wage Foundation rate. There has been a slight decrease in the percentage of Council contracted suppliers (over £50k value) who responded 'Yes' to payment of the Living Wage Foundation rate and we are looking at the causes of this.</p> <p>Going forward, workforce modernisation and change plans will include proposals to embed the Living Wage fully into the pay structure. Currently it is applied as a top-up.</p>	<p>The current Council measure shows the % of Council contracted suppliers who have advised they pay the Living Wage Foundation rate.</p> <p>Future reporting will consider new measures and the potential to include sub contracted businesses.</p> <p>The number of employers in the Edinburgh region accredited as Living Wage Foundation employers is measured by that organisation.</p>
<p>4 - Direct development to growth corridors as the best way to accommodate the extra housing needed for Edinburgh's growth and allowing the city to manage and protect green belt.</p>	<p>Making progress</p>	<p>Partially achieved</p>	<p>The Council has continued to successfully preserve greenfield and green belt land at appeal.</p> <p>The City Plan 2030 will set out the areas of the city which can accommodate housing development. This will include a focus on development on brownfield sites and minimising the impact on the green belt. The new City Plan Development Scheme was approved at Planning Committee on 7 August 2019.</p>	<p>The City Plan 2030 will include measures to monitor progress with development across the city.</p>
<p>5 - Sign Edinburgh to the Pay Fair Tax Initiative.</p>	<p>Work required</p>	<p>Not yet partially or fully achieved</p>	<p>Delivery of this commitment has not progressed sufficiently to date. As set out in the June update report, the Council is committed to establishing Edinburgh as a leading city for fair work practices and socially responsible business, which includes encouraging businesses and individuals to pay fair tax.</p>	<p>New measures will be developed to monitor the number of Edinburgh businesses making the Fair Tax pledge.</p>

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			Work to deliver this commitment will be wrapped into the wider Economy Strategy which sets out eight key steps the city needs to take over the next 5 years to achieve this aim.	
6 - Deliver the City Region Deal, making sure the benefits of investment are felt throughout the city and create space for new businesses to start and grow	On track	Partially achieved	The City Region Deal was agreed in full in June 2018 and its delivery spans a 15 year programme. Partners are one year into this deal and progress so far has been very positive. The deal includes a state-of-the-art innovation facility for the food and drink sector which will support and develop existing and new businesses.	The full City Deal is now agreed. The monitoring and evaluation framework is being developed between partners and both Governments with the aim of having this finalised and in place by January 2020.
Page 208 7 - Improve access to employment and training opportunities for people with disabilities.	On track	Partially achieved	<p>The Council funds services including All in Edinburgh and Project SEARCH to support Edinburgh's citizens with a disability to progress towards secure, and sustained work or learning.</p> <p>In 2017/18, there were 582 individuals who indicated a disability and accessed Council funded employability services. This represented 15.3% of all the people supported. Although there was a decrease in the number of individuals supported in 2018/19, it represented 16% of all the people supported. Funding for employment programmes has been allocated up to 2020/21, however it is subject to review beyond that.</p>	Current measures show the number of people with disabilities who have accessed Council funded employability services and the % that this represents from all support. In addition to measuring the overall number of citizens who have accessed support, future reporting will also look at the outcomes being achieved for individuals.
8 - Explore the introduction of fair rent zones.	Making progress	Fully achieved	<p>The Council has explored what would be required to introduce a rent pressure zone.</p> <p>Following the initial research, the Council will continue to work in partnership with local authorities interested in exploring rent pressure zones. This includes working with the Scottish Government and other partners to develop a compliant methodology for gathering robust evidence which is required for an application. A key dependency of any application to the Scottish Government is the collection of robust actual rent data over a period of three to five years.</p>	Currently there are no measures. These would be developed following the decision to submit an application for a rent pressure zone.

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<p>9 - Create a Homeless Task Force to investigate the growing homelessness problem in the city. The team will review the use of b&b premises and explore alternatives that better meet the needs of individuals and families with an aim to end the use of bed and breakfast facilities. Appoint a Homelessness Champion who will chair the Task Force.</p>	On track	Partially achieved	<p>On closure of the Homelessness Task Force, a series of recommendations were put forward and agreed in January 2019. These include:</p> <ul style="list-style-type: none"> • Delivery of Shared Housing • Introduction of Housing First Packages • A review of the allocation policy • Increased access to the Private Rented Sector • Increased access to Mid-Market Rent properties • Training for Council Officers <p>We are currently implementing these recommendations with the expectation they will be completed by the end of the administration. It is recognised that no families should be placed in B&B accommodation, but on occasions where this may happen, the length of stay will be minimised.</p>	<p>There are a number of measures in place to monitor progress for this commitment. Targets for all measures will be considered for future reporting. The overall objectives is to eradicate the use of B&Bs for families and this has shown a significant drop in the last year.</p>
<p>10 - Prioritise the use of brownfield sites and work with public sector and private landowners to develop land for affordable housing.</p>	Making progress	Partially achieved	<p>The most recent Housing Land Audit identified sufficient land to meet the current housing requirements. This will be taken forward in the City Plan 2030 which will set out the areas of the city which can accommodate these requirements. This will include a focus on development on brownfield sites and minimising the impact on the green belt.</p> <p>This 2019-24 Strategic Housing Investment Plan outlined a programme which would deliver nearly 10,500 new affordable homes.</p>	<p>The key measure is the % of capacity of units in effective land supply which are on brownfield land. This measure currently shows a greater proportion on brownfield land, which is likely to increase as more sites are identified through the City Plan 2030.</p>
<p>11 - Ensure that Council policies on planning, licensing and sale of Council land give substantial weight to the needs of residents</p>	Making progress	Partially achieved	<p>The project to prepare City Plan 2030 will set out options for changes to planning policy relating to a range of land uses, with the aim of supporting an appropriate balance to the needs of residents while still encouraging business and tourism.</p>	<p>The City Plan 2030 will include measures to monitor progress with development across the city.</p>

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<p>while still encouraging business and tourism.</p>			<p>In the process of declaring land and buildings surplus to operational requirements, the potential for development of affordable housing is a key consideration. Since March 2017 the Council has agreed to the transfer of 14 sites from the General Fund account to the Housing Revenue Account and these have been included in the new build affordable housing programme. These will deliver around 1,000 new homes.</p> <p>The Council has called for additional regulation of the short term lets sector through the introduction of a licensing system. To achieve the objective of additional regulation, the Scottish Government would be required to introduce legislation. A consultation on the regulation of short-term lets in Scotland is currently underway.</p> <p>The Edinburgh Tourism Strategy Implementation Group has been established. It approved the 2020 Tourism Strategy Development Plan. The Strategy development process is being overseen by the Edinburgh Tourism Strategy Implementation Group. Further to this, an Elected Member Working Group on Tourism and Communities is contributing to ensure the new Strategy is developed to include the views and concerns of residents.</p>	<p>Future reporting will include updates on the transfer of sites to the Housing Revenue Account and the number of new homes delivered.</p> <p>Further advice will be sought from the Edinburgh Tourism Strategy Implementation Group as to whether metrics can be measured.</p>
<p>12 - Review the Council's policy on promoting mixed communities. The review should be completed by summer of 2018 and should include homes of multiple occupancy, short term temporary lets and student housing</p>	<p>Making progress</p>	<p>Not yet partially or fully achieved</p>	<p>As part of preparing City Plan 2030 options for changes to planning policy relating to a range of land uses, with the aim of supporting and promoting mixed communities will be set out.</p> <p>The Council is working with the Scottish Government on the introduction of measures to regulate short term lets and continues to provide evidence on the need for such measures. Subject to a change in legislation the Council will continue to use current powers to contain and address any problems arising from short term let properties.</p>	<p>The City Plan 2030 will include measures to monitor progress with development across the city.</p> <p>Measures to support regulation of short term lets are under development.</p>

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<p>13 - Improve planning enforcement to ensure that all developers, large or small, conform to Edinburgh's policies and developer's commitments.</p>	<p>Making progress</p>	<p>Partially achieved</p>	<p>Work to improve planning enforcement is ongoing, with the aim of reducing the time taken for investigations to be complete. Performance was below the 70% target in 2018/19 at 51.5%. Progress is reflected in improved performance in the first quarter of 2019/20 with 67% of enforcement cases closed on target. Following completion of the audit of developer contributions, actions are being taken forward to improve the end to end process of managing these contributions.</p>	<p>Measures are in place with targets to monitor timescales for issuing decisions on non-householder applications and enforcement cases resolved within timescales. Developer contributions are also monitored.</p>
<p>14 - Work with the Scottish Government to review planning policy and overhaul the planning appeal system to make it shorter, more independent and give communities the right to appeal.</p>	<p>On track</p>	<p>Will not be achieved for reasons beyond the councils control</p>	<p>The Planning Convener and planning officers worked with the Scottish Government to discuss aspects of the proposals which would affect the planning system in Edinburgh. The Planning Bill was passed by Parliament on 20 June 2019. It did not include any provisions for community rights of appeal. Instead, it introduced changes to create a more inclusive and collaborative planning system with more effective community engagement.</p>	<p>This commitment covered a change to planning policy, so no measures were developed to track progress.</p>
<p>15 - Protect Edinburgh World Heritage Status and make sure developments maintain the vibrancy of our city in terms of placemaking, design and diversity of use.</p>	<p>On track</p>	<p>Fully achieved</p>	<p>The management plan which aims to preserve and enhance the Old and New Towns World Heritage Site in place and covers the period 2017-2022. As part of the mid-term review, the impact of the plan on other Council development strategies will be assessed. Decisions on planning applications in the city centre and a review of the City Centre Retail Core Guidance contribute to the commitment.</p>	<p>There are no specific measures for this commitment. Protecting the status of the sites remains a key Council objective.</p>
<p>16 - Invest £100m in roads and pavements over the next 5 years. This will include road and pavement maintenance, installing more pedestrian</p>	<p>On track</p>	<p>Partially achieved</p>	<p>In the last two years investment in the road network has surpassed the expected expenditure of £40 million. Additional revenue investment in 2018/19 allowed the rollout of a targeted road repair programme, increasing the number of defect repairs being carried out. Other key projects such as the</p>	<p>This is measured through the annual total investment in the road network, against the £20M annual target.</p>

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crossings, increasing the number of dropped kerbs and dedicate safer foot and cycle paths as well as introducing more pedestrian zones.			<p>City Centre Transformation are making additional progress towards the delivery of further pedestrian zones and safer foot and cycle paths.</p> <p>The levels of investment made in the last year have resulted in an improvement in the RCI score for 2019/20 at 33.5%. Resident satisfaction has declined between 2017/18 and 2018/19, however the long term aim is to improve this through the increasing levels of investment.</p>	The Road Condition Index monitors how effective the maintenance programme is. Public perception of the quality of the road network is measured through the Edinburgh People Survey .
17 - Guarantee 10% of the transport budget on improving cycling in the city.	On track	Partially achieved	An enhanced programme for Active Travel Investment Projects was approved at Transport and Environment Committee on 20 June 2019. This included additional investment and resources to deliver these projects. The programme projects spend of over £61m up to 2024, which is expected to surpass the commitment to spend 10% of the transport budget on cycling.	Resident perception of cycling infrastructure and development is measured through the bike life survey . Future reporting will include an update on the number of projects completed and budget spend.
18 - Improve Edinburgh’s air quality and reduce carbon emissions. Explore the implementation of low emission zones.	On track	Partially achieved	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> • Improve air quality and reduce carbon emissions • Explore the implementation of low emission zones <p>The Council's Sustainable Energy Action Plan is the city-wide programme for reducing carbon emissions. The target is a 42% reduction by 2020. The latest figures released by the Department of Business, Energy and Industrial Strategy (BEIS) in June 2019 have indicated that Edinburgh has had another fall in carbon emissions. Total emissions reductions across the city since 2005 are now 34.9%.</p> <p>On 14 May Council agreed an ambition of Edinburgh becoming carbon neutral by 2030. Work has been commissioned to scope options and scenarios for how this could be achieved. This will</p>	<p>Key measures used to monitor this commitment are the city wide % reduction in CO₂ emission (available from the BEIS with a two-year lag) and the number of Air Quality Management Areas in the city.</p> <p>The new sustainability strategy will be published in the second half of 2020 and will include details of how we will monitor progress towards the new target of the city becoming carbon neutral by 2030.</p>

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			<p>form a key foundation of a new approach to sustainability to be set out in a city-wide sustainability strategy for 2020 – 2030.</p> <p>On 16 May 2019, the Transport and Environment Committee agreed to public consultation on Low Emission Zone (LEZ) proposals for Edinburgh with expected implementation in late 2020. Scottish Government funding has been secured for this work. Work is underway with Lothian Buses to ensure their fleet upgrade plans align with future LEZ requirements.</p>	
<p>213 - Keep the city moving by reducing congestion, improving public transport to rural west Edinburgh and managing road works to avoid unnecessary disruption to the public.</p>	On track	Partially achieved	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> • Reducing congestion and improving public transport in the rural west of the city • Managing road works to avoid unnecessary disruption to the public <p>A programme of priorities has been developed to improve conditions for public transport, to help reduce congestion on the A90 which serves the rural west. This includes:</p> <ul style="list-style-type: none"> • A new framework contract for Supported Bus Services. • The introduction of 3 new bus lane cameras to help improve access for public transport improve journey times and reliability, with additional sites in the pipeline. • Parking attendants monitoring main traffic routes to assist traffic movement and prevent congestion. <p>The Council and all public utilities fulfil the requirement of the Scottish Roadworks Commissioner to plan and co-ordinate roadworks through the Scottish Roadworks Register with the aim of minimising disruption. Monitoring of the agreement and the planned co-ordination of works is regularly reported to the Transport and Environment Committee.</p>	<p>Public perception of the quality of public transport is measured through the Edinburgh People Survey. Although there was a slight drop in satisfaction, it is within the margin of error and remains high.</p> <p>Future reporting will include measures on public transport usage and public utility company performance. Public utility company performance was reported to Transport and Environment Committee in June 2019.</p>

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<p>20 - Explore the introduction of a lane rental for utility companies to reduce traffic pressures.</p>	<p>Work required</p>	<p>Partially achieved</p>	<p>Powers already exist in Scotland that allow councils to manage and coordinate roadworks. This is through the Scottish Roadworks Register and noticing schemes and it is monitored by the Scottish Roadworks Commissioner.</p> <p>There are additional powers relating to the roadwork coordination currently being considered through the new Transport Bill, which has now passed stage 2. This includes additional powers to increase the responsibility of the Scottish Roadworks Commissioner, extend the use of fixed penalty notices and extend the reinstatement guarantee period.</p>	<p>There are no specific measures for this commitment. Analysis of the current legal framework surrounding the feasibility of introducing a lane rental is still ongoing and is subject to the new powers being introduced through the new Transport Bill.</p> <p>Public utility company performance was reported to Transport and Environment Committee in June 2019.</p>
<p>19 - Retain Lothian Buses and Edinburgh Tram in public ownership.</p>	<p>On track</p>	<p>Fully achieved</p>	<p>Cross party support exists to Retain Lothian Buses and Edinburgh Tram in public ownership.</p>	<p>There are no specific measures required for this commitment.</p>
<p>22 - Deliver the tram extension to Newhaven by 2022 after reviewing the business case and delivery plan to ensure they are robust.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>The decision to proceed with completing the existing tram line to Newhaven was made in March 2019 following a rigorous and competitive procurement exercise. This included an additional Best and Final Offer stage in the procurement process which gave tenderers the opportunity to clarify specific elements of their bids. This was considered prudent, however it resulted in the Final Business Case being delayed by three months. As a result, the timetable has now been re-aligned with an end deadline of early 2023. Extensive consultation took place which allowed residents, businesses and stakeholders to help shape the plans, designs and traffic management arrangements during and after construction.</p> <p>The project has entered a six-month Early Contractor Involvement (ECI) period with the two contractors who are working closely with us and other key stakeholders to finalise plans for construction. A new programme will be concluded once the ECI period has ended. It is currently expected that</p>	<p>Future reporting will include monitoring of the construction phase of the tram extension which is currently being finalised.</p>

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Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
			Edinburgh Trams will take their first passengers to and from Newhaven in early 2023.	
<p>23 - Implement improvement plans for Waste and Cleansing Services to improve street cleanliness in every ward. Reintroduce a free bulky item collection service to tackle fly tipping.</p>	Making progress	Partially achieved	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> • Improve street cleanliness • Reintroduce the free uplift service <p>The Waste and Cleansing service has undergone a number of service changes and improvements since the Waste and Cleansing Improvement Plan was introduced in 2016. Further changes will also be implemented following a full review of the communal bin collection service. This aims to reduce the number of incidences of fly tipping, reduce the number of missed bin service requests and improve customer perception of the cleanliness of streets. Although the aim of reducing fly tipping remains a priority, staff are encouraged to report issues during estate inspections and this was partly responsible for the increase in reported incidents between 2017/18 and 2018/19. The LEAMs street cleanliness score for Edinburgh has improved from 88.7% in 2017/18 to 92.0% in 2018/19.</p> <p>As agreed by Transport and Environment Committee the introduction of a free bulky item collection service has been put on hold until a pilot collection service to encourage the reuse of materials has been completed. The service is in discussions with a potential partner, the Remakery, to carry out this pilot.</p>	<p>Street cleanliness is measured through the national Local Environment Audit Management System (LEAMS). A target for improvement has been set. This commitment also measures communal missed bin service requests and reports of fly tipping. Future reporting will consider relevant targets for these measures.</p>

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<p>24 - Reduce the incidence of dog fouling on Edinburgh's streets and public parks</p>	On track	Partially achieved	<p>The educational campaign "Our Edinburgh" continues to discourage anti-social behaviours such as littering, fly tipping and dog fouling. In the last year fixed penalty notices have increased and the number of dog fouling incidents reported to us has decreased. In the long term this should lead to an improvement in customer perception of the cleanliness of streets and parks.</p>	<p>Measures are in place to monitor the number of fixed penalty notices and the number of dog fouling service requests. Future reporting will consider relevant targets for these measures and it will include resident perceptions of the cleanliness of streets and parks as reported through the Edinburgh People Survey.</p>
<p>25 - Increase recycling to 60% from 46% during the lifetime of the administration.</p>	Work required	Not yet partially or fully achieved	<p>During the lifetime of the Council's current recycling strategy, recycling rates increased from 30.4% to 41.1%. This has however started to show reductions over the last three years and 41.1% is in fact a drop from 42.6% in 2017/18. There are a number of projects in place which aim to increase recycling rates include making improvements to Household Waste Recycling Centres and carrying out a review and redesign of communal bins. However, these changes are unlikely to increase rates to 60% by the end of the administration.</p> <p>There are also factors beyond the Council's control that are affecting recycling including changes to the exporting of materials, reductions in the use of some plastics by manufacturers and a future deposit return scheme. Many of these aim to have a positive effect on ending the reliance on single use plastics, so although they may impact on what the council can recycle now, they may also offer opportunities for the future.</p>	<p>This commitment is measured through the % of waste arisings that are recycled. Future reporting will consider a relevant target for increasing recycling, taking in to account the likely impact of future projects such as the communal bin review which aims to fully integrate waste and recycling facilities for residents.</p>
<p>26 - Improve parking for residents by expanding provision of park and rides for commuters.</p>	Making progress	Partially achieved	<p>On 27 May 2018 Transport and Environment Committee agreed not to progress with a new Park and Ride site at Lothianburn. However, options are being explored for</p>	<p>There are currently no measures for this commitment. Future reporting will include updates on the impact</p>

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
			<p>improving the Straiton site and expanding the sites at Hermiston and Inghliston.</p> <p>Parking improvements for residents are also proposed through extending the controlled parking zones and increasing the number of shared use parking places.</p>	<p>of the planned improvements to resident parking services.</p>
<p>27 - Tackle pavement parking and reduce street clutter to improve accessibility</p>	<p>On track</p>	<p>Partially achieved</p>	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> • Tackle pavement parking • Reduce street clutter <p>Currently there are no powers for councils to enforce bans on pavement parking. The new Transportation Bill is currently going through the Scottish Parliament. The Bill will detail the timescales for introducing the ban on pavement parking and the enforcement action that councils can take.</p> <p>The citywide ban on all temporary on-street advertising structures came into force in November 2018, with the aim of reducing street clutter. Street Design Guidance also exists to ensure that the city's streets are accessible and easy to navigate.</p>	<p>The number of advice cases and notices issued since the A-Board ban was introduced are reported in the key achievements detailed in the June report.</p> <p>Additional measures to monitor street clutter and its impact are being developed.</p>
<p>28 - Create a first-class education estate – building 2 new secondary schools and 10 new primaries by 2021. Ensure safe standards are met by rigorous inspections of new and existing school buildings.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> • The building of 2 new secondary schools and 10 new primary schools by 2021 • Ensuring safe standards are met through rigorous inspections <p>The construction of seven schools (two secondary and five primary) is either completed, underway or due to commence shortly. The design teams for a further three primaries will be</p>	<p>There are two measures in place. The first relates to the commencement of construction for 12 new schools by 2021. Milestones for the delivery of new schools will be included in future reporting.</p> <p>The second measure looks at the condition of existing buildings using a rolling programme where all of</p>

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			<p>commissioned soon and master plans for the location of the final two primaries have been completed.</p> <p>The five-year resurvey programme to ensure safe standards is in place.</p>	<p>the estate will have been surveyed by Autumn 2022.</p>
<p>29 - Improve and protect access to additional languages and music tuition and encourage more children and young people to gain vital skills in construction, engineering, digital technology, maths and science.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>There are three elements to this commitment:</p> <ul style="list-style-type: none"> • Additional languages • Music tuition • STEM subjects <p>Strategies and delivery plans are in place for all three elements and the achievements to date along with the measures show the progress being made to achieve them.</p>	<p>Four measures are in place:</p> <ul style="list-style-type: none"> • Percentage of schools delivering Language 2 is to be at 100% by 2020. • Percentage of schools engaging with the RAiSE programme is to increase by 5% by the end of the programme. • 2018/19 target for the number of children and young people accessing music tuition is set at 24,150. • Percentage of children who are achieving the expected CfE level by P7 to increase by 2% per annum up until session 2021/22.
<p>30 - Increase the number of classroom assistants and support staff for children with additional needs to improve attainment and wellbeing.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> • Increase the number of classroom assistants and support staff • Improve attainment and wellbeing <p>The number of staff has increased and the achievements to date show the ongoing work around the training of staff to improve wellbeing and attainment.</p>	<p>Two measures are in place:</p> <ul style="list-style-type: none"> • Increase the FTE of pupil support assistants (budgeted to SEN and Special schools) by 50 FTE by session 2021/22. • Ensure that 100% of PSAs (across all schools) are trained in wellbeing and attainment.

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<p>31 - Expand training opportunities for adults and young people linking with colleges and expanding vocational education.</p>	<p>Making progress</p>	<p>Partially achieved</p>	<p>There is ongoing work by the Council and its partners in developing the young workforce and building on the schools/colleges links to promote vocational education. The Edinburgh Learns Framework for Pathways, the Lifelong Learning Plan and the Skills Gateway Project will all contribute to delivering these achievements going forward. The number of senior phase age pupils studying vocational qualifications delivered by Edinburgh College reduced from 338 in 2017/18 to 211 in 2018/19. This was due to confusion with schools that certain courses no longer existed. This is expected to get back on track in 2019/20.</p>	<p>Two measures are in place:</p> <ul style="list-style-type: none"> • Increase the number of senior phase aged pupils studying vocational qualifications delivered by Edinburgh College by 2% per annum • The number of learners engaging in the Adult Education Programme is to meet a new target (to be set) for 2019/20.
<p>32 - Double free early learning and child care provision, providing 1140 hours a year for all 3 and 4 year olds and vulnerable 2 year olds by 2020.</p>	<p>Making progress</p>	<p>Partially achieved</p>	<p>Progress has been made in terms of the number of children already accessing 1,140 hours, the recruitment of Early Years staff and the number of settings able to offer the expanded provision. Risks relating to funding have been highlighted.</p>	<p>Two measures in place:</p> <ul style="list-style-type: none"> • Increase the % of Early Years settings providing 1140 hours of funded Early Learning and Childcare to 100% by August 2020. • Increase the % of vulnerable 2 year olds accessing 1140 hours to 100% by August 2020. <p>Progress on the expansion of early years provision is reported regularly to the Education, Children and Families Committee.</p>
<p>33 - Make early years' provision more flexible to fit families' needs and provide additional resources to families in</p>	<p>Making progress</p>	<p>Partially achieved</p>	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> • The flexibility of the early years provision • Additional resources to families 	<p>Two measures are in place:</p> <ul style="list-style-type: none"> • Increase the % of Early Years settings providing more than one option of early learning

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
<p>difficulty so that no children are educationally disadvantaged when they start formal schooling.</p>			<p>The achievements, and in particular the revised locality delivery model, show the ongoing progress in delivering more flexible Early Years provision. Early language acquisition has been supported through the Hanen training. Risks relating to funding have been highlighted.</p>	<p>and childcare for parents to 100% by August 2020.</p> <ul style="list-style-type: none"> The percentage of Primary 1 pupils living in the most deprived areas achieving expected literacy level is to increase by 5% by session 2020/21. <p>Progress on the expansion of early years provision is reported regularly to the Education, Children and Families Committee.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 220</p> <p>34 - Prioritise services for vulnerable children and families and looked after children, and support organisations working to end domestic abuse.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> Prioritising services for vulnerable children Supporting organisations to tackle domestic abuse <p>There are a range of services and processes in place to support vulnerable children and their families and those who are Looked After or on the Child Protection Register. Associated with this is the reduction in numbers requiring statutory interventions. Funding and contracts are in place to support organisations delivering domestic abuse services. The work of services in protecting and supporting vulnerable children was recognised in a positive Children’s Services Care Inspectorate report for Edinburgh in June 2019.</p>	<p>There are five measures in place for both elements of the commitment:</p> <ul style="list-style-type: none"> For vulnerable children the Rate of Looked After Children per 1,000 population is to decrease to 15.3 by 2020. The Percentage of LAC pupils with low school attendance is to decrease by 10% by session 2020/21. To support organisations working towards ending domestic abuse, the aim is for the Council to provide adequate funding to those organisations. The number of women and children supported in a year is measured but does not have a target however, the % of

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
				<p>women and children who report feeling safer is to improve for 2019/20.</p>
<p>35 - Improve access to library services and community centres making them more digital and delivering them in partnership with local communities.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>There are three elements to this commitment:</p> <ul style="list-style-type: none"> • Improve access to libraries and community centres • Making them more digital • Delivering them in partnership with local communities <p>Access to library resources has been developed for a range of citizens and uses, as well as piloting access in selected community centres.</p> <p>The use of digital services has more than doubled.</p> <p>The service works with partners such as Cyrenians, for referrals, and the University of Edinburgh for the delivery of the Digital Skills programme.</p>	<p>Two measurements are in place to build on the success of 18/19:</p> <ul style="list-style-type: none"> • Continue to increase Digital Use • Continue to increase the total number of library customer transactions
<p>36 - Support the continued development of Gaelic Medium Education.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>The achievements set out the work done to support the continuing development of GME including the creation of a Gaelic Medium Education Strategic Growth Plan, the continued increase in the number of pupils on the school rolls (including nursery) and the associated staff development.</p> <p>The Council is in the process of recruiting a Gaelic Development Officer to support the delivery of the Gaelic Language Plan.</p>	<p>Two measures are in place:</p> <ul style="list-style-type: none"> • The number of pupils on the rolls of Primary and Secondary GME • The number of staff trained to deliver Gaelic Learner Education as part of the strategy on 'One plus Two' Languages <p>In addition, an annual monitoring report on the progress of the Plan will be reported to Education, Children and Families Committee.</p>

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
<p>Page 22</p> <p>47 - Continue to integrate Health and Social Care Services. Review the Integration Joint Board's approach to support at home by 2018.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>This commitment has two elements:</p> <ul style="list-style-type: none"> • Continue to integrate Health and Social Care Services • Review the approach to support at home by 2018 <p>Integration is a long-term programme which is being led by the IJBs Chief Officer who reports on integration to the IJB Board.</p> <p>For support at home, the Sustainable Community Support programme has seen an increase in the volume of care delivered and a reduction in the waiting list for packages of care.</p> <p>Since the report was presented to the June Council, the waiting has continued to reduce, from 480 at the end of March to 365 at the end of June. The number of hours of care delivered per week has increased from 89,900 at the end of March 2017 to 97,141 at the end of March 2019 to 102,541 at end of June 2019. This is due to the Sustainable Community Support Programme and the dedicated focus of the Partnership.</p>	<p>Measures are in place. The Edinburgh Integration Joint Board monitors the progress of integration via a number of measures which are framed nationally. These include the Core Suite of Integration Indicators (23 indicators) which track performance against the nine National Health and Wellbeing Outcomes and are reported in the IJB's annual performance report</p> <p>The Ministerial Strategic Group for Health and Community Care has also agreed a number of indicators against which the performance of Health and Social Care Partnership is measured against locally set objectives. These, along with a number of local measures which include detail on the volume of care supporting people to live at home as well as numbers awaiting care, are regularly reported to the Partnership's Executive Management team and IJB. A further report is to be considered at the IJB meeting on 20 August.</p>

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
<p>38 - Take steps to increase the length and flexibility of care visits and increase the availability of care to help people live in their own homes.</p>	On track	Partially achieved	<p>The Sustainable Community Support Programme has seen an increase in the volume of hours of care delivered and a reduction in the waiting list for those waiting for support at home. The increase in the volume of hours offers more flexibility over which appointments are available to clients.</p>	<p>A number of local measures which include detail on the volume of care supporting people to live at home as well as numbers awaiting care, are regularly reported to the Partnership's Executive Management team and IJB. A further report is to be considered at the IJB meeting on 20 August.</p>
<p>39 - Put exercise at the heart of our health strategy by increasing access to sport and leisure facilities.</p>	On track	Partially achieved	<p>Ongoing work is being delivered within schools regarding health, wellbeing and physical activity. The consultation for Physical Activity and Sport has also concluded. Also highlighted is the existing partnership work with Edinburgh Leisure and the proposed partnership work with other bodies.</p>	<p>Two measures are in place:</p> <ul style="list-style-type: none"> • Increase the attendance at sport and leisure facilities (Edinburgh Leisure). Target has been exceeded. • Increase the number of young people participating in sport, physical activity and outdoor learning (including Active Schools Programme).
<p>40 - Work with the Integration Joint Board (NHS & Council Social Care) and other agencies to prioritise early intervention and prevention in mental health services.</p>	On track	Partially achieved	<p>The Mental Health and Wellbeing Strategy, 'Thrive Edinburgh' details the strategic aims to be delivered in mental health services. The Public Social Partnership is developing potential measures and baselines around these aims. This work is ongoing and will report to the IJB.</p>	<p>The contracts awarded as part of the Public Social Partnership are facilitating a test of concept and change which are developing innovative approaches to support. Work to establish ongoing measures of performance in these tests of concept and change is ongoing.</p>
<p>41 - Review the application process and increase the budget for housing adaptations with a</p>	On track	Partially achieved	<p>The IJB Strategic Plan will be considered in August 2019. It includes a workstream to set up a project team to review the</p>	<p>Measures will be identified for the project to review the adaptations process and customer journey.</p>

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
<p>view to supporting more disabled tenants and owners to remain in their own homes. Help older and disabled homeowners to move to more suitable housing should they wish to do so.</p>			<p>process and customer journey for tenants and home owners accessing property adaptations.</p> <p>A report on later living housing was considered at the Housing and Economy Committee in June 2019, setting out the barriers and opportunities for people who need, or wish to move to housing that meets their needs in later life.</p>	
<p>42 - Build a new sports centre at Meadowbank by 2021.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>The planning application has been approved and Graham Construction Ltd has been appointed as the main contractor. Ground and foundation works have commenced.</p>	<p>Key actions/milestones within the project's schedule of works will be used to track progress.</p>
<p>43 - Continue to upgrade our existing parks and plant an additional 1,000 trees in communities. Protect major recreational areas such as the Meadows, Leith Links and Princes Street Gardens.</p>	<p>On track</p>	<p>Fully achieved</p>	<p>This commitment has three elements:</p> <ul style="list-style-type: none"> • Upgrading and protecting existing parks • Plant an additional 1,000 trees in communities • Protecting parks and recreational areas <p>The park maintenance programme sets out the improvement work required to maintain and improve our parks. The number of parks achieving Green flag status continues to increase. The Council has retained its 32 Green Flags for 2019 and the city now has 34 in total.</p> <p>13,848 trees have been planted since 2017, including 2,048 during 2018/19 and surpassing the commitment to plant an additional 1,000 trees. As part of the redevelopment of East Princes Street gardens, 22 new trees have been planted and a further 30 were donated for the Council's other botanical areas.</p> <p>The number of large events held in parks has been kept below the maximum levels for the last 2 years.</p>	<p>The number of parks achieving Green Flag status and the Parks Assessment Standard both monitor the quality of the Council owned parks against set targets.</p> <p>The number of new trees planted is also monitored and this year has surpassed the target with a new of 1,000 trees. Future reporting will include details on the additional funding for tree survey and maintenance programmes.</p> <p>The number of large events held in parks is monitored with the aim of protecting them through proper planning and keeping a balanced use.</p>

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
<p>44 - Increase allotment provision and support and expand the network and the number of community gardens and food growing initiatives.</p>	<p>On track</p>	<p>Fully achieved</p>	<p>This commitment has two elements:</p> <ul style="list-style-type: none"> • Increase allotment provision • support and expand the network and the number of community gardens and food growing initiatives <p>In the last 2 years the number of allotment plots has increased from 1,815 to 1,833. New sites are also being sought. Newcraighall and the Leith Links extension aim to be operational by 2020. A recent review of the waiting list saw it reduce by 50%. Work is also ongoing to expand the number of community gardens within the city.</p>	<p>This commitment tracks the number of allotment sites in the city and the number of people on the waiting list for these sites. Future reporting will include updates on the development of new sites.</p>
<p>45 - Establish a Child Poverty Action Unit to address the inequalities faced by children in poverty in our city. Its remit will look at food security and nutrition, tackle food poverty and holiday hunger and enhance nutrition in schools. Ensure that a Poverty Assessment section features in all Council reports.</p>	<p>On track</p>	<p>Partially achieved</p>	<p>This commitment has two elements:</p> <ul style="list-style-type: none"> • Establish a Child Poverty Action Unit • Have a Poverty Assessment section in Council reports <p>A Child Poverty Action Unit has been established and the achievements also set out a number of child poverty related projects and initiatives that are underway across the city.</p> <p>A Stakeholder/Community Impact section has been added to all Council and Committee reports. A key requirement for this section is the Integrated Impact Assessment which facilitates compliance with the Equality Act 2010 amongst others. Part of this assessment includes identifying any impacts relating to poverty and the steps taken to mitigate any adverse impacts. Guidance is provided on the Intranet to Council officers on filling in this assessment.</p>	<p>Progress will be measured through key actions set by the Unit.</p>
<p>46 - Continue to support the city's major festivals which generate jobs and boost local businesses and increase the</p>	<p>On track</p>	<p>Partially achieved</p>	<p>This commitment has two elements:</p> <ul style="list-style-type: none"> • Support the cities festivals • Support the creation of further work spaces 	<p>The allocation of funding is fully monitored as part of the core programme. The creation of new workspaces for artists and</p>

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
funding for local festivals and events. Support the creation of further work spaces for artists and craftspeople.			<p>The core programme, including the funding allocation for Festival and Events for 2019/20 is in place. This includes a £100,000 allocation to a Local Festival and Event Programme Budget.</p> <p>Support for new work spaces for artists and crafts people has been provided for developments at Castle Mills and Collective at Calton Hill.</p>	craftspeople is included in the key achievements.
<p>Page 226</p> <p>7 - Become a leading Council in Scotland for community engagement - 1% of the Council's discretionary budget will be allocated through participatory budgeting.</p>	Work required	Has not been partially or fully achieved	<p>We have delivered a wide range of participatory budgeting initiatives in recent years focused primarily on a grants-based approach. This has provided the building blocks for the proposed programme.</p> <p>However, the original 1% target of Council discretionary spend has been augmented by a new national political agreement between the Scottish Government and COSLA. This agreement to mainstream participatory budgeting has resulted in a tenfold increase in the financial target to £7.2m. The 2018/19 budget allocated through participatory budgeting equates 0.04% of the revised target. Recognising this challenge, work is progressing at a national level to support local authorities to achieve this demanding step change.</p> <p>At a city level, work is progressing to explore budgetary opportunities across the Council comprising a combination of a grants, commissioning and mainstream service approaches with this to inform the participatory budgeting framework under development.</p>	A measure to track the amount of the Council budget spent through participatory budgeting is to be included in future updates.

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
<p>48 - Continue to make a case to the Scottish Government for the introduction of a Transient Visitor Levy and explore the possibility of introducing more flexibility in the application of business rates. Explore the possibility of introducing a workplace parking levy.</p>	On track	Fully achieved	<p>This commitment has two elements:</p> <ul style="list-style-type: none"> • Make the case for a Transient Visitor Levy • Explore the introduction of a workplace parking levy <p>As part of the 2019/20 budget and influenced by the work that had been progressed by the Council, the Scottish Government agreed to legislate powers that would enable local authorities to introduce a TVL or tourist tax. The Council will implement the TVL in Edinburgh once the detail of the legislation is known and the powers are in place.</p> <p>The Council has continued to support COSLA in seeking a permissive legal power within the Bill for Scottish Councils to implement a WPL, if that meets local needs. The new Transport Bill is currently making its way through parliament.</p>	This commitment does not require measures as it refers to specific legislative decisions out with the Councils control.
<p>49 - Limit Council Tax increases to 3% a year to 2021.</p>	On track	Fully achieved	This is reviewed annually as part of the annual budget process.	The measure to limit council tax increases to 3% is reviewed annually and is included in updates.
<p>50 - Continue a policy of no compulsory redundancies and keep a presumption in favour of in-house service provision.</p>	On track	Fully achieved	<p>This commitment has two elements:</p> <ul style="list-style-type: none"> • Continue the policy of no compulsory redundancies • Favour in-house provision of services <p>The Council’s commitment of no compulsory redundancy remains in place and is fully adhered to by all service areas.</p> <p>The policy in respect of a presumption of in-house service provision continues to be carefully monitored through the politically led budget setting process.</p>	<p>The Workforce Dashboard reports to Finance and Resources Committee include details on staff leaving the council and by what means. Future reporting of this commitment will monitor the number of staff leaving the council through compulsory redundancy.</p> <p>Keeping services in-house is monitored through the decisions which are taken on individual business cases for changes to service provision.</p>

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
<p>51 - Improve community safety by protecting local policing and empowering communities to tackle long term safety issues and hate crime in all its forms including supporting restorative justice initiatives and other projects.</p>	On track	Partially achieved	<p>This commitment has three elements:</p> <ul style="list-style-type: none"> • Improve Community Safety by protecting local policing • Empowering communities to tackle long term safety issues • Supporting restorative justice initiatives <p>Following the agreement at Council in February 2019 to reduce the Policing budget from £2.60M to £2.08M in 2019/20, it will not be possible to fully achieve this commitment. We continue to work closely with Police Scotland to ensure that the remaining resource is effective in improving community safety. Key strategic objectives are in the process of being implemented which will allow us to empower communities and support restorative justice initiatives.</p> <p>The performance figures remain relatively stable albeit slightly below target in the percentage of Criminal Justice Orders successfully completed.</p> <p>The percentage of people who feel safe after dark continues to be high and the number of antisocial behaviour complaints per 10,000 population has fallen for the second year in a row.</p>	<p>Measures for Council Performance for improving community safety are included in the monitoring of this commitment. Future updates will also include the performance and activity of the City of Edinburgh Council funded Community Police Officers which is reported regularly to Culture and Communities Committee.</p>
<p>52 - Devolve local decisions to four Locality Committees. Establish the membership of each Committee and how devolved decision making will work to encourage the maximum participation for local groups. Explore the effectiveness of community councils and how they can be enhanced to represent their local communities.</p>	On track	Partially achieved	<p>There are two elements to this commitment:</p> <ul style="list-style-type: none"> • Devolve decisions to newly established Locality Committees • Explore the effectiveness of Community Councils <p>Following a review of their first year, the Council decided to dissolve the locality committees. As an alternative to locality committees, Council agreed to explore increased partnership working at a more localised level through using Neighbourhood Networks which will have greater representation from community groups including community councils. Four new Locality Community Planning Partnerships have also been set up to lead on delivering the locality improvement plans which</p>	<p>No measures are required for this commitment. Future updates will be provided on the creation of the new Neighbourhood Networks and their effect on encouraging community participation.</p>

Commitment	Previous Status	New Status	Rationale for the new status	Relevant metric, targets and completion dates
			<p>aim to improve outcomes for those individuals experiencing the greatest inequality.</p> <p>The scheme for Community Councils has been reviewed in 2019 and amendments have been made to improve arrangements. Further work will be undertaken to explore how to improve support.</p>	

The City of Edinburgh Council

10.05am, Thursday, 27 June 2019

Coalition Commitments Progress Update – June 2019

Executive/routine
Wards
Council
Commitments

1. Recommendations

- 1.1 That Council notes the progress at June 2019 on delivering the 52 coalition commitments that the Council Administration have pledged to deliver by end 2022 (Appendix A).
- 1.2 That Council notes the steps that will be taken in 2019/20 to progress delivery of the commitments (Appendix A).

Andrew Kerr

Chief Executive

Contact: Laurence Rockey, Head of Strategy and Communications

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Coalition Commitments Progress Update – June 2019

2. Executive Summary

- 2.1 This is the second annual update on the 52 coalition commitments and provides an update to Council on the progress of each of the commitments.
- 2.2 This report builds on the six-monthly updates that were presented to the Executive Committees in December 2018 and January 2019.

3. Background

- 3.1 The Council Business Plan ([A Programme for the Capital: The City of Edinburgh Council Business Plan 2017-22](#)) was approved in August 2017. The plan sets out the administration's priorities and what will be achieved over the five-year period.

4. Main report

- 4.1 This is the second annual update on progress of the coalition commitments and a full update for each commitment is contained within Appendix A.
- 4.2 Appendix A details:
- background information
 - key achievements and delivery progress to June 2019
 - planned next steps and, where relevant, key issues for 2019/20
 - performance measures for 2018/19 and the preceding year where applicable
 - the current status of each commitment.
- 4.3 The status of the commitments can be summarised as follows:

Status	Meaning	Number of Commitments
On track	commitment on track with the relevant actions and measures in place to monitor delivery	35
Making progress	ongoing, but commitment delivery slower than anticipated	13
Work required	actions and measures identified, however timescales may not be achieved	4

5. Next Steps

- 5.1 Where applicable, planned work that will be undertaken in 2019/20 is outlined in Appendix A.

6. Financial impact

- 6.1 The financial impact is set out within the individual commitments and the Council Business Plan.

7. Stakeholder/Community Impact

- 7.1 The commitments actions and measures continue to support transparency of Council performance and delivery.

8. Background reading/external references

- 8.1 [Programme for the Capital - The City of Edinburgh Council Business Plan 2017-22](#), The City of Edinburgh Council, 24 August 2017
- 8.2 [Implementing the Programme for the Capital - Coalition Commitments Progress to June 2018](#), The City of Edinburgh Council, 28 June 2018
- 8.3 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Finance and Resources Committee, 4 December 2018
- 8.4 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Corporate Policy and Strategy Committee, 4 December 2018
- 8.5 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Transport and Environment Committee, 6 December 2018
- 8.6 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Education, Children and Families Committee, 11 December 2018
- 8.7 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Planning Committee, 12 December 2018
- 8.8 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Housing and Economy Committee, 24 January 2019
- 8.9 [Implementing the Programme for the Capital: Coalition Commitments six monthly progress](#), Culture and Communities Committee, 29 January 2019

Appendices

Appendix A: Coalition Commitments Progress Update June 2019

Coalition Commitments Progress Update June 2019

Two years after the formation of the Coalition, the Council has made sustained progress towards achieving our 52 key commitments to the Capital. To deliver these in full, we need to keep a clear focus on ensuring that we continue to provide services to a high standard and quality, while still responding to the wider environment in which we operate.

The next three years will call upon the public sector to navigate many challenges, including continuing major public service reforms, managing change in the economy, navigating a way forward during the UK's complex route out of the EU, as well as maintaining and improving the provision of our much-needed services.

This report shows the progress we have made so far in delivering our commitments to the people of Edinburgh and identifying what still needs to be done over the next three years.



Adam McVey
Council Leader
Scottish National Party



Cammy Day
Depute Council Leader
Scottish Labour Party

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Commitment 1	7
Deliver a programme to build least 10,000 social and affordable homes over the next 5 years, with a plan to build 20,000 by 2027.	
Commitment 2	8
Create the conditions for businesses to thrive. Invest in supporting businesses, social enterprise, training in hi tech, creative and other key sectors including co-operatives. Help link business with young people to ensure the workforce of the future is guaranteed work, training or education on leaving school.	
Commitment 3	9
Work with the business community to grow the number of Living Wage employers year on year.	
Commitment 4	10
Direct development to growth corridors as the best way to accommodate the extra housing needed for Edinburgh's growth and allowing the city to manage and protect green belt.	
Commitment 5	10
Sign Edinburgh to the Pay Fair Tax Initiative.	
Commitment 6	11
Deliver the City Region Deal, making sure the benefits of investment are felt throughout the city and create space for new businesses to start and grow.	
Commitment 7	12
Improve access to employment and training opportunities for people with disabilities.	
Commitment 8	13
Explore the introduction of fair rent zones.	
Commitment 9	14
Create a Homeless Task Force to investigate the growing homelessness problem in the city. The team will review the use of b&b premises and explore alternatives that better meet the needs of individuals and families with an aim to end the use of bed and breakfast facilities. Appoint a Homelessness Champion who will chair the Task Force.	
Commitment 10	16
Prioritise the use of brownfield sites and work with public sector and private landowners to develop land for affordable housing.	

Commitment 11 17
 Ensure that Council policies on planning, licensing and sale of Council land give substantial weight to the needs of residents while still encouraging business and tourism.

Commitment 12 18
 Review the Council's policy on promoting mixed communities. The review should be completed by summer of 2018 and should include homes of multiple occupancy, short term temporary lets and student housing.

Commitment 13 19
 Improve planning enforcement to ensure that all developers, large or small, conform to Edinburgh’s policies and developer’s commitments.

Commitment 14 20
 Work with the Scottish Government to review planning policy and overhaul the planning appeal system to make it shorter, more independent and give communities the right to appeal.

Commitment 15 21
 Protect Edinburgh World Heritage Status and make sure developments maintain the vibrancy of our city in terms of placemaking, design and diversity of use.

Commitment 16 22
 Invest £100m in roads and pavements over the next 5 years. This will include road and pavement maintenance, installing more pedestrian crossings, increasing the number of dropped kerbs and dedicate safer foot and cycle paths as well as introducing more pedestrian zones.

Commitment 17 23
 Guarantee 10% of the transport budget on improving cycling in the city.

Commitment 18 24
 Improve Edinburgh’s air quality and reduce carbon emissions. Explore the implementation of low emission zones.

Commitment 19 25
 Keep the city moving by reducing congestion, improving public transport to rural west Edinburgh and managing road works to avoid unnecessary disruption to the public.

Commitment 20 26
 Explore the introduction of a lane rental for utility companies to reduce traffic pressures.

Commitment 21 26
 Retain Lothian Buses and Edinburgh Tram in public ownership.

Commitment 22 27
 Deliver the tram extension to Newhaven by 2022 after reviewing the business case and delivery plan to ensure they are robust.

Commitment 23 28
 Implement improvement plans for Waste and Cleansing Services to improve street cleanliness in every ward. Reintroduce a free bulky item collection service to tackle fly tipping.

Commitment 24 29
 Reduce the incidence of dog fouling on Edinburgh’s streets and public parks.

Commitment 25 30
 Increase recycling to 60% from 46% during the lifetime of the administration.

Commitment 26 31
 Improve parking for residents by expanding provision of park and rides for commuters.

Commitment 27 31
 Tackle pavement parking and reduce street clutter to improve accessibility.

Commitment 28 32
 Create a first-class education estate – building 2 new secondary schools and 10 new primaries by 2021. Ensure safe standards are met by rigorous inspections of new and existing school buildings.

Commitment 29 33
 Improve and protect access to additional languages and music tuition and encourage more children and young people to gain vital skills in construction, engineering, digital technology, maths and science.

Commitment 30 35
 Increase the number of classroom assistants and support staff for children with additional needs to improve attainment and wellbeing.

Commitment 31 36
 Expand training opportunities for adults and young people linking with colleges and expanding vocational education.

Commitment 32 37
 Double free early learning and child care provision, providing 1140 hours a year for all 3 and 4 year olds and vulnerable 2 year olds by 2020.

Commitment 33 38
 Make early years’ provision more flexible to fit families’ needs and provide additional resources to families in difficulty so that no children are educationally disadvantaged when they start formal schooling.

Commitment 34 39
 Prioritise services for vulnerable children and families and looked after children, and support organisations working to end domestic abuse.

Commitment 35 41
 Improve access to library services and community centres making them more digital, and delivering them in partnership with local communities.

Commitment 36 42
 Support the continued development of Gaelic Medium Education.

Commitment 37 43
 Continue to integrate Health and Social Care Services. Review the Integration Joint Board's approach to support at home by 2018.

Commitment 38 44
 Take steps to increase the length and flexibility of care visits and increase the availability of care to help people live in their own homes

Commitment 39 45
 Put exercise at the heart of our health strategy by increasing access to sport and leisure facilities.

Commitment 40 46
 Work with the Integration Joint Board (NHS & Council Social Care) and other agencies to prioritise early intervention and prevention in mental health services.

Commitment 41 47
 Review the application process and increase the budget for housing adaptations with a view to supporting more disabled tenants and owners to remain in their own homes. Help older and disabled homeowners to move to more suitable housing should they wish to do so.

Commitment 42 48
 Build a new sports centre at Meadowbank by 2021.

Commitment 4349
 Continue to upgrade our existing parks and plant an additional 1,000 trees in communities. Protect major recreational areas such as the Meadows, Leith Links and Princes Street Gardens.

Commitment 4450
 Increase allotment provision and support and expand the network and the number of community gardens and food growing initiatives.

Commitment 4551
 Establish a Child Poverty Action Unit to address the inequalities faced by children in poverty in our city. Its remit will look at food security and nutrition, tackle food poverty and holiday hunger and enhance nutrition in schools. Ensure that a Poverty Assessment section features in all Council reports.

Commitment 4652
 Continue to support the city’s major festivals which generate jobs and boost local businesses and increase the funding for local festivals and events. Support the creation of further work spaces for artists and craftspeople.

Commitment 4753
 Become a leading Council in Scotland for community engagement - 1% of the Council's discretionary budget will be allocated through participatory budgeting.

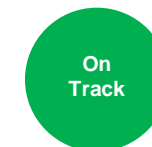
Commitment 4854
 Continue to make a case to the Scottish Government for the introduction of a Transient Visitor Levy and explore the possibility of introducing more flexibility in the application of business rates. Explore the possibility of introducing a workplace parking levy.

Commitment 4955
 Limit Council Tax increases to 3% a year to 2021.

Commitment 5055
 Continue a policy of no compulsory redundancies and keep a presumption in favour of in-house service provision.

Commitment 5156
 Improve community safety by protecting local policing and empowering communities to tackle long term safety issues and hate crime in all its forms including supporting restorative justice initiatives and other projects.

Commitment 5257
 Devolve local decisions to four Locality Committees. Establish the membership of each Committee and how devolved decision making will work to encourage the maximum participation for local groups. Explore the effectiveness of community councils and how they can be enhanced to represent their local communities.



Commitment 1

Deliver a programme to build least 10,000 social and affordable homes over the next 5 years, with a plan to build 20,000 by 2027.

Background

Working with Housing Associations we are committed to delivering the challenging target of 20,000 social and affordable homes by 2027.

In November 2018, Housing and Economy Committee approved the largest [Strategic Housing Investment Plan \(SHIP\)](#) ever produced.

The SHIP 2019-2024 identified a programme of 7,075 affordable homes and the potential for construction of a further 10,569 homes.

Key Achievements

With over 2,300 affordable homes currently under construction on 38 sites in the city, work to achieve the commitment is underway. Year two of this commitment (2018/19) saw 1,626 homes approved for social rent, mid-market rent and low-cost home ownership. This takes it to over 3,100 since the commitment was made.

At the end of November 2018, due to the strength of the programme, we secured an additional £12 million in grant funding from the Scottish Government for spend in 2018/19. At the same time, we invested a record total of £53.1 million of grant subsidy. This was a 29% increase on the original funding allocation. This funding was spent in full by the end of March 2019. The 2019/20 funding allocation was also increased by £3.1 million in April 2019 to a budget of £45.2 million.

“Edinburgh Living” a new Council and Scottish Futures Trust (SFT) partnership was established in August 2018 to deliver homes for mid-market and affordable market rent. This partnership will increase supply and improve quality of housing across Scotland. The first mid-market homes developed by us transfer into Edinburgh Living in January 2019.

In March 2019, the first homes were approved through Places for People’s Mid Market Rent

Invitation Fund projects. The Fund will utilise Scottish Government loans to attract further equity investment including pension funds. To date 221 homes have been secured, with a programme of around 500 homes identified for Edinburgh.

Next Steps

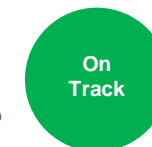
A Regional Housing Board, chaired by the Chief Executive, was established in March 2019 to provide strategic oversight of the regional housing programme, of which the affordable element forms a significant part. One of the objectives of the City Region Deal is to secure greater certainty regarding Scottish Government funding post 2021.

The SHIP 2020-2025 is currently under development and will be reported to Housing and Economy Committee in November 2019.

Key measures	2017/18	2018/19	Target
Approvals of new affordable homes for the year	1,475	1,626	1,600 for the year 18/19

Commitment 2

Create the conditions for businesses to thrive. Invest in supporting businesses, social enterprise, training in hi tech, creative and other key sectors including co-operatives. Help link business with young people to ensure the workforce of the future is guaranteed work, training or education on leaving school.



Background

[The Economy Strategy](#), which sets out how we and our partners will deliver inclusive growth across the city was agreed at the Housing and Economy Committee on 7 June 2018. The aim of the strategy is to provide a framework for creating the conditions necessary for Edinburgh to be a city that takes a lead in ensuring our economy's success is sustainable and benefits all our citizens. We have developed the Good Growth Monitoring Framework to monitor progress towards the strategy vision.

Key Achievements

[The Economy Watch bulletins](#) are published on our website to provide regular updates on the city's economic performance.

The last year saw the final signing of the Edinburgh and South East Scotland City Region Deal and the

establishment of new bodies and collaborations needed to implement the deal.

Over the past 12 months we and our partners have delivered services to support good growth in the city. These include supporting over 1,000 businesses through the Edinburgh Business Gateway partnership and helping 2,967 employability and skills clients into work and learning. Investment has also been made in projects to improve the quality of key business facing functions such as regulatory services.

Good progress has also been made to bring strategic investment into the city, including approval of over 1,600 new affordable homes, and progress towards development of key strategic sites across the city. Together the developments form part of an extensive programme of investment underway

across the city with a value estimated at over £1.3bn.

Next Steps

Over the next 12 months we will continue to collaborate with partners in delivery of all the eight steps for good growth and all actions described in the Edinburgh Economy Strategy. There are a number of key priority actions for the city to progress during 2019/20 that will define the success and will be critical to continue the progress towards good growth in Edinburgh. These priorities will be taken forward within the context of new emerging challenges including managing the transition to a post Brexit landscape and its impacts on Edinburgh businesses. These actions are contained within the [Economy Strategy Update](#) to Housing and Economy Committee on 6 June 2019.

Key measures	2017	2018	Target
Positive destinations of school leavers	92.5%	94.3%	To exceed 93.8% national average
Median gross weekly earnings	£584	£586	To exceed £710 by 2020
Economically active residents as a % of all residents aged 16-64	76.6%	78.9%	To exceed 78% by 2022
% of workers in managerial, professional and technical/scientific occupations	56%	57%	To maintain 56% by 2022
Ratio of workers in high skilled occupations to workers in mid skilled occupations	2.5	2.4	To minimise to 2.10 by 2022
Gross Value Added per capita	£43,671 (2016)	£44,228 (2017)	To exceed £41,000 by 2021
% of children living in a low-income household	22% (2015)	23% (2017/18)	To minimise 18% by 2020
% of residents who feel confident about their job prospects	63% (2014-16)	65% (2016-18)	To exceed 70% for 2019-21 average
% of residents who say their financial position has improved in the past 12 months	20% (2014-16)	18% (2016-18)	To maintain 20% for 2019-21 average



Commitment 3

Work with the business community to grow the number of Living Wage employers year on year.

Background

Workers in Edinburgh receive one of the highest weekly earnings relative to other UK cities, yet it is estimated around one in seven residents are paid below the living wage.

An estimated 14% of Edinburgh residents work for wages below the hourly rate recommended by the UK Living Wage Foundation in 2018. This represented an estimated 38,000 residents working for an hourly wage below £8.76 in 2017/18.

Key Achievements

Our Living Wage Foundation accreditation covers all providers of services in or on our services including care at home within private residences.

Procurement processes ask a Fair Work Practice question in tenders over £50k and encourage payment of the Living Wage Foundation rate. Our

Commercial and Procurement service also encourage uptake through regular meetings with contractors.

The Scottish Government budget incorporated a step up in the Social Care Fund to provide additional support to meet the full year costs of the living wage across the care sector.

Next Steps

New data will enable better monitoring of progress towards growing the number of living wage employers. The Office of National Statistics (ONS) plan to publish new local authority level data on 'good jobs', defined as the proportion of jobs that pay the living wage and low paid jobs defined as two-thirds of the median wage. This data is planned for release later in 2019 and will be monitored in the quarterly [Edinburgh Economy Watch](#) bulletin, which

provides key statistics relating to the city's economic performance.

We are one of the largest employers in Edinburgh and will set a leading example on the living wage for the business community. Our workforce modernisation and change plans included proposals to embed the Living Wage fully into our pay structure. This forms part of our [Change Strategy outlined in February 2019](#).

To ensure our organisational structure works best, we also need to modernise reward and recognition arrangements that help to create a more flexible workforce that still meets the needs of citizens, services and the employees. Therefore, as part of the Change Strategy, plans will be made to undertake a strategic review and revision of our reward and recognition arrangements.

Key measures	2017/18	2018/19	Target
% of Council contracted suppliers (over £50k value) who responded 'Yes' to payment of the Living Wage Foundation rate	64.77%	63.98%	Aim to increase
Number of employers in the Edinburgh region accredited as Living Wage Foundation employers	Data not available	416	Aim to increase

Commitment 4

Direct development to growth corridors as the best way to accommodate the extra housing needed for Edinburgh's growth and allowing the city to manage and protect green belt.



Making Progress

Background

The project to develop a new local development plan - [City Plan 2030](#) - is now underway. The project includes looking at the potential for additional housing opportunities on brownfield regeneration corridors within the city and assessing greenfield land for potential release from green belt policy. This will be done in the context of the current Strategic Development Plan

(SDP) for South East Scotland (2013), following the rejection of the emerging SDP 2 by Scottish Ministers in May 2019.

Key Achievements

The City Plan 2030 project timetable was set out in [the Development Plan Scheme](#) published in September 2018. Early engagement has been carried out with stakeholder groups, including local communities, different business and cultural

sectors, and children and young people. This is informing the preparation of a statutory consultation stage which will set out the choices for the new plan.

Next Steps

An updated Development Plan Scheme with timetable will be published in August 2019 and will set out the timing and details of the formal consultation period.

Commitment 5

Sign Edinburgh to the Pay Fair Tax Initiative.



Work Required

Background

The Fair Tax Mark certification scheme was launched in 2014 and seeks to encourage and recognise organisations that pay the right amount of corporation tax at the right time. Alongside the 'Mark' there is also a Fair Tax Pledge, designed for individual citizens and sole traders, the aim of which is to encourage people and small organisations to demonstrate their commitment to 'playing by the rules'.

The Council is committed to establishing Edinburgh as a leading city for work practices and socially responsible business and to encouraging businesses and individuals to commit to paying fair tax.

Key Achievements

In June 2018 we launched a new [Edinburgh Economy Strategy](#) with the aim of enabling good growth for Edinburgh. The strategy sets out eight key steps the city needs to take over the next five years to meet this aim. Each step is underpinned by the principles of innovation, inclusion, and collaboration.

Progress made in 2018/19 included embedding fair work practices in our procurement procedures. This helps to promote and encourage suppliers of goods, works and services to adopt fair work practices, such as the evaluation of suppliers' fair work practices as part of the quality evaluation process leading to contract award.

Next Steps

Work is underway to engage with businesses through Business Gateway to promote the Fair Tax Mark and Pledge (depending on the nature of the business). Within the Council's procurement arrangements and other activities, officers are also looking at how these initiatives can be promoted.

Commitment 6

Deliver the City Region Deal, making sure the benefits of investment are felt throughout the city and create space for new businesses to start and grow.

Background

The Edinburgh and South-East Scotland City Region Deal covers the City of Edinburgh, East Lothian, Fife, Midlothian, Scottish Borders and West Lothian local authorities. The Deal supports the increase of economic and inclusive growth in the City Region.

The Deal sets out a vision that builds on the city region's unique strengths to deliver a number of transformational programmes and projects across innovation, skills, transport, culture and housing themes. Together, these will deliver a step-change in inclusive growth to benefit the city region, Scotland and the United Kingdom.

Key Achievements

We agreed the [Deal documentation](#) in June 2018. The Deal Document was signed by the Prime Minister, First Minister and the City Region Leaders at the Bayes Centre on 7 August 2018. The Financial Agreement was signed in October 2018, and the Financial Grant offer letter was agreed in March 2019.

The Deal Document confirmed that the UK Government and Scottish Government will be investing £600 million into the city region over the

next 15 years. Alongside partners, comprising: the six member authorities; the city region's universities and colleges; and the private and third sectors, £1.3 billion of investment will be delivered.

Since signing the deal, partners have been focusing on:

- implementing the structure with the Joint Committee, Regional Enterprise Council and thematic Boards formed and meeting regularly,
- delivering Programmes and Projects with eight business cases and three projects approved at the first three Joint Committee meetings, and funding commenced,
- monitoring, evaluating and reporting with structure set up for all regional partners to report on progress of projects to the Programme Management Office and then on to Scottish Government. This will feed into the first Annual report, due to be published in September 2019.

Next Steps

An annual report will be published in summer 2019 and will be reported to the Joint Committee in September 2019. This will form the basis of the first

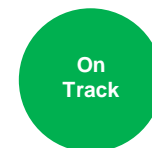
Annual Conversation with UK and Scottish Governments, also in September 2019.

The four remaining projects (out of seven) in the Integrated Regional Employability and Skills programme will be submitted to the Joint Committee for approval in summer 2019. Project business cases still to be submitted to the Joint Committee include:

- Usher Institute (expected Sep 2019)
- Easter Bush (expected Dec 2019)
- Food and Drink Innovation Hub (expected Mar 2020)
- West Edinburgh Transport (TBC)
- Sheriffhall roundabout grade separation (TBC)

The Housing Programme is also being delivered through the Housing Board, which includes representation from Scottish Government and relevant agencies. Progress will be reported through the Joint Committee.

A paper recommending an approach to regional partnerships, beyond City Region Deal projects, will be submitted to the Joint Committee in 2019.



Commitment 7

Improve access to employment and training opportunities for people with disabilities.

Background

We fund services such as All in Edinburgh and Project SEARCH to support Edinburgh’s citizens with a disability to progress towards secure, and sustained work or learning.

We also work with a range of internal and external partners through the Edinburgh and South-East Scotland City Region Deal, Joined up for Jobs network, Edinburgh Guarantee (Developing the Young Workforce) Partnership, and Locality Partnerships to promote inclusive growth.

In 2018 the Scottish Government put in place a new Fair Start Scotland employment support programme that includes support for people with a disability or enduring health condition.

Since 2014, Edinburgh Project SEARCH has supported 166 young people with a recognised disability aged between 16-29 years old to gain over 800 hours of hands on work experience. 75 young people have successfully completed the programme and 23 are currently taking part. Of those young people who have graduated from the programme, 83% have moved into meaningful sustainable employment, and 8% have moved into an alternative positive destination.

In 2017/18, there were 582 individuals who indicated a disability and accessed council funded employability services. This represented 15.3% of all the people supported. Although there was a decrease in 2018/19, 524 individuals represented 16% of all the people supported.

Next Steps

There are a number of employment programmes which have been allocated funding up to 2020/21. This includes the All in Edinburgh programme which supports employment for people who have a disability or long term health condition in Edinburgh.

Key Achievements

As part of our contribution to inclusive growth we have put in place services to support the city’s most vulnerable citizens, which includes specialist employability support for citizens with a disability.

Key measures	2017/18	2018/19	Target
Number of people with disabilities who have accessed council funded employability services	582	524	Increasing trend
% of all support provided to people with disabilities	15.3%	16%	Increasing trend

Commitment 8

Explore the introduction of fair rent zones.

Background

On 1 December 2017, Section 35 of the Housing (Tenancies) Scotland Act 2016 took effect. The Act makes provision for local authorities to apply to Scottish Ministers for approval to designate an area as a Rent Pressure Zone (RPZ), sometimes known as a fair rent zone.

Research into Edinburgh's private rented sector, and proposed interventions that can assist with tackling the issue of rents rising excessively, was completed in summer 2018 and was used to inform an update [to Housing and Economy Committee in](#)

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November 2018. The research indicated that RPZs are not a long-term solution to rapidly rising private rents and highlights the importance of responding to pressurised housing markets through increasing the supply of affordable housing, homes across all tenures and better regulation of the short term lets sector.

Edinburgh's average monthly rent is currently over £1,100, compared to a Scottish average of £793. The next highest Scottish city is Glasgow with an

average of £772. Over the last year, Edinburgh has experienced average annual rental growth of 5.0%, compared to Scottish average annual rental growth of 1.7%.

Key Achievements

A multi-disciplinary officer working group has been established in partnership with the Association of Local Authority Chief Housing Officers (ALACHO) to coordinate those local authorities and stakeholders interested in exploring RPZs in more detail.

A communications strategy was developed to raise awareness of private rented sector tenants' rights.

A new web page was created and promoted on social media. This included information on a tenants right to challenge a rent rise by requesting an appeal by a Rent Officer.

In May 2019, Corporate Policy and Strategy Committee received an update on [Short Term Letting](#) in Edinburgh. The report sets out the impact on the city and the various actions taken by us through the powers currently available and the work

carried out with the Scottish Government in response to our concerns.

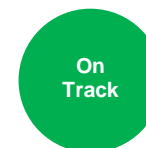
In December 2018, Citylets launched a new private rented sector to capture rents as they are set and any subsequent rent rise. To date, around half of the letting agents in the city have signed up. Initial engagement has indicated that it will be a minimum of three years to get the volume of data required to obtain a full picture of market to enable local level analysis.

Next Steps

A further meeting with ALACHO is planned in the summer to examine the data gathering methodology for establishing an RPZ.

An officer working group has been established to develop a comprehensive strategic approach to tackling key issues facing the private rented sector. A report on the Private Rent Sector Approach, including an update on RPZ's, will be provided to Housing and Economy Committee in August 2019.

Commitment 9



Create a Homeless Task Force to investigate the growing homelessness problem in the city. The team will review the use of b&b premises and explore alternatives that better meet the needs of individuals and families with an aim to end the use of bed and breakfast facilities. Appoint a Homelessness Champion who will chair the Task Force.

Background

[The creation of the Homelessness Task Force](#) was agreed through the Housing and Economy Committee on 2 November 2017. Its remit was to:

- build on existing prevention work which further reduces homelessness assessments,
- reduce the number of people rough sleeping, accessing temporary accommodation and living in insecure accommodation,
- increase the supply of quality council led temporary accommodation provision, reducing the reliance on bed and breakfast,
- ensure that appropriate support is available for all homeless people who require it.

Key Achievements

[The actions, outcomes and recommendations of the Homelessness Task Force](#) were presented to the Housing and Economy Committee on 7 June 2018.

Progress has been made on a number of the recommendations, with further improvements planned for 2019.

Along with our partners, we have increased the number of furnished flats available for use as temporary accommodation. In addition, extra funding was made available for the Private Sector Leasing Scheme to reduce the risk of losing properties from the scheme. This has contributed to a reduction in the number of families in unsuitable temporary accommodation.

We also invested in delivering shared housing as an alternative to b&b accommodation. This new model of temporary accommodation offers additional facilities such as laundry, food storage and access to kitchens in a shared living environment.

The average length of stay in b&b has increased as a direct result of a lack of move on and settled options.

Following on from previous years, there is a continued reduction in households assessed as homeless in 2018/19.

In partnership with the third sector and the Scottish Government we have developed rapid access accommodation for rough sleepers. This provides

supported accommodation accessed by street-based outreach workers and further supports the reduction of rough sleeping in the city.

Next Steps

Scottish Government and Social Bite have provided funding to deliver Housing First packages in Edinburgh until June 2021. These packages provide intensive housing support to allow people with multiple and complex needs to access permanent housing. Delivery of these packages began in January 2019 and will increase by around five packages per month.

Through the Change Strategy and budget setting process, additional staffing resources were agreed. These resources will carry out prevention work for those at risk of homelessness in the private sector. They will also assist in increasing access to mid-market rent and provide support around income maximisation. This work will ensure a greater range of housing options is available for homeless people.

Key measures (at end of March)	2016/17	2017/18	2018/19	Target
Number of accommodation units	Dispersed Flats	604	647	785
	Supported Accommodation	198	198	198
	Hostel	169	175	176
	b&b	570	676	123
	Shared Houses	0	0	552
				Increasing trend

Key measures (at end of March)	2016/17	2017/18	2018/19	Target
Number of families accommodated in b&b	26	58	21	0
Number of 16/17 year olds or care leavers accommodated in b&b	10	13	11	Decreasing trend
Number of households in b&b	570	676	123	Decreasing trend
Average Length of stay in b&b	106	112.2	115.7	Decreasing trend
Number of households assessed as homeless	3,229	3,085	3,049	Decreasing trend



Commitment 10

Prioritise the use of brownfield sites and work with public sector and private landowners to develop land for affordable housing.

Background

The Planning Committee on 3 October 2018 agreed the actions required to continue to increase the supply of housing within the city, as set out in the [2018 Housing Land Audit and Completions Programme](#).

Key Achievements

The Draft 2019 Housing Land Audit and Completions programme recorded sufficient housing land to meet the current Strategic Development Plan housing land requirement. The

five year completions programme (previously referred to as the five year effective land supply) was also above the five year delivery target and is the highest ever recorded.

Next Steps

The project to prepare a replacement local development plan – called [City Plan 2030](#) – will set out options for the location of new developments in the period up to 2030 and beyond, including minimisation of additional greenfield developments.

Following the adoption of the [Local Development Plan](#), a large amount of newly allocated greenfield land became effective in pushing the proportion of land that is greenfield to its highest ever level. Most sites to come forward over the next few years are expected to be brownfield.

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Key measures	2018/19	Target
% of capacity of units in effective land supply which are on brownfield land	55%	Increasing trend



Commitment 11

Ensure that Council policies on planning, licensing and sale of Council land give substantial weight to the needs of residents while still encouraging business and tourism.

Background

The Project to develop [City Plan 2030](#) is now underway and includes work on visitor accommodation, leisure use needs and other types of development. This is intended to help develop a planning policy framework to support a balanced mix of affordable housing, private ownership, private letting and other uses.

Key Achievements

The Edinburgh Tourism Action Group, of which we are a member, developed the [Edinburgh 2020](#)

[Tourism Strategy](#) to increase the value of tourism and enhance the city’s image and reputation.

Next Steps

The project to prepare a replacement local development plan – called [City Plan 2030](#)– will set out options for changes to planning policy relating to a range of land uses, with the aim of supporting an appropriate balance.

The Edinburgh Tourism Strategy Implementation Group has been established and approved the 2020 Tourism Strategy Development Plan, including the

visitor accommodation and leisure use needs as key pieces of research.

The strategy development process is being overseen by the Edinburgh Tourism Strategy Implementation Group. Further to this, an Elected Member Working Group on Tourism and Communities is contributing to ensure the strategy is developed to include the views and concerns of residents.

Commitment 12

Review the Council's policy on promoting mixed communities. The review should be completed by summer of 2018 and should include homes of multiple occupancy, short term temporary lets and student housing.

Background

The Project to develop [City Plan 2030](#) is now underway and includes work on housing and visitor accommodation needs. This is intended to help develop a planning policy framework to support a balanced mix of affordable housing, private ownership, private letting and other uses.

Key Achievements

A Short Term Let Working Group chaired by the Convener of Housing and Economy Committee has considered options. These were reported to the [Corporate Policy and Strategy Committee in August 2018](#) and the recommendations have been discussed with Scottish Government officials. The Group has been meeting to explore issues and is currently awaiting feedback from the Scottish Government on options for action.

Research shows that currently there is no ability to control numbers or density of these within the licensing system. There is no evidence of a surplus of empty Houses in Multiple Occupation's (HMO) which would justify a conclusion of over provision.

At 31 December 2017, there were 86 purpose built student accommodation developments operating in the city. In total, they provide 18,988 bed spaces. Over the last year, there were seven developments completed accounting for 1,874 bed spaces. There are a further four developments under construction (485 beds) and 20 sites with consent (2,074 beds).

The Scottish Government has published a consultation paper on the regulation of short term lets which will be open until 19 July 2019. Through officer dialogue with government officials, it is understood that the Scottish Government is

considering the introduction of measures to regulate short term lets and is seeking evidence on the need for such measures.

Next Steps

We will work with the Member/Officer Working Group and will draw on a range of services in order to shape a response to the Scottish Governments consultation.

[The City Plan 2030](#) project includes several engagement and consultation stages, summarised in a Development Plan Scheme published in September 2018. An updated timetable will be published in a new Development Plan Scheme in August 2019.



Commitment 13

Improve planning enforcement to ensure that all developers, large or small, conform to Edinburgh’s policies and developer’s commitments.

Background

The Planning Committee approved the revised [Planning Enforcement Charter](#) in December 2017. The Charter sets out how we will deliver the statutory planning enforcement service in the city.

Key Achievements

From April 2018 to end of March 2019, there were 708 enforcement enquiries received and 67 enforcement notices served. Just over half of enforcement cases were closed within 3 months. Reducing the time taken for enforcement investigations has been identified as a priority in the Planning Improvement Plan.

Financial contributions towards infrastructure, necessary to mitigate the impact of development, are secured through planning agreements. In the period April 2018 to end of March 2019, over £15million was collected from developers for education, transport (including tram) and other infrastructure. This is nearly three times the amount collected in the previous year.

An internal audit of the developer contributions process has been completed and reported to the [Governance, Risk and Best Value Committee on 7 May 2019](#).

Performance in terms of handling non-householder applications was affected by a major IT upgrade and

resource issues. These are being addressed through the Planning Improvement Plan.

Next Steps

From 1 June 2019, the Planning Service is trialling a new approach to the distribution of applications. It aims to allow teams to focus on a narrower range of applications to improve the efficiency and effectiveness of the service. A dedicated enforcement team covering the whole of the city has been set up.

Actions identified in the internal audit with regard to developer contributions are being implemented by Planning, Finance and Legal Services.

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Key measure	2017/18	2018/19	Target
Timescales for issuing decisions on non-householder applications	60%	57%	70%
Monitor contributions collected	£5,211,469	£15,346,626	N/A
Enforcement cases resolved within timescales	Data collected from 18/19	51.5%	70%

Commitment 14

Work with the Scottish Government to review planning policy and overhaul the planning appeal system to make it shorter, more independent and give communities the right to appeal.



On
Track

Background

The Scottish Government's Planning Bill is now at stage 2 in the parliamentary process. The Scottish Parliament's Local Government and Communities Committee is considering over 300 amendments to the Bill by MSPs. Progress is being tracked in relation to our interests and previously submitted evidence.

Various amendments to the Planning Bill were proposed by MSPs to introduce changes to rights of

appeal. These are being tracked through the parliamentary process and discussions have been held with various groups to explore the implications.

Key Achievements

The Planning Convener and planning officers have been working with the Scottish Government to discuss aspects of the proposals which would affect the planning system in Edinburgh.

As the Planning Bill and proposed amendments are progressed, officers have been liaising with Scottish

Government officials to provide an understanding of operational and resource implications which could arise from legislative change.

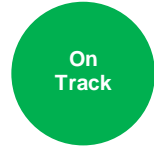
Next Steps

The Planning Bill is expected to complete Stage 3 and receive Royal Assent in the next few months.

We will respond to any Government consultation on secondary legislation and we will also collaborate with the Scottish Government in preparing the fourth National Planning Framework.

Commitment 15

Protect Edinburgh World Heritage Status and make sure developments maintain the vibrancy of our city in terms of placemaking, design and diversity of use.



Background

The [Old and New Towns of Edinburgh World Heritage Site Management Plan 2017- 2022](#) was approved by the Planning Committee in December 2017. This Plan is a strategic document which sets the framework for the preservation and enhancement of the site's cultural heritage. It contains a vision for the site, the actions necessary to protect and manage it, and how it fits alongside other strategies.

Key Achievements

The Old and New Town Edinburgh World Heritage Site Steering Group is responsible for monitoring the condition of the site (State of Conservation) and for monitoring the implementation of the actions. The Steering

Group has agreed its priority short term actions. These actions support the Management Plan objectives of improving the understanding of the site, learning and engagement, and advocacy for sustainable visitor management in the city. Following on from Scotland's Year of Young People, a joint project was delivered with Edinburgh College, Historic Environment Scotland, the Patrick Geddes Centre and over 100 students from three college campuses. They created an interactive exhibition inspired by the history of the site and featuring work from students studying computing, dance, music, costume design and professional cookery. We have an ongoing commitment to ensure the Outstanding Universal Value of the World

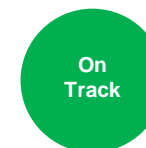
Heritage Site is taken in to account in the planning process.

Next Steps

Work is underway with Visit Scotland and other UNESCO designated sites to produce a draft UNESCO National Trail in the Scotland Strategy. A mid-term review of the Management Plan will commence in autumn 2019. The management of the site is dependent on its status being visible in other city-wide strategies that impact upon placemaking. These include transport, tourism, economic development and waste management. The Steering Group will evaluate these in the mid-term review.

Commitment 16

Invest £100m in roads and pavements over the next 5 years. This will include road and pavement maintenance, installing more pedestrian crossings, increasing the number of dropped kerbs and dedicate safer foot and cycle paths as well as introducing more pedestrian zones.



Background

The first draft of [the Roads Asset Management Plan](#) was approved by Transport and Environment Committee on 9 March 2018. The RAMP has now been expanded to include additional transport assets (i.e. cycling infrastructure) and was re-named as the Transport Asset Management Plan (TAMP). [The TAMP](#) was approved by Transport and Environment Committee on 6 December 2018. The purpose of the TAMP is to establish future maintenance and management of the overall road

network and set out options considered to take forward the management of our road assets.

Key Achievements

Additional revenue investment in 2018/19 allowed the rollout of a targeted road repair programme, increasing the number of defect repairs being carried out.

Edinburgh’s footway investment continues to be at some of the highest levels in Scotland. 30% of the total carriageway and footway renewal budget is apportioned to footways each financial year, with an aim of improving resident satisfaction.

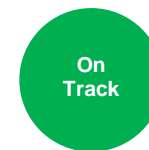
Edinburgh’s Road Condition Index (RCI) has been maintained at 36.4% for the last 2 years. The levels of investment made in the last year are expected to result in an improvement in the RCI score for 2019/20.

Next Steps

The TAMP sets out increased levels of investment in capital and revenue spend for carriageway and footway renewals and repairs, street lighting and traffic signals, road safety and active travel.

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Key Measures	2017/18	2018/19	Target
Road Condition Index	36.4%	36.4%	Continual Improvement
Level of total road investment	£20.747m	£23.485m	£100m by 2022
Residents satisfaction with roads	51%	42%	Increasing trend
Residents satisfaction with pavements and footpaths	53%	48%	Increasing trend



Commitment 17

Guarantee 10% of the transport budget on improving cycling in the city.

Background

Our budget for 2019/20 has set aside 10% of the Transport budget (capital and revenue) for cycling. Performance on this is reported annually to the Transport and Environment Committee

Key Achievements

The full cycling capital programme for 2018/19 was contained within a report to the Committee on [9 August 2018](#). Key initiatives include the City Centre West East Link, Meadows to George Street, West Edinburgh Link and Roseburn to Union Canal projects.

The report on the planned Active Travel Investment Programme 2019-2024, including the work undertaken in 2017/18 and 2018/19 was presented at the [Transport and Environment Committee on 20 June 2019](#). The programme projects spend of over £61m up to 2024, which will surpass the commitment to spend 10% of the transport budget on cycling.

The [Sustrans](#) Bike Life report released every two years and last reported in 2017, indicates increased levels of cycling. The survey also shows that the majority of respondents support increasing

investment levels and amount of cycling infrastructure across the city.

Next Steps

Work on the development of a new Active Travel Plan covering the period 2020-2030 will start soon, with the aim of having this in place by the early summer of 2020. Consultation on the new plan will involve all relevant stakeholders and members of the public. The Council's Active Travel Forum have already provided feedback to shape the new plan.

Key measures	2015	2017	Target
Residents perception of cycling in the city – cycle routes are good	53%	54%	Increasing trend
Residents perception of cycling in the city – condition of cycle routes is good	53%	47%	Increasing trend



Commitment 18

Improve Edinburgh’s air quality and reduce carbon emissions. Explore the implementation of low emission zones.

Background

Under the [Environment Act 1995](#) and the associated Local Air Quality Management (LAQM) framework, all local authorities are duty bound to review and assess air quality in their areas against national pollution objectives. Edinburgh has declared six Air Quality Management Areas (AQMAs) - five for the pollutant nitrogen dioxide (NO2) (St. John’s Road, Great Junction Street, Glasgow Road, Inverleith Row and Central) and one for fine particulates (PM10) (Salamander Street).

The Cities Low Emission Zone proposals are being developed in conjunction with the City Mobility Plan (Edinburgh’s strategic direction for transport) and the Edinburgh City Centre Transformation project (a strategy setting out interventions to radically reshape the city centre).

Key Achievements

The third annual report on the [Sustainable Energy Action Plan](#) was presented to the Corporate Policy and Strategy Committee on 15 May 2018 and highlighted the progress in reducing carbon emissions across the city.

Between 2005 and 2016, carbon emissions reduced by 33% against a target of a 42% reduction by 2020.

Per capita emissions reduced from 7.3 tonnes to 4.3 tonnes across the same period.

[The Annual Air Quality Progress Report](#) from December 2018, showed that local air quality pollutants of concern (Nitrogen Dioxide (NO2) and particles (PM2.5 and PM10)) were reducing.

The report also outlined progress with actions to improve air quality. These are predominately based on promoting cleaner transport, especially through a Low Emission Zone (LEZ) scheme, improving traffic flow, easing congestion (by use of intelligent traffic signalling) and promoting modal shift away from car use.

On 16 May 2019, the Transport and Environment Committee agreed to public consultation on [Low Emission Zone \(LEZ\) proposals](#) for Edinburgh. Scottish Government funding has been secured for this work.

Work is underway with Lothian Buses to ensure their fleet upgrade plans align with future LEZ requirements.

Although significant progress has been made, we want to go further and so we invited the Edinburgh Centre for Carbon Innovation to carry out an independent audit of the Council’s approach to

sustainability. We have accepted all of the audit’s recommendations and recently agreed [the Sustainability Approach](#) to develop an ambitious sustainability agenda for Edinburgh which includes an aspiration to be carbon neutral by 2030.

Next Steps

The results of the LEZ development work public consultation and stakeholder engagement will inform a report on next steps to the Transport and Environment Committee by the end of 2019.

Edinburgh intends to progress its LEZs through LEZ specific legislation. The necessary regulatory powers will be available for Edinburgh in early 2020.

A recount of the 2016 traffic survey is being commissioned which will update the baseline data in Edinburgh’s Air Quality Model (as part of the National Modelling Framework).

We have also agreed to revise the current Air Quality Action Plan for Nitrogen Dioxide.

Throughout the remainder of this year and next, we will be working with key and new partners, as well as individual citizens and communities, to develop a 2030 sustainability strategy that reflects the urgency of climate change and aims to deliver ‘in time’

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Key measures	2016/17	2017/18	2018/19	Target
% reduction in CO2 emission from a 2005 baseline	33%	Data not yet available		42% by 2020
Air Quality Management Areas improvement	5 Air Quality Management Areas	6 Air Quality Management Areas	6 Air Quality Management Areas	Decreasing long term trend



Commitment 19

Keep the city moving by reducing congestion, improving public transport to rural west Edinburgh and managing road works to avoid unnecessary disruption to the public.

Background

A report detailing the Public Transport Priority Plan was presented and agreed on [9 August 2018](#) by the Transport and Environment Committee. This is a five year plan which includes short and medium term delivery priorities agreed with Lothian Buses aimed at reducing congestion and improving public transport.

Key Achievements

Early actions are being focussed at prioritising public transport on the A90 corridor.

A new bus operator framework has been procured. An additional £250,000 has been added to the Supported Bus Service Budget. Current options being explored include how to re-establish a link from Balerno/Currie to St John’s Hospital.

Next Steps

Consultation is underway with west Edinburgh local communities and stakeholders to examine route options.

Rationalising bus stops and amending bus lane operating hours are the two measures in the Public

Transport Priority Action Plan that are being prioritised. Consultation on these proposals will follow later this year.

Despite a small percentage drop, satisfaction with public transport remains high.

Lothian Buses and Edinburgh Trams regularly undertake their own monitoring of customer satisfaction.

Key measures	2017/18	2018/19	Target
Increase in satisfaction with public transport	90%	88%	Increasing trend

Commitment 20

Explore the introduction of a lane rental for utility companies to reduce traffic pressures.



Background

Lane rentals are seen as a way of making sure any essential roadworks are managed efficiently to limit the amount of disruption to road users while ensuring safe and reliable roads.

Existing schemes in England work by introducing a daily charge to those companies carrying out work on the road network to encourage more efficient planning and delivery.

Powers already exist in Scotland that allow councils to manage and coordinate roadworks. This is through the Scottish Roadworks Register and Noticing schemes. This is monitored by the Scottish Roadworks Commissioner.

Next Steps

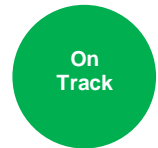
There are additional powers relating to the roadwork coordination currently being considered through the new Transport Bill. This includes

additional powers to increase the responsibility of the Scottish Roadworks Commissioner, extend the use of fixed penalty notices and extend the reinstatement guarantee period.

Analysis of the current legal framework surrounding the feasibility of introducing a lane rental is still ongoing. Production of a business case is dependent on the legal framework allowing this to be progressed.

Commitment 21

Retain Lothian Buses and Edinburgh Tram in public ownership.



Background

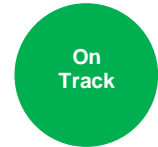
Lothian Buses is the UK's largest municipal bus company and proudly owned by the City of Edinburgh, East Lothian, Midlothian and West Lothian councils.

Key Achievements

The political commitment to retain public ownership of Transport for Edinburgh remains in place. Transport for Edinburgh has our holding in Lothian Buses to ensure public ownership is retained.

Next Steps

We will continue to ensure that the Lothian Buses and Edinburgh Tram are retained in public ownership.



Commitment 22

Deliver the tram extension to Newhaven by 2022 after reviewing the business case and delivery plan to ensure they are robust.

Background

The anticipated growth of Edinburgh means the current road network and public transport provision aren't sustainable for the number of new residents expected. Trams allow greater numbers of people to travel and help to reduce traffic problems on congested roads. They also create employment during construction, boost development along the route and connect people to centres of employment, leisure and retail.

Key Achievements

The decision to proceed with completing the existing tram line to Newhaven was made in [March](#)

[2019](#). The final business case developed throughout 2018/19, gave as many residents and businesses as possible the [opportunity to have their say](#) on the plans.

Residents, businesses and stakeholders were invited to feed into and help shape the plans, designs and traffic management arrangements during and after construction. They were also asked to provide feedback on the support available for businesses.

We received over 8,000 responses (one of the highest return rates we've seen for a consultation exercise), which led us to make a number of

changes to the designs such as the need for more crossing points on Leith Walk and improving the area around Elm Row.

The project has entered a six-month period with the two contractors now working closely with us and other key stakeholders to finalise plans for construction.

Next Steps

Work is set to get under way once the final construction plans conclude, with Edinburgh Trams timetabled to take their first passengers to and from Newhaven in early 2023.



Commitment 23

**Implement improvement plans for Waste and Cleansing Services to improve street cleanliness in every ward.
Reintroduce a free bulky item collection service to tackle fly tipping.**

Background

The Waste and Cleansing service has undergone a number of service changes and improvements since [the Waste and Cleansing Improvement Plan](#) was introduced. These include: staff structure and kerbside collection model changes; the introduction of garden waste charging; infrastructure investment at the new Energy from Waste plant at Millerhill and technological developments, including implementation of the new bin route system.

Key Achievements

Through the changes implemented as part of the Improvement Plan, the LEAMs street cleanliness score for Edinburgh has improved from 88.7% in 2017/18 to 92.0% in 2018/19.

During the Festival a dedicated street cleansing team was put in place with more than 40 additional staff joining the existing 90 city centre street cleansing operatives to cope with demand over the

busy summer period. Along with the additional resources, the #ouredinburgh campaign introduced new branding on city centre bins to encourage the public to drop their rubbish in. Posters and social media posts were also introduced to support the campaign.

A new policy for the siting of litter bins has been approved and will be subject to regular review.

The Flyspotting campaign, as part of the Zero Waste Leith Project on streets surrounding Dalmeny Street Park in Spring 2018 reduced flytipping by 44% from January 2018 to January 2019. Dumped electronics were reduced by 71% and abandoned furniture by 40%.

Introduction of a free bulky item collection service has been put on hold until a pilot collection service to encourage the reuse of materials has been completed. The service is in discussions with a potential partner, the Remakery, to carry out this pilot.

Next Steps

The LEAMS criteria used by authorities to assess cleanliness of relevant land is being reviewed following a revised Code of Practice. The Code clarifies organisational responsibilities, supports more effective cleanliness standards and a proactive approach to litter prevention. The updated monitoring system will provide a more modern platform. It is intended that the implementation of the monitoring system will begin in 2019/20.

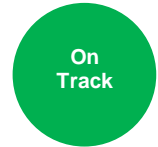
More residents who use street communal services contacted us to say that a bin was full or overflowing. There were 21,868 contacts in 2018/19, an increase on the 15,155 in 2017/18. A full review of the communal bin collection service with a particular focus on those areas where waste is collected on the street will be undertaken. This will include reviewing servicing frequencies to improve the overall cleanliness of the city.

Key measures	2017/18	2018/19	Target
Reduction in communal missed bin service requests	15,155	21,868	Decreasing trend
Incidences of dumping and fly tipping	5,928	8,855	Decreasing trend
LEAMS – street cleanliness index	88.7%	92.0%	95%

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Commitment 24

Reduce the incidence of dog fouling on Edinburgh’s streets and public parks.



Background

We have developed a campaign to discourage anti-social behaviours such as littering, flytipping and dog fouling. The ‘Our Edinburgh’ campaign focuses on social responsibility and community participation. The campaign is ongoing and includes targeted initiatives to reduce dog fouling.

Key Achievements

The number of dog fouling incidents reported to us has decreased from 2,590 in 2017/18 to 2,250

in 2018/19. Over the same period, the number of fixed penalty notices given for dog fouling incidents has increased from 17 to 22.

The ‘Our Edinburgh’ campaign continues to tackle anti-social behaviours, including dog fouling. By using localised and targeted channels in hot spot areas, localities are able to work with residents and community groups to personalise campaigns in their areas. In 2018/19 there have been a number of successful initiatives, including in

Murrayburn and Magdalene. Residents were given practical advice and information on the nearest bins and their uses. The service also delivered additional caddies and caddy bags.

Next Steps

The service will continue to roll out and expand the ‘Our Edinburgh’ campaign across the city to engage with communities about the appropriate means to prevent littering.

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Key measures	2017/18	2018/19	Target
Fixed penalty notices for dog fouling	17	22	Increase reporting, decrease incidents
Dog fouling service requests	2,590	2,250	Increase reporting, decrease incidents



Commitment 25

Increase recycling to 60% from 46% during the lifetime of the administration.

Background

Our [Recycling Strategy](#), published in 2010 aimed to deliver an overall recycling rate of 60% by 2017. This comprised of 50% being delivered through sorting of waste at source, with an additional 10% being delivered through thermal treatment. Since the Strategy was first published, a number of assumptions have changed. This includes: the opening of the thermal treatment facility at Millerhill, a delay to improvements for communal recycling services and changes to the way recycling rates are calculated by SEPA.

Key Achievements

A [report](#) outlining the progress to date on our Recycling Strategy 2010-2025 was reported to Transport and Environment Committee on 9 August 2018. This report set out the challenges and opportunities to increase recycling and proposed a forward plan of actions for the coming years.

There has been an improvement in the percentage of waste recycled during the lifetime of the strategy with performance showing an increase from 30.4% to 41.1%. This is comparable with other local authorities in Scotland and higher than most other large cities.

Although recycling rates have reduced over the last three years with the number of households increasing every year, the city has produced less waste. This year 207,157 tonnes of waste were disposed. This is 1.3% less than in 2017/18.

The Infrastructure Improvement Plan has delivered improvements to the Household Waste Recycling Centres. The plan seeks to maximise site efficiency and customer experience. Improvements included new signage and two sites redeveloped to include transfer stations.

Next Steps

The service will undertake a Communal Bin Review which will involve the redesign of the existing waste and recycling communal bin services. The aims of this review are to:

- increase and improve recycling services to residents in multi-occupancy and flatted properties,
- improve overall recycling performance;
- review existing bin locations to develop more formalised collection hubs to improve the perception of the service and enhance the streetscape,
- improve the service reliability and ensure it reflects changes to legislation and policies.

The amount of material being rejected by the sorting plants increased in 2018/19. One reason for this is the increasingly challenging market conditions in the recycling sector. We're working with our reprocessing partners to reduce the amount of material that's rejected.

The Scottish Government are introducing a deposit return scheme for some plastics, cans and glass. The service will need to consider the implications and opportunities that arise from the legislation.

Key measures	2017/18	2018/19	Target
Percentage of Waste Recycled	42.6%	41.1%	60% by 2022



Commitment 26

Improve parking for residents by expanding provision of park and rides for commuters.

Background

Actions to improve usage within existing Park and Ride sites are contained within the [Local Transport Strategy 2014-19](#).

Key Achievements

On the 17 May 2018 the Transport and Environment Committee agreed not to progress with a [new Park and Ride site at Lothianburn](#), but to review patronage at the existing site at Straiton with a view

to increasing its usage. An update on this will be reported to Transport and Environment Committee in early 2020.

The Park and Ride development and expansion strategy was first approved in 2009. Expansion of Hermiston Park and Ride is a ready to go project, but no capital funding is yet available to deliver it. The Ingliston Park and Ride is also operating at capacity and requires expansion. Options to finance

expansion through charging will be explored and reported back for consideration by Transport and Environment Committee in early 2020.

Next Steps

Measures to improve the Straiton Park and Ride are still under development and the options to finance expansion of Ingliston and Hermiston will be investigated further.

Commitment 27

Tackle pavement parking and reduce street clutter to improve accessibility.

Background

In [May 2018](#), the Transport and Environment Committee approved the proposed strategy and measures required to be put in place to deliver a citywide ban on all forms of temporary on-street advertising structures, not just 'A' Boards. The aim of the strategy is to prioritise safe movement and improve the quality of Edinburgh Streets.

The proposed new Transportation Bill is currently going through the Scottish Parliament. The Bill aims to introduce a national ban on pavement and double parking so roads are safer and more accessible to all.

Key Achievements

The citywide ban on all temporary on-street advertising structures came into force in November 2018. Environmental Wardens visit businesses to ensure awareness and maximise compliance with the ban, with formal enforcement action taken on those that remain non-compliant.

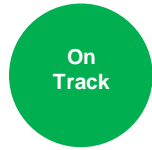
Since the implementation of the ban, wardens have visited and provided advice to 216 premises, served 24 notices requiring removal of an 'A' Board(s) and confiscated nine of those from five premises for failing to comply with the notice.

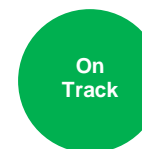
One of the key objectives of our [Street Design Guidance](#) is to ensure that the city's streets are

accessible and easy to navigate. The guidance has been updated to make businesses aware of the ban on temporary advertising and need to have storage space off street to accommodate segregated containers for trade waste.

Next Steps

The new Transportation Bill is currently going through the Scottish Parliament with stage 2 amendments to the Bill expected to be discussed by late June 2019. The Bill will detail the timescales for introducing the ban on pavement parking and the enforcement action that councils can take.





Commitment 28

Create a first-class education estate – building 2 new secondary schools and 10 new primaries by 2021. Ensure safe standards are met by rigorous inspections of new and existing school buildings.

Background

The capacity and quality of the school estate is under continual review. The school roll projections are at the centre of the strategic planning process to ensure existing and future schools provide sufficient accommodation for catchment pupils.

A full survey of the safe standards of the school estate was completed in September 2017.

Key Achievements

Following full estate survey completion in September 2017, the five-year resurvey programme is underway. The survey programme is informing the scope of a £120m five year capital upgrade programme approved by Council in [February 2018](#).

Additional money to introduce a Planned Preventative Maintenance Programme was approved at the same time, which is now being rolled out.

The figure remains at 100% of condition surveys completed within a five year timeframe. 117 Communities and Families properties were surveyed between October 2017 and March 2019 (19 Nursery Schools; 71 Primary Schools; 7 High Schools; 20 Community Centres).

One new primary school has been built and is operational (St. John's RC PS). Work started at one secondary (Queensferry HS) which is due for completion in March 2020. Full budget committed for a replacement High School in Craigmillar and

planning application submitted, construction due to start early 2020.

Next steps

Construction of Broomhills Primary School (Frogston Road East) will commence in June 2019.

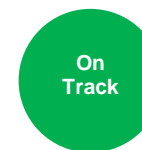
Construction of South Edinburgh (Cannan Lane) and replacement Victoria primary school will commence summer/autumn 2019.

Planning application for Phase1 of Trinity Academy replacement will be submitted before end of 2019.

Key measures	2017/18	2018/19	Target
Number of new schools where construction has commenced	0	2	Construction commenced for 2 secondary schools and 10 primary schools by 2021
Percentage of conditions surveys completed	100%	100%	100% of the school estate surveyed by Autumn 2022

Commitment 29

Improve and protect access to additional languages and music tuition and encourage more children and young people to gain vital skills in construction, engineering, digital technology, maths and science.



Background

We aim to ensure pupils benefit from arts and cultural activities as well as having the skills required for STEM (Science, Technology, Engineering & Maths) jobs. The 3-18 Strategy for Languages, the [Lifelong Learning Service Plan](#) and the Edinburgh Learns Framework are in place to help deliver this.

Key Achievements

The City of Edinburgh Council 3-18 Strategy for Languages is currently being updated to ensure alignment with the National Improvement Framework (NIF 2018) and national developments and priorities. Implementation supported by a newly appointed Quality Improvement Officer for languages and a part-time Development Officer. In line with guidance from Education Scotland and HMI, focus is on ensuring robust, sustainable and progressive models are in place for Language 2 across the Broad General Education. Planning for Language 3 models appropriate to local contexts remains a focus. This is supported by the [Education Authority Improvement Plan](#) and 'One plus Two Approach' language plan.

All school clusters provide opportunities to explore language and culture through 1+2 in Broad General Education and into the senior phase. There is a

strong focus on cluster working and enhancing transitions through languages learning. This provision benefits from a growing number of strong, sustainable partnerships with Higher and Further Education establishments, outside agencies, parents and communities.

Growing partnerships with Napier and Edinburgh Universities offer near-peer contact for our learners and meaningful access to university facilities. University participants in the Languages Beyond University programme run with Edinburgh University, attract core degree credits. Our partnership work in languages has been recognised nationally as contributing positively to pupil experience. Native speaker support in schools is being enhanced through the development of partnerships with universities in target language countries, which support our schools to host student teachers as part of Initial Teacher Education programmes in primary and secondary sectors.

A Quality Improvement Officer continues to support schools in accessing Erasmus + funding for both staff and pupil mobility. Successful applications for funding have afforded pupils and staff meaningful links with schools in other countries. Enhanced support has been targeted at Scottish Attainment Challenge schools.

Music tuition is a key deliverable within the new Lifelong Service Plan. During 2018/2019 the new Youth Music Initiative (YMI) provision for Primary 2s has resulted in an overall increase in the number of pupils learning music through these programmes.

YMI resources for Early Years and Primary continue to be well used and are supported by a programme of Career Long Professional Learning for staff.

The Instrumental Music Service (IMS) continues to deliver instrumental music lessons in every mainstream school in the city from P4/5 to S6, supporting national qualifications in the senior phase.

'Raising Aspirations in Science Education' (RAiSE) developed a partnership with the Further Education sector through the STEM (Science, Technology, Engineering & Maths) Inspiration Experience working party. RAiSE has collaborated with the college to ensure their coursework for upper primary is mapped to the Curriculum for Excellence (CfE) experiences, outcomes and benchmarks.

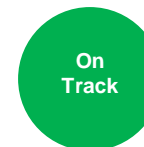
The RAiSE programme provided funding for a two-year period which ended in December 2018.

Next steps

We identify an appropriate STEM measure to replace those used by the RAiSE programme.

Key measures	2016/17	2017/18	2018/19	Target
% of Primary Schools delivering Language 2 progressively	Collected from 17/18	90%	97%	100% by 2020

Key measures	2016/17	2017/18	2018/19	Target
% of schools engaging with the RAiSE programme	Collected from 17/18	86%	91%	Increase by 5% by end of programme
Number of children and young people accessing music tuition	19,822	19,128	Not yet available	24,150 for 18/19
% of children achieving expected CfE level for numeracy by Primary 7	75.6%	78.2%	Not yet available	Increase by 2% per annum to session 21/22



Commitment 30

Increase the number of classroom assistants and support staff for children with additional needs to improve attainment and wellbeing.

Background

We aim to ensure that all pupils achieve the best possible physical and emotional wellbeing and education outcomes.

Key Achievements

Pupil support assistants (PSA) recruitment continues throughout the school session with an increase in the budgeted number for Special Educational Needs and Special Schools.

The Additional Support for Learning Service successfully launched new PSA training with 809

Pupil Support Assistants participating in cluster training programmes in August and September 2018. This represents around two thirds of all PSAs. This has involved staff from schools across the authority. Training has focused on Autism, Specific Learning Difficulties and Literacy.

Immediate evaluations of impact indicate that there have been improvements in practitioner skill and confidence.

The majority of PSAs in all clusters have been trained in equality, inclusive practice and promoting positive relationships.

The Wellbeing Academy has provided a progression pathway for PSAs with a particular focus on building capacity and experience around supporting emotional wellbeing. It has also provided a framework of support to the PSOs, involving a collaborative approach working closely with Psychologists from the Child and Adolescent Mental Health Service (CAMHS) and the Psychological Service.

Thirty Pupil Support Officers have been trained across the city, with a specific focus on promoting wellbeing through resilience and Low Intensity Anxiety Management approaches. School measures also show an improvement in learner health and wellbeing and a reduction in anxiety.

The Additional Support for Learning (ASL) Service and Early Years colleagues are testing a

pooled approach where an experienced PSA provides targeted support to a number of settings.

The development of PSA academies delivered in localities is being explored to target training needs specific to local needs.

A new support team has been developed to build capacity in relation to autism and challenging behaviours in special schools and classes.

PSAs are included in autism programmes in all sectors.

Next steps

Induction training on Inclusive Practice is being offered to all new school staff and follow up training for all experienced staff next session.

We will undertake a review of the process of allocating support hours for schools and agree the new audit process for session 2021.

Key measures	2017/18	2018/19	Target
Number of FTE pupil support assistants employed (budgeted specific to Special Educational Needs and Special Schools)	584	607	Increase by 50 FTE by session 20/21
Number of pupil support assistants trained in wellbeing and attainment (all schools)	Collected from 18/19	800 (approx. 67%)	100% by session 21/22



Commitment 31

Expand training opportunities for adults and young people linking with colleges and expanding vocational education.

Background

We work with its partners through the Schools College Partnership to ensure the offerings and pathways are in place for young people leaving school. Adult Education Programmes are delivered across the city.

Key Achievements

The Edinburgh Learns Pathways Strategic Board has representatives from education sectors 3-18, Skills Development Scotland, Edinburgh College and Developing the Young Workforce (DYW) Regional partners. Ensuring that the Youth Employment strategy milestones are achieved is a key focus and this is helping to drive DYW.

Employer engagement with schools has improved with the development of DYW Locality partnerships, and DYW events in schools are now being more effectively supported by local industry. Events such as the DYW Conference and Jobs Fair ensure that young people across Edinburgh are having greater opportunities to explore vocational pathways.

The Edinburgh Learns Pathways Board is also developing an online regional prospectus for the senior phase to provide an overview of the learning choices and pathways available to promote value and viability of vocational and academic learning and equity in the offer to all of Edinburgh's young people.

In collaboration with Edinburgh College, Skills Development Scotland (SDS), the DYW group and Schools and Lifelong Learning led a presentation to parents within the North-East locality on the range of pathways open to young people, including contributions from a Modern Apprentice and employer partners.

The Adult Education programme engaged with just under 15,000 learners and was above the lower target that had been set due to staffing and budget reductions.

The participation in ESOL classes was maintained at a similar level to 2017/18 despite anticipating a decrease of approximately 250 learners in 2018/19 due to reduction in Lifelong Learning staff and funding for tutors. This is likely

to be because the college were able to maintain previous levels of funding for tutors.

A Housing and Construction Infrastructure (HCI) Skills Gateway project, within the £25m Integrated Employability and Skills Programme of the Edinburgh and South East Scotland City Region Deal was approved by Joint Committee in March 2019. This will include new short courses, upskilling and new programmes to meet new skills and jobs needs, and will help to address the forecasted gap of 3,000 job roles in the next seven years across the South East Scotland regional construction sector, which the current supply system will be unable to achieve.

Next steps

As part of Edinburgh Learns, a draft strategic framework for Pathways will be available from June 2019.

Targets for Adult Education programme are to be set for 2019/20 as part of the Lifelong Learning Plan.

Similar level of funding for ESOL tutors may not continue in future years.

Key measures	2017/18	2018/19	Target
Number of senior phase age pupils studying vocational qualifications delivered by Edinburgh college	338	211	Increase by 2% per annum
Number of learners engaging in the Adult Education Programme	17,125	14,962	14,000 for 2018/19



Commitment 32

Double free early learning and child care provision, providing 1140 hours a year for all 3 and 4 year olds and vulnerable 2 year olds by 2020.

Background

The Scottish Government published [‘A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland – Action Plan’](#) in March 2017.

Key Achievements

The City of Edinburgh Council’s Early Years Service started phasing in 1,140 hours of funded Early Learning and Childcare (ELC) in August 2017. 49 local authority settings and 22 partner providers are now providing the increased funded hours to children aged 3-4 years eligible 2 year olds in their settings, enabling approximately 2,000 children and families to benefit from access to the increase funded hours in advance of August 2020, when 1,140 hours will become an entitlement.

Overall feedback from settings involved in phasing in the expansion continues to be positive. As well as supporting the development and

learning needs of the children, parents are reporting the positive impact on family life, household income opportunities for parents and carers to access work and training.

Our workforce development plan to support the delivery of the programme is on schedule with approximately 300 of the estimated required 650 staff recruited to date.

The Early Learning and Childcare Expansion Plan continues to progress the delivery of expanded provision of 1140 funded hours.

[A Progress and Risk update](#) was reported to the Education, Children and Families Committee in December 2018 with [an update on the Workforce](#) reported in March 2019.

51% (49/96) of Local Authority (LA) settings and 19% (22/114) of partner provider settings provide 1140 hours. The increase for LA settings is due to the introduction of forest kindergartens across the city. Eleven partner providers joined the pilot to phase in 1140 hours in January 2019.

260 eligible 2 year olds are accessing 1140 hours at May 2019. We aim to increase this to 33% by June 2019 through increase provision within new build settings.

Next steps

As reported to Council Committee, the funding gap between our local expansion estimates and the allocated Scottish Government funding presents a risk that we will be less able to provide flexible models of delivery for the 1140 hours to support parents being able to access work. This risk has been increased by the fact that the cost returned following the tender process for new build nurseries is higher than estimated. We continue to highlight this to the Scottish Government and the Scottish Futures Trust and will work to manage the expectations of parents regarding the flexibility to be offered in local authority settings.

Key measures	2017/18	2018/19	Target
% of Early Years settings providing 1140 hours of funded Early Learning and Childcare	29%	51%	100% by Aug 2020
% of vulnerable 2 year olds accessing 1140 hours	12%	26%	100% by Aug 2020

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Commitment 33

Make early years’ provision more flexible to fit families’ needs and provide additional resources to families in difficulty so that no children are educationally disadvantaged when they start formal schooling.

Background

The Early Learning and Childcare Expansion Plan continues to progress the delivery of expanded provision of 1140 funded hours with increased flexibility being provided through a locality model.

Key Achievements

210 settings provide Early Learning and Childcare (ELC) in Edinburgh. Since August 2017 we increased the options for delivering the funded entitlement by bringing ten childminders into partnership with the local authority and established three forest kindergartens in the North West of the city. 110 children are now able to access their ELC through these approaches.

Flexible options were set out in the [Early Learning and Childcare Strategy](#) reported to the Education, Children and Families Committee in August 2017. Flexible options are being delivered through settings providing the expanded 1140 hours and the existing 600 hours.

61 from 96 local authority settings, representing 64%, and 104 from 114 partner provider settings

are providing more than one option of early learning and childcare for parents.

The previously reported progress referred to local authority provision only. The revised delivery model outlined in the [current progress and next steps](#) report to the Education, Children and Families Committee in August 2018 provides detail on increased flexibility through a locality model.

In December 2016 we trained a team of CEC Hanen trainers who are qualified to deliver high quality staff development sessions on Hanen approaches to supporting early language acquisition. The team offer Hanen Teacher Talk to whole staff teams. This is a one day session that highlights key strategies for practitioners in supporting children’s language development. They also offer Hanen Learning Language and Loving It, which is a five session course developing a much deeper understanding of the significance of the adult role, involving analysing video of interactions and reflecting on practice. We work closely with Hanen trained Speech

Therapists to ensure a joined up approach to delivering Hanen across the city.

We targeted establishments with high levels of SIMD 1 & 2 initially, and we have gradually extended the offer more widely.

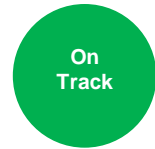
So far 36 Early Years settings have undertaken Hanen Teacher Talk. Individual staff members from 18 Early Years settings have attended the longer Learning Language and Loving It course.

Next steps

As reported to Council Committee, the funding gap between our local expansion estimates and the allocated Scottish Government funding presents a risk that we will be less able to provide flexible models of delivery for the 1140 hours to support parents being able to access work. We continue to highlight this to the Scottish Government and the Scottish Futures Trust and will work to manage the expectations of parents regarding the flexibility to be offered in local authority settings.

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Key measures	2017/18	2018/19	Target
% of Early Years settings providing more than one option of early learning and childcare for parents	45%	64%	100% by Aug 2020
% of Primary 1 pupils living in the most deprived areas achieving expected literacy level	62%	63%	Increase by 5% by session 20/21



Commitment 34

Prioritise services for vulnerable children and families and looked after children, and support organisations working to end domestic abuse.

Background

We have invested in early intervention and prevention services and works with partners in Health, Police and Third Sector to ensure the needs of vulnerable children and families are met. This includes supporting those affected by domestic abuse.

Key Achievements

We have continued to prioritise these services and there is evidence that earlier intervention and effective multi-agency working is reducing the numbers of children who need to be Looked After or are subject to child protection procedures.

[The Corporate Parenting Action Plan](#) was endorsed by full council on 28 June 2018. We have put in place a Champions Board of Looked After and care experienced young people, and we have employed two care experienced participation officers to widen the participation of care experienced children and young people in our corporate parenting planning.

The number of children in Edinburgh who need to be Looked After, including those accommodated away from home, has reduced to its lowest in 10 years. We attribute this to a number of developments including the implementation of restorative, strengths based and relationship-

based practice across services, the impact of specialist services including Family Group Decision Making, Kinship Support Team and Multi-Systemic Therapy, and the increasing confidence and competence of staff in the Getting it Right for Every Child approach.

Measures are in place the Corporate Parenting Action plan to improve communication between schools and social work regarding attendance rates of looked after learners and to put plans in place when attendance is low.

Edinburgh has a robust inter-agency approach to child protection resulting in effective risk assessment and appropriate planning to address risk. This has helped to reduce the number of children on our Child Protection Register to its lowest ever level.

Edinburgh Council works closely with Police Scotland and other agencies to assess and address risk when young people are going missing and may be exposing themselves to risk. We have a proactive and collaborative model of practice in which a multi-agency group has daily oversight of risks and concerns. This is helping to improve relationships with staff and young people and this in turn has reduced the number of missing person incidents from our children's residential units and the number of offences

reported which involve young people in residential units. It has also helped to reduce the need for secure accommodation particularly among teenage girls.

Our reduced usage of secure accommodation has allowed us to sell part of our residential estate to NHS to create an Equally Safe Multi-Agency Centre which will improve services to child and adult victims of sexual and other assaults and abuse.

All Domestic Abuse targets set within the first year of the contracts have been exceeded and variations have been agreed to reflect new targets.

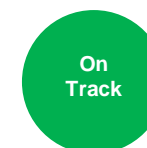
The Collaborative Partnership are currently redesigning a refuge pathway to allocate spaces and move-on accommodation to match women's needs and ensure the right support is offered at the right time.

The Housing Group are also finalising a Housing Policy for anyone fleeing Domestic Abuse who is seeking accommodation.

Next steps

The optional 12 month extensions until November 2020 for Domestic Abuse services are to be confirmed with the service providers.

Key measures	2017/18	2018/19	Target
Rate of Looked After Children per 1,000 population	15.5	14.5	Decrease to 15.3 by 2020
Percentage of LAC pupils with low school attendance	30%	31.4%	Decrease by 10% by session 20/21
Funding invested by CEC in domestic abuse services	Collected from 18/19	£1,194,734	This funding will continue to provide accommodation and support for a further year
No of women and children supported in a year	Collected from 18/19	1176 women 267 children	Demand for these services continues and organisations strive to engage with as many clients as possible.
% of women and children who report feeling safer	Collected from 18/19	68% of women 35% of children	Services address many different issues with clients but safety remains a priority



Commitment 35

Improve access to library services and community centres making them more digital, and delivering them in partnership with local communities.

Background

The Library and Information Service plays a vital role providing free access to a range of reading, media, IT and information services to all citizens from babies to the oldest in our communities. Services are delivered in a variety of ways to meet the needs of our customers.

Community centres provide meeting places for a variety of local clubs, classes and public forums, venues for family and children's activities and offices for community projects.

Key Achievements

Library visitor figures recovered slightly in 2018/19 with 3,013,575 visitors to library buildings during the year. Downloads of ebooks, magazines and newspapers continues to increase and doubled during 2018/19 to just below 1 million downloads for the year.

In partnership with the Scottish Library and Information Council, a co-working hub has been launched in Central Library, opening up access to library resources, ICT and physical space for entrepreneurs and business start-ups.

Film Clubs in Edinburgh Libraries continue to show films representing a wide variety of different genres at Libraries across the City, whilst giving Edinburgh Libraries the opportunity to show special screenings for Autism Awareness Week and Deaf Awareness Week. Recently McDonald Road Library introduced a film club for regular library users including homeless people who visit the library; by popular demand it runs fortnightly and has benefited everyone who attends.

Edinburgh Libraries is a partner in the Living Knowledge Network created by the British Library, library members and visitors benefit from exhibitions of British Library material such as the Harry Potter and forthcoming Writing exhibition, that complement library collections and have the opportunity to attend live screenings from the British Library featuring well known authors and speakers at their local library.

2,922 children and young people completed the Summer Reading challenge by reading 6 books or more during the school holidays. In Edinburgh 67% of children and young people that started the

challenge completed it, 10% higher than the national average.

A Community Centre Handbook has been developed, clarifying essential information on Health And Safety, safe management of facilities and the responsibilities of the different parties - Facilities Management, Lifelong Learning, Community Centre Management Committees and Business Support.

A key holder procedure has been piloted at selected Community Centres. Feedback from the pilot is being evaluated and the revised procedure will be introduced at appropriate centres in the Autumn of 2019.

Next steps

Level of physical lending continues to decline, this reflects a national trend. Ongoing challenges with the Library Management System have contributed to reducing the number of items borrowed.

During 2019/20 libraries will focus on staff training and customer engagement to support the use of digital services which will replace the provision of print magazines in libraries.

Key measures	2017/18	2018/19	Target
Digital use – downloads and streaming	461,000	964,120	650,000 for 2018/19
Total number of library customer transactions	6.96m	6.66m	Increase by 5% for 2018/19

Commitment 36

Support the continued development of Gaelic Medium Education.

Background

We are committed to working in partnership with Gaelic communities, Council staff, organisations who deliver Gaelic services, and importantly, Bòrd na Gàidhlig and the Scottish Government.

Between October and December of 2017, we held consultation with Gaelic communities around the future Gaelic Language Plan and importantly, the priorities for action moving forward.

Key Achievements

The number of pupils attending Gaelic Medium Education (GME) provision has increased.

90 children currently attend GME nursery. Values have been refreshed this year and there is strong parental involvement with children's learning and development. The United Nations Convention on the Rights of the Child (UNCRC) is embedded within the practice of the setting.

A review of the quality and quantity of the current provision was undertaken and helped inform the [Gaelic Medium Education Strategic Growth Plan](#) presented to the Education, Children and Families Committee in October 2018.

Review of Gaelic Medium Education was carried out by Quality Improvement Team in August 2018.

The Gaelic Implementation Plan was drawn up as a result of findings of review.

The newly appointed Quality Improvement Officer for Languages is working with Headteachers of Gaelic Primary and James Gillespie's High School (JGHS) to identify priorities and take forward actions points from plan.

Gaelic Medium Education staffing at JGHS increased through appointment of Curriculum Lead for Gaelic and additional teaching staff since August 2018.

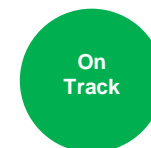
Three existing teachers are currently being funded to follow the Gaelic Immersion for Teachers (GIIT) course to further strengthen staffing in secondary and primary.

Enhanced staffing at JGHS has allowed for staff across the two settings to work together to improve learners' experience of GME in the primary school. There is a strong focus on enhanced transitions to the secondary setting, including increased Additional Support for Learning provision.

Next steps

Rising numbers in GME within Edinburgh necessitate extending provision. Planning in progress for additional accommodation for both primary and secondary GME. Related issues such as recruiting and maintaining staff and creating local professional development models are currently being explored.

Key measures	2016/17	2017/18	2018/19	Target
Number of pupils on the rolls of Primary and Secondary GME	306 Primary 88 Secondary	348 Primary 108 Secondary	376 Primary 107 Secondary	Increasing trend
Number of staff trained to deliver Gaelic Learner Education as part of the strategy on 'One plus Two' Languages	12	13	13	Increasing trend



Commitment 37

Continue to integrate Health and Social Care Services. Review the Integration Joint Board's approach to support at home by 2018.

Background

Since 2016, work has been underway across Scotland to integrate health and social care services in line with the requirements of the Public Bodies (Joint Working) (Scotland) Act 2014. The Edinburgh Integration Joint Board (EIJB) directs us and NHS Lothian on how to deliver services through a partnership model. The partnership for Edinburgh is called the Edinburgh Health and Social Care Partnership (EHSCP).

Key Achievements

This year, the EHSCP developed a draft strategic plan for 2019 – 2022. The plan details how health and social care services will be developed

and delivered, and was tabled at the IJB meeting on [29 March 2019](#).

One way the EHSCP supports people to stay at home is by providing care at home services. This year, they launched the Sustainable Community Support project which is focused on working collaboratively with care at home providers to reduce waiting times and identifying alternative models of care to support people to live independently.

The number of people delayed in hospital waiting discharge has reduced in the last six months, and the number of people waiting for a package of care in the community has also fallen.

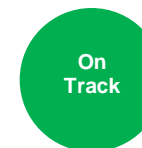
Next Steps

The EIJB will continue to engage with citizens by defining the 'Edinburgh Offer', as set out in its Strategic Plan and transformation programme, which will set out the expectations for citizens in relation to available support.

Develop a 'three conversations' way of working. This will improve people's experiences and promote independence, early intervention and preventative ways of working.

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Key measures	2016/17	2017/18	2018/19	Target
Percentage of adults receiving personal care in the community setting (out of all adults receiving this support in a community, residential or hospital setting) (as end March)	57%	57%	57%	60% by Apr 2019
Late discharge from hospital (as end March)	176	267	158	No one to wait more than 72 hours for discharge
Percentage of adults supported at home who agree that their health and care services seemed to be well co-ordinated (every 2 years)	every 2 years	67%	every 2 years	Scotland's average for 17/18 is 74%, Aim to be above the national average



Commitment 38

Take steps to increase the length and flexibility of care visits and increase the availability of care to help people live in their own homes.

Background

The Edinburgh Integration Joint Board (EIJB) directs us and NHS Lothian on how to deliver services through a partnership model. The partnership for Edinburgh is called the Edinburgh Health and Social Care Partnership (EHSCP). The EIJB is committed to providing services which support people to live at home, in their own community, for as long as possible.

Key Achievements

In response to both short and long-term capacity challenges for care at home support, the EHSCP

launched the Sustainable Community Support Programme in October 2018, with a targeted rate uplift scheme for providers. This incentivised increased recruitment and collaborative working with the EHSCP. There are now 13 qualifying providers in this programme.

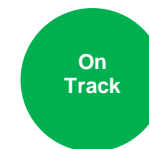
Providers have committed to delivering sustainable growth of 20% by October 2019, through recruitment and lower staff turnover. Since the programme was established, there has been a 17% increase in the number of care workers employed by these providers.

The improved relationships between providers and the EHSCP have had a positive impact on the number of people in both hospital, and the community waiting for care in their own home. These benefits have been achieved through improved coordination and matching of need to the available capacity within both the external and internal services.

Next Steps

The EHSCP is continuing with the model of care developed by the Sustainable Community Support Programme.

Key measures	2016/17	2017/18	2018/19	Target
Percentage of adults receiving personal care in the community setting (out of all adults receiving this support in a community, residential or hospital setting) <i>(as end March)</i>	57%	57%	57%	60% by Apr 2019
Number of people waiting for a package of care <i>(as end March)</i>	444	988	480	Decreasing trend in recent months
Percentage of adults supported at home who agree that they are supported to live as independently as possible <i>(every 2 years)</i>	every 2 years	79%	every 2 years	Scotland's average for 2018 is 81%, Aim to be above the national average



Commitment 39

Put exercise at the heart of our health strategy by increasing access to sport and leisure facilities.

Background

We are committed to improving the health and wellbeing of our citizens.

Key Achievements

A key component of [Edinburgh Learns](#) published in October 2018 is the Health and Wellbeing framework which details practice that should be visible in all our schools and centres, to ensure health and wellbeing across learning.

In 2017/18 the Active Schools Programme was delivered to over 19,000 pupils in Edinburgh. 45 primary and 20 secondary schools have registered for the School Sport Award and over 350 people came to our awards night to recognise the work of schools and local sports clubs in March 2018.

[Physical Activity and Sport Strategy: An Interim Progress Report](#) presented to Culture and Communities Committee in March 2019 lays out a range of proposed recommendations to assist the effective establishment of a new strategy for

everyone. A consultation process on a new Physical Activity and Sport Strategy for the period 2019-2023 concluded in February 2019.

We support sports clubs and community organisations through long term leases of Council owned sports facilities. Currently, over 40 organisations benefit from these arrangements. Two of our smaller Sport Centres previously run by Edinburgh Leisure, namely the Craggs Sports Centre and the Queensferry Sports Centre, transferred to local community organisations. The transfer of both facilities has proven to be successful and they have developed thriving community based programmes.

Working with Edinburgh Leisure is critical to success in reaching individuals and communities that need support to be active and improve their health and wellbeing. Edinburgh Leisure are involved in our Community Learning & Development Strategic Partnership and are members of Edinburgh Children’s Partnership.

The Looked After & Active project supported 653 Care Experienced Children to get active and healthy with Edinburgh Leisure.

The Positive Destinations and Young ambassadors’ projects have offered educational, employment, volunteering and personal development opportunities to 318 young people.

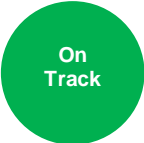
The Friday night activity programme Open All Hours welcomed approximately 250 young people every Friday.

Next steps

We will establish a Physical Activity Strategy group and a city wide Delivery Action group. We are proposing a new Sports Partnership group to include sportscotland, National Governing Bodies, Universities, schools (local authority and independent), Edinburgh Leisure and sports clubs to oversee the implementation of the agreed objectives within the sport element of the Strategy.

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Key measures	2016/17	2017/18	2018/19	Target
Attendance at sport and leisure facilities (Edinburgh Leisure)	4,627,044	4,471,704	4,338,251	4,290,234
Number of young people participating in sport, physical activity and outdoor learning (includes Active Schools Programme)	22,431	24,086	Data not yet available	Increasing trend



Commitment 40

Work with the Integration Joint Board (NHS & Council Social Care) and other agencies to prioritise early intervention and prevention in mental health services.

Background

Mental illness is one of the major public health challenges in Scotland, with around one in three people estimated to be affected by mental illness in any one year. In December 2018, the Scottish Government set out its [Delivery Plan](#) for Mental Health, which acknowledges that support for mental health needs to be focussed on prevention and speedy treatment.

The Edinburgh Integration Joint Board (EIJB) directs us and NHS Lothian on how to deliver services through a partnership model. The partnership for Edinburgh is called the Edinburgh Health and Social Care Partnership (EHSCP). Support for people with Mental Health problems is one of the services delegated to the IJB and delivered by the EHSCP.

Key Achievements

The EHSCP have developed 'Thrive Edinburgh', a comprehensive Mental Health and Wellbeing Strategy which is named to reduce the stigma that is associated with mental health services. The strategy, which was developed with extensive user engagement, has six areas of

focus: building resilient communities, a place to live; getting help when needed; rights based care; closing inequalities gap; meeting treatment gaps

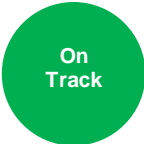
Achievements for 2018/19 include:

- One of four UK sites implementing through open access mental health services.
- Community of Practice focusing on trauma, adverse childhood experiences and resilience.
- Implementation of the Wayfinder Pathway further shifted the balance of care to community provision with 26 additional highly supported tenancies.
- The annual *Out of Sight, Out of Mind* arts exhibition attracted more than 2,000 visitors to view 350 art works created by 153 artists.
- Over 200 staff trained in The Prospect Model a matched care model for the provision of the evidence-based Interpersonal Psychotherapy'.

Next Steps

In 2019-20 the EIJB will be:

- Participating in the national evidence led, stakeholder driven review of mental health and incapacity legislation.
- Redesigning our out of hours and crisis services to prevent admissions and facilitate earlier hospital discharge.
- Working with our well established Public Social Partnerships to strengthen our communities' resilience.
- Improving our responses to people in distress across our A & E services, our judicial system, colleges universities and work place settings.
- Using the three conversation approach to strengthen anticipatory care planning, and resilience building, using self directed support as an enabler.
- Strengthening our national and international collaborations to ensure we are using and developing best practice with our academic partners.
- Opening our Thrive Centre and Networks across the city.



Commitment 41

Review the application process and increase the budget for housing adaptations with a view to supporting more disabled tenants and owners to remain in their own homes. Help older and disabled homeowners to move to more suitable housing should they wish to do so.

Background

A Health, Social Care and Housing Forum was established, as part of the Edinburgh Integration Joint Board (IJB) governance, to support joint working between Health & Social Care and Housing.

As set out in the [Strategic Housing Investment Plan](#) (SHIP) in November 2018, the majority of new build properties funded through the Affordable Housing Supply Programme are designed to meet the housing for varying needs standard, which requires they are accessible or easily adapted to be accessible.

Around 9% of the homes approved in the first two years of the SHIP are specifically designed for older people and those with complex needs. These include amenity homes, supported housing, fully wheelchair accessible homes and homes for veterans.

Key Achievements

In 2018/19, £2.4 million was spent on adaptations to council homes, private homes and registered social landlord homes.

In March 2019, the EIJB approved its draft Strategic Plan 2019-22. It is a statutory requirement for IJB strategic plans to have a Housing Contribution Statement.

A three-month consultation period on the proposed Housing Contribution Statement commenced in April 2019 and closes in July 2019.

A report on [later living housing](#) was considered at the Housing and Economy Committee in June 2019, setting out the barriers and opportunities for people who need, or wish, to move to housing that meets their needs in later life.

As part of the new build programme, 96 homes for older people are being developed in Pennywell Town Centre. Nine wheelchair flats,

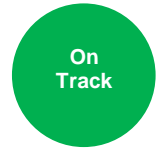
14 amenity flats and 73 mainstream (for older people) flats are being built as part of the wider regeneration of the area. These homes will have lift access and shared communal space providing safe accessible accommodation aimed at reducing social isolation.

Next Steps

Research will be commissioned in 2019 to inform future delivery of adaptations for older and disabled tenants and homeowners.

The application process, customer journey and resources needed for housing adaptations will be reviewed by the Health, Social Care and Housing Forum. This will be informed by commissioned research and reported to the Edinburgh Integration Joint Board (EIJB). Advice and information to owners will be considered as part of this work.

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Commitment 42

Build a new sports centre at Meadowbank by 2021.

Background

This is a major place-making project and is expected to bring opportunities to the area.

The project will see a new state-of-the-art community sports facility built on the site of the original Meadowbank, which closed in December 2017.

It is hoped the accessible new venue will become one of the top centres for community sport in the country, helping to support accessible participation in sport and physical activity for all ages and abilities for generations to come.

Key Achievements

Following public consultation, planning applications for the site were considered and approved at the Development Management Sub-Committee on 29 June 2018. [An update](#) on the position of the funding package for the new stadium was presented to the Finance and Resources Committee on 11 October 2018. Approval was also given to award the contract for the construction of the new stadium and with planning permission secured. Graham Construction Ltd was appointed as the main contractor for the new sports centre.

Ground work commenced in November 2018 with the last section of the Main Stand (nearest London Road) taken down on Sunday 10 February 2019.

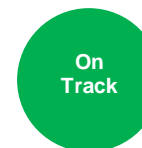
Tree removal took place in February and we are committed to replanting more trees within the wider site, to outnumber those removed.

Foundation works for the new Sports Centre commenced in March.

Next steps

Graham Construction Ltd will provide regular progress updates to the local community on their schedule of works and will launch a 'Benefit in Kind' fund of £40,000 to support local projects.

Ongoing extensive consultation is planned over the following months with members of the local community as we look to deliver a mixed-use site as part of its commitment to deliver much-needed affordable housing for the city.



Commitment 43

Continue to upgrade our existing parks and plant an additional 1,000 trees in communities. Protect major recreational areas such as the Meadows, Leith Links and Princes Street Gardens.

Background

The park maintenance programme sets out the improvement work required to maintain our parks. Protection of the parks is established through the [Open Space Strategy 2021](#). The parks are assessed through the annual park quality assessments.

The [Edinburgh Parks Events Manifesto](#) provides a strategic and proactive approach to the planning and managing of events within our parks and greenspaces.

Key Achievements

Of the 138 parks quality assessed in 2018, 1,569 issues/recommendations were identified. From these, judges highlighted three “agreed recommendations” from each park that should be

implemented over the subsequent 12 months. Park Managers have indicated that 992 actions have been completed, partially completed, or are ongoing.

When comparing the 2017 PQA criterion scores against the 2018 scores, 145 scores have improved, 208 have remained the same and 61 have dropped.

In 2018, following an external Green Flag Group Award peer review, we retained 30 Green Flag Award parks. In addition, two parks (Fairmilehead Park and Lauriston Castle Gardens) achieved Green Flag Award status at the first time of asking, bringing the total number of Green Flag Award parks in Edinburgh to 32 (there are a total of 71 awards across Scotland). Corstorphine

Walled Garden also successfully retained its Green Flag Community Award.

A new, more challenging quality standard was set in 2018. 116 of the 138 parks quality assessed met the new Edinburgh Minimum Standard. This is an increase of 11 parks from 2017.

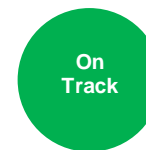
13,848 trees have been planted by us since 2017, including 2,048 during 2018/19.

Next Steps

Parks Quality Assessments and Green Flag Award assessments will take place over Summer 2019.

Further tree planting is planned for Autumn/Winter 2019/20, with a focus on replanting street tree gaps.

Key measures	2017/18	2018/19	Target
Green flag status	30	32	32
New Parks Quality Assessment standard	76%	84%	92%
Number of additional trees planted	11,800	2,048	Additional 1,000 by 2022
Number of events held in major parks	29 large events it total, 28 in Premier Parks	35 large events in total, 31 in Premier Parks	Hold number of events to maximum permitted (36 across 9 Parks)



Commitment 44

Increase allotment provision and support and expand the network and the number of community gardens and food growing initiatives.

Background

Our third strategy 'Cultivating Communities - A Growing Success' establishes a 10-year strategic framework for allotment development in Edinburgh that supports the requirements placed upon us by part 9 of the Community Empowerment (Scotland) Act 2015. Four key objectives are defined within the strategy:

- ensure adequate provision of allotments
- develop a robust management system for allotment
- improve the allotment customer experience
- adoption of revised allotment regulations.

Key Achievements

[A report updating on allotment and food growing provision](#) was reported to the Culture and

Communities Committee on 26 March 2019. The report detailed the measures undertaken to date to increase allotment provision and expand the number of community gardens. It also noted the intention to consult on amending the allotment discount criteria and the fee for a half plot.

Suitable large plots continue to be split to increase provision.

A waiting list validation exercise was completed in April 2019 and has led to a 50% reduction in those waiting for an allotment.

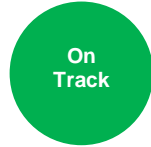
Next Steps

By 2020 a new site at Newcraighall and an extension to Leith Links allotments (both funded through developer contributions) will be operational and is expected to provide 26 additional plots. Discussions are ongoing to adopt

a site at Piershill Square with 12 plots. There is also potential for 80 plots to be introduced at Lethem Park; a private allotment site.

37 additional sites identified during a public consultation exercise have now been considered by the Property Asset Transfer Group. Many of the sites are within Common Good land and so require a change of use through the courts. Others are located on Housing land and so must be purchased by us at market value. Four remaining sites at Baronscourt, Burdiehouse Valley, Little France and Lower Granton Road will be considered for community asset transfer.

Key measures	2017/18	2018/19	Target
Number of allotment plots	1,815 plots across 44 sites	1,833 plots across 44 sites	Increasing long term trend
Reductions in waiting lists	2,814 people on the waiting list	1,389 people on the waiting list (April 19)	Decreasing long term trend



Commitment 45

Establish a Child Poverty Action Unit to address the inequalities faced by children in poverty in our city. Its remit will look at food security and nutrition, tackle food poverty and holiday hunger and enhance nutrition in schools. Ensure that a Poverty Assessment section features in all Council reports.

Background

Edinburgh is well recognised as an affluent and a growing city, but is also a city with wide levels of inequality and home to some of the most deprived communities in Scotland. An estimated 22% of Edinburgh children grow up in poverty, with rates as high as 35% in some areas of the city.

Under the [Child Poverty \(Scotland\) Act](#), Local Government and Health Boards have a duty to publish an annual report describing existing and new planned actions, or measures taken, to reduce and mitigate the effects of Child Poverty.

Key Achievements

[Agreement for the creation of a Child Poverty Action Unit](#) was given at the Culture and Communities Committee on 11 September 2018.

The unit will take the form of a cross Partnership working group, led by Communities and Families. The purpose of this unit will be to:

- build on existing partnership and reporting arrangements and co-ordinate Council action to address Child Poverty in Edinburgh,
- identify a Council lead for the development and publication of annual Local Child Poverty Action Reports (beginning in June 2019),
- identify a point of liaison with the new Edinburgh Poverty Commission on issues and actions relating to Child Poverty.

Within the City of Edinburgh, action is already in place to address Child Poverty and a number of projects and initiatives are already underway across the city with the aim of increasing awareness, reducing poverty related stigma, tackling the attainment gap and reducing school

and holiday costs. These include the '1 in 5 Project', 'Discover!' and targeted income maximisation projects.

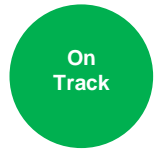
Future reporting on the progress of the Child Poverty Action Unit will be reported to the Education, Children and Families Committee.

An Equity group exists within the Edinburgh Children's Partnership and good partnership relationships already exist to support the meeting of the new reporting requirements.

Next steps

There is a need for greater co-ordination of services dealing with, or with a role to play in mitigating the impact of, child poverty and for creating a pan-Council understanding, awareness and approach to the issue.

The first Child Poverty Action report is due for publication in summer 2019.



Commitment 46

Continue to support the city's major festivals which generate jobs and boost local businesses and increase the funding for local festivals and events. Support the creation of further work spaces for artists and craftspeople.

Background

The recommended core programme of [Festival and Events for 2019/20](#) was reported to the Culture and Communities Committee in January 2019. The report describes the approach to support events on three tiers, or levels, of international, national and city importance. It also details the £100,000 allocation to a Local Festival and Event Programme Budget.

Key Achievements

The first details of the major new investment programme for the Edinburgh Festivals were announced in November 2018. The unique three-way partnership between the Scottish Government, the City of Edinburgh Council and

the Edinburgh Festivals, the PLACE [Platforms for Creative Excellence] programme will provide £15 million over the next five years for a range of creative and community projects which will renew the Festivals' ambition and purpose.

Six festivals and events have been identified and funded £60,000. Details of organisations who received grant funding from this source can be found in appendix 2 of [the Citywide Culture Plan Update 2018/19](#) reported to the Culture and Communities Committee on 18 June 2019.

A Culture Service [website](#) to easily access affordable rehearsal spaces was launched in July 2018. Culture Edinburgh, the new website for the

Culture Service was launched in January 2019 and can be accessed [here](#).

The Planning Application was approved for the Dunard Centre (IMPACT Scotland) venue in St Andrew Square on 24 April 2019. Works have also been completed at Castle Mills which will support printmaking excellence and creative practise in the city, and at Collective on Calton Hill, a new centre for contemporary art, including exhibition space and the restoration of the City Observatory. Both opened in April 2019.

Next Steps

Work is underway to support the King's Theatre and Leith Theatre to realise capital improvements to the buildings.



Commitment 47

Become a leading Council in Scotland for community engagement - 1% of the Council's discretionary budget will be allocated through participatory budgeting.

Background

Building on our earlier local commitment, a Scotland-wide agreement between the Scottish Government and COSLA will see local authorities working towards allocating 1% of their externally-provided funding (£7.2m in our case) by means of participatory budgeting by April 2021. Discussion is on-going as to the precise form this activity will take.

Key Achievements

We have delivered a wide range of Participatory Budgeting-related initiatives in recent years. This

activity, while focusing primarily on grant-based programmes, has also involved some mainstream provision (specifically the Neighbourhood Environment Programme) and it is anticipated that this aspect will be expanded as we move towards the 1% target.

A number of necessary building blocks for wider adoption of PB across our services and our partners have been put in place, including development and delivery of a Champions Programme and elected member briefings, as well as exploring digital technology options. To support the roll-out, further work is required to

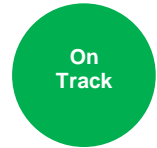
define a mainstreaming framework aligned to a broader empowerment agenda.

Next Steps

An officer working group has been established and is currently evaluating practice elsewhere and existing and anticipated grant, contract and direct service spend to identify a potential pipeline of opportunities for further consideration. A progress update will be reported to the Finance and Resources Committee's meeting on 10 October 2019.

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Key measures	2017/18	2018/19	Target
% of annual discretionary budget allocated through participatory budgeting	0.03%	0.04%	1%



Commitment 48

Continue to make a case to the Scottish Government for the introduction of a Transient Visitor Levy and explore the possibility of introducing more flexibility in the application of business rates. Explore the possibility of introducing a workplace parking levy.

Transient Visitor Levy

Background

Edinburgh has a strong tourist economy that has been growing year on year. The city needs to raise long term secure income, if it is to sustainably invest in tourism and into the future, to manage the impact of a successful tourist economy.

Key Achievements

We led the national debate on the introduction of a Transient Visitor Levy (TVL) and consulted on the shape of a local scheme in Edinburgh with key stakeholders and residents. This included:

- [A detailed research paper](#) considered by the Council in May 2018.
- A series of round table events and presentations to groups across the city over July 2018 to January 2019.
- A survey of over 1,000 visitors and residents on the TVL in August 2018.
- Evidence provided to the Scottish Parliament in September 2018.
- A full public consultation completed in December 2018.

As part of the 2019/20 budget and influenced by the work that had been progressed by us, the Scottish Government agreed to legislate powers that would enable local authorities to introduce a TVL or tourist tax.

Next Steps

We will implement the TVL in Edinburgh once the detail of the legislation is known and the powers are in place. We are continuing to work on the detail of implementation and importantly on how the TVL will be used to benefit the city, its tourism economy and the residents.

Workplace Parking Levy

Background

A Workplace Parking Levy (WPL) will raise additional income and is one of many tools which can make a positive impact on congestion, air quality and public health.

Key Achievements

In August 2018 the Transport and Environment Committee considered [a paper on the WPL](#) and agreed to submit evidence to the Scottish Parliament.

Evidence to the Parliament was submitted as part of the debate on the Transport (Scotland) Bill in September 2018 and in May 2019.

We have continued to support COSLA in seeking a permissive legal power within the Bill for Scottish Councils to implement a WPL, if that meets local needs.

A joint amendment to the Transport (Scotland) Bill granting enabling powers to Councils over a WPL

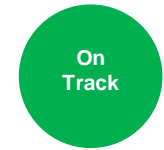
scheme was agreed by the SNP and Scottish Green Parties. The amendment was submitted in May 2019.

Next Steps

Council officers will develop a plan with the view to complete a detailed business case for WPL in the city for consideration by Councillors. We will do this work in partnership with business and other key stakeholders.

Commitment 49

Limit Council Tax increases to 3% a year to 2021.



Background

The approved budget for 2018/19 included a 3% increase in Council Tax to maximise the level of investment available to support delivery of our priority outcomes. A 3% increase of Council Tax [is assumed each year](#) from 2019/20 to 2022/23.

Key Achievements

The [approved Council budget for 2018/19](#) included a 3% increase in Council Tax across all bands.

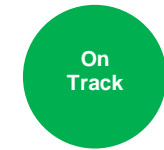
Next Steps

The on-going appropriateness of this assumption will be considered as part of the cycle of regular review of the main income and expenditure assumptions contained within our medium-term financial plan.

Key measures	2017/18	2018/19	Target
% Council Tax increase approved by Council	3%	3%	up to 3% a year to 2021

Commitment 50

Continue a policy of no compulsory redundancies and keep a presumption in favour of in-house service provision.



Background

We have agreed to retain a policy of no compulsory redundancies during this administration and to deliver our services using in-house resources.

Key Achievements

Our commitment of no compulsory redundancy remains in place and is fully adhered to by all service areas.

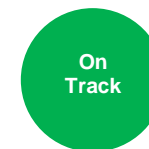
To support the achievement of necessary savings and the redesign of services, we continue to offer appropriate voluntary severance arrangements and redeployment support to its employees. The policy in respect of a presumption of in-house service provision continues to be carefully monitored through the politically led budget setting process.

Next Steps

To continue to apply this commitment and ensure that this is embedded in any organisational reviews and business cases that are developed in respect of future service delivery models that we need to consider.

Commitment 51

Improve community safety by protecting local policing and empowering communities to tackle long term safety issues and hate crime in all its forms including supporting restorative justice initiatives and other projects.



Background

Transformation programme saw the creation of the Family and Household Support service in 2017 whose function was to develop and deliver early and effective interventions based on the principles of the Christie Commission. This complements the continued provision of high quality, innovative criminal justice services, working towards reducing reoffending rates in the city.

Key Achievements

Services have worked closely to bring together the key strands of both community justice and community safety.

Agreement to align the Community Justice Outcome Improvement Plan and the Community Safety Strategy (2020-2023), both of which will be governed through the work of the Community Safety Partnership, allows collaboration between

key partner agencies to deliver on identified strategic aims and objectives.

Within Community Justice we continue to develop restorative justice practice and preventative community based problem-solving approaches, particularly with regards to hate crime. A restorative justice approach to hate crime began on 1 May 2019. The community problem solving approach has evolved and will include the development of Family Group Decision Making with offenders and their families.

We have also given a commitment to implement the Stronger North model across all localities by the end of 2020.

Edinburgh's Community Safety Partnership continues to oversee the upgrade of public space CCTV to ensure it remains efficient and effective in deterring and preventing crime, reducing antisocial behaviour, and reducing the fear of crime.

The mediation pilot undertaken within Family and Household Support between January and March 2019 targeting the use of mediation as an early attempt to resolve escalating disputes has seen steady growth and has been extended for a further three months. We have increased the pool of trained mediators to be able to respond to the increasing numbers of referrals received.

[The recently revised Partnership Agreement with Police Scotland](#) was presented to Culture and Communities Committee for approval in June 2019.

Next Steps

Following recent discussions, we will be developing a strategic systematic approach to the development of trauma informed services focused around practice and leadership.

Key measures	2015/16	2016/17	2017/18	2018/19	Target
Percentage of criminal justice orders successfully completed	62.8%	65.8%	65.3%	63.6%	65%
Percentage of people who feel safe in their neighbourhood after dark (EPS)	86%	84%	84%	Survey results published in 2020	Increasing trend
Number of antisocial behaviour complaints per 10k population	35.49	41.37	33.00	32.01	Decreasing trend
Reoffending rates	25.6%	Data not yet published			Scotland's average for 15/16 is 27%, aim to be below the national level

Commitment 52

Devolve local decisions to four Locality Committees. Establish the membership of each Committee and how devolved decision making will work to encourage the maximum participation for local groups. Explore the effectiveness of community councils and how they can be enhanced to represent their local communities.

On
Track

Background

Locality Committees have been established and held their first meetings in February 2018. Each committee has looked at the different circumstances in each locality to decide how they can best engage with local groups.

Following a review of their first year, [the Council on 7 February 2019](#) decided to dissolve the committees.

Key Achievements

Council identified that although locality committees were not being taken forward, there was a commitment to devolving decision making

to local communities. As an alternative to locality committees, Council agreed to explore increased partnership working at a more localised level through using Neighbourhood Networks which will have greater representation from community groups including community councils.

[On 14 May 2019 Corporate Policy and Strategy Committee](#) considered a report on the potential role of the new neighbourhood networks in influencing Council decision making. The report also set out a specific proposal for the devolving of the Community Grants Fund.

The scheme for Community Councils has been reviewed in 2019 and amendments made to improve arrangements.

Next Steps

Further work will be undertaken following the Community Councils review and upcoming elections to explore how to improve support.

In 2019, we will also explore which other decisions can be devolved to a local level.

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The City of Edinburgh Council

10.00am, Thursday, 22 August 2019

Health and Social Care Integration Scheme – Carers (Scotland) Act 2016 – Outcome of Consultation

Item number	
Executive/routine	
Wards	All
Council Commitments	

1. Recommendations

- 1.1 To note that no responses to the consultation were received.
- 1.2 To agree to delegate Sections 6, 21, 24, 25, 31, 34 and 35 of the Carers (Scotland) Act 2016 to the Edinburgh Integration Joint Board.
- 1.3 To approve the revised Integration Scheme for submission to the Scottish Government.

Andrew Kerr

Chief Executive

Contact: Jamie Macrae, Committee Services

Email: jamie.macrae@edinburgh.gov.uk | Tel: 0131 553 8242

Health and Social Care Integration Scheme – Carers (Scotland) Act 2016 – Outcome of Consultation

2. Executive Summary

- 2.1 The Integration Scheme for the Edinburgh Integration Joint Board (“IJB”) requires to be updated to reflect changes brought about by the Carers (Scotland) Act 2016 (the “Carers Act”), which introduced new statutory obligations on local authorities and health boards, requiring certain local authority and health board functions to be delegated to Integration Joint Boards.
- 2.2 The City of Edinburgh Council, at the meeting of 27 June 2019, agreed to consult on the delegation of Sections 6, 21, 24, 25, 31, 34 and 35 of the Carers (Scotland) Act 2016 as they relate to adult social care.

3. Main report

- 3.1 The Carers Act, which came into effect on 1 April 2018, places a number of new duties on local authorities and health boards. In order to implement the Carers Act the Scottish Government amended the regulations made under the Public Bodies (Joint Working) (Scotland) Act 2014 to require that certain of the functions are delegated to integrated joint boards.
- 3.2 In order to accommodate these changes, the Integration Scheme for the Edinburgh IJB requires to be updated to include the new duties for delegation brought about by the Carers (Scotland) Act 2016.
- 3.3 The City of Edinburgh Council agreed, at its meeting on 27 June 2019, to consult on the delegation of the following local authority functions to the IJB:
 - 3.3.1 Section 6 – Duty to prepare adult carer support plan (and associated responsibilities to review and provide information)
 - 3.3.2 Section 21 – Duty to set local eligibility criteria (and associated responsibilities to publish and review)
 - 3.3.3 Section 24 – Duty to provide support
 - 3.3.4 Section 25 – Provision of support to carers: breaks from caring
 - 3.3.5 Section 31 – Duty to prepare local carer strategy (and associated responsibilities to publish and review)

3.3.6 Section 34 – Information and advice service for carers

3.3.7 Section 35 – Short breaks services statements

- 3.3 In terms of the new duties under the Carers Act, the above local authority functions must be delegated to the IJB. The statutory guidance states that “the requirement to delegate the above functions only extends to adult social care. Delegation of these functions with respect to children’s social care remains a matter for local decision.” Local authority functions under section 12 – duty to prepare young carer statement (and associated responsibilities to publish and review) may be delegated but there is no requirement to do so. It was proposed that the Council only delegates those functions associated with adult social care and that those functions that relate to children’s social care remain a matter for the local authority.

4. Next Steps

- 4.1 The revised Integration Scheme will be submitted to the Scottish Government for approval.

5. Financial impact

- 5.1 None.

6. Stakeholder/Community Impact

- 6.1 A statutory 6-week consultation on the proposed delegation of Sections 6, 21, 24, 25, 31, 34 and 35 of the Carers Act was launched on 4 July 2019 and closed on 15 August 2019. No responses were received.

7. Background reading/external references

- 7.1 [Edinburgh Integration Scheme Amendment - Consultation](#)
- 7.2 [Integration Scheme – Carers \(Scotland\) Act 2016 – Update](#) – report by the Chief Executive

8. Appendices

- 8.1 Revised Integration Scheme for submission to Scottish Government

**Final Integration Scheme
(Body Corporate)**

Edinburgh Integration Joint Board

Consultative Draft

July 2019

~~19 MAY 2019~~

~~Final Version for submission to Scottish Government~~

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Preamble: Aims of the Scheme and Vision for the IJB

The vision of the Parties for the IJB is to work together for a caring, healthier, safer Edinburgh.

The work of the IJB will be guided by the integration delivery principles as stated in the Act, and will contribute to the achievement of agreed health and wellbeing outcomes.

The Parties' ambition for the IJB is as follows:

- (a) In Edinburgh, the successful integration of health and social care will mean that people experience improved health and wellbeing; and that inequalities, including health inequalities, are reduced.
- (b) Services will become more focused on outcomes for individuals and will always be planned with and around people and local communities, who will be active partners in the design, delivery and evaluation of these services.
- (c) The Parties will work collaboratively to embed the shared vision within staff teams, to develop, train and support staff from all organisations to work together to respond appropriately and to put the needs of people we work with first.
- (d) The Parties will deploy their shared resources in the most cost effective way to achieve better outcomes for people, to maximise the efficiencies from coordination of care and to allow public funds to go further to meet demand.
- (e) The IJB will work in partnership with each of the Parties and their staff, with third sector organisations, independent sector providers and most importantly people and communities themselves, using best practice approaches in engagement and involvement, to deliver improved and fully-integrated health and social care services for the people of Edinburgh.
- (f) The IJB will respect the principles of equality, human rights, and independent living, and will treat people fairly.

The provisions within this preamble are not intended to create legally binding obligations.

Integration Scheme

between

The City of Edinburgh Council, constituted under the Local Government etc (Scotland) Act 1994 and having its principal office at Waverley Court, 4 East Market Street, Edinburgh EH8 8BG (“**CEC**”);

and

Lothian Health Board, established under section 2(1) of the National Health Service (Scotland) Act 1978 (operating as “NHS Lothian”) and having its principal offices at Waverley Gate, Waverley Gate, 2-4 Waterloo Place, Edinburgh EH1 3EG (“**NHS Lothian**”)

(together the “**Parties**”, and each a “**Party**”)

Background

- A. The Parties are required to comply with either subsection (3) or (4) of section 2 of the Act, and have elected to comply with subsection (3) such that the Parties must jointly prepare an integration scheme (as defined in section 1(3) of the Act) for the Edinburgh Area.
- B. In preparing this Scheme, the Parties (a) have had regard to the integration planning principles set out in section 4(1) of the Act and the national health and wellbeing outcomes prescribed by the Public Bodies (Joint Working)(National Health and Wellbeing Outcomes)(Scotland) Regulations 2014, (b) have complied with the provisions of section 6(2) of the Act and (c) have followed the guidance issued by the Scottish Ministers regarding the governance arrangements that are considered by Scottish Ministers to provide the requisite degree of integration; and in finalising this Scheme, the Parties have taken account of any views expressed by virtue of the consultation processes undertaken under section 6(2) of the Act.

The Parties agree as follows:

1. Definitions and Interpretation

- 1.1 The following definitions shall apply throughout this integration scheme and the preamble, except where the context otherwise requires:

“Act” means the Public Bodies (Joint Working) (Scotland) Act 2014;

“Edinburgh Area” means the local authority area served by CEC;

“IJB” means the Integration Joint Board for the City of Edinburgh Council area, to be established by Order under section 9 of the Act;

“IJB Budget” means the total funding available to the IJB in the relevant financial year as a consequence of:

- a) the payment for delegated functions from NHS Lothian under Section 1(3) (e) of the Act;
- b) the payment for delegated functions from CEC under Section 1(3) (e) of the Act; and
- c) the amount “set aside” by NHS Lothian for use by the IJB for functions carried out in a hospital and provided for the areas of two or more local authorities under Section 1(3)(d) of the Act;

“Integration Joint Boards Order” means the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014;

“Integration Scheme Regulations” means the Public Bodies (Joint Working) (Integration Scheme) (Scotland) Regulations 2014;

“Lothian IJBs” means the integration joint boards to which functions are delegated in pursuance of the integration schemes in respect of the local authority areas served by CEC, East Lothian Council, Midlothian Council and West Lothian Council respectively;

“Neighbouring IJBs” means the Lothian IJBs excluding the IJB;

“Operational Budget” means the amount of the payment made from the IJB to a Party in order to carry out delegated functions;

“Outcomes” means the health and wellbeing outcomes prescribed by the Scottish Ministers in Regulations under section 5(1) of the Act;

“Relevant Date” means the date on which the IJB is established by order under section 9 of the Act;

“Scheme” means this integration scheme;

“Standing Orders” means the standing orders for the regulation of the procedure and business of the IJB prepared in accordance with the Integration Joint Boards Order;

“Strategic Plan” means the plan which an integration joint board is required to prepare, in accordance with section 29 of the Act, in relation to the functions delegated to that integration joint board in pursuance of an integration scheme in respect of the relevant local authority area; and, except in its application to a strategic plan prepared or under preparation by one of the Neighbouring IJBs, means the strategic plan which the IJB is required to prepare in respect of the Edinburgh Area;

- 1.2 Words and expressions defined in the Act shall bear the same respective meanings in the Scheme, unless otherwise defined in the Scheme.
- 1.3 References to Sections are to the sections of this Scheme.
- 1.4 References to Annexes are to the annexes to this Scheme and references to Parts are to parts of the relevant Annex.

2. The Model to be Implemented

- 2.1 The integration model set out in section 1(4)(a) of the Act will apply in relation to the Edinburgh Area, namely the delegation of functions by each of the Parties to a body corporate (an “integration joint board”) that is to be established by Order under section 9 of the Act.
- 2.2 This Scheme comes into effect on the Relevant Date.

3. Local Governance Arrangements

3.1 Membership

3.1.1 The IJB shall have the following voting members:

- a. 5 councillors nominated by CEC
- b. 5 members nominated by NHS Lothian in compliance with articles 3(4) and 3(5) of the Integration Joint Boards Order.

3.1.2 The Parties may determine their own respective processes for deciding who to nominate as voting members of the IJB.

3.1.3 Non-voting members of the IJB will be appointed in accordance with regulation 3 of the Integration Joint Boards Order.

3.1.4 The term of office of members shall be as prescribed by regulation 7 of the Integration Joint Boards Order.

3.2 Chairperson and vice chairperson

3.2.1 The IJB shall have a chairperson and a vice-chairperson who will both be voting members of the IJB.

3.2.2 The term of office for the chairperson and the vice-chairperson will be two years.

3.2.3 The right to appoint the chairperson and vice-chairperson respectively shall alternate between each of the Parties on a two-year cycle, on the basis that during any period when the power to appoint the chairperson is vested in one Party, the other Party shall have power to appoint the vice-chairperson.

3.2.4 NHS Lothian shall appoint the chairperson and CEC the vice-chairperson for the initial two year period from the Relevant Date.

3.2.5 The chairperson shall not have a casting vote.

3.2.6 Each Party may change its appointment as chairperson (or, as the case may be, vice chairperson) at any time; and it is entirely at the discretion of the Party which is making the appointment to decide who it shall appoint.

3.3 Disqualification, Resignation, Removal, Voting and other matters

The provisions of articles 8 to 19 (but excluding article 14) of the Integration Joint Boards Order shall apply in relation to the IJB.

4. Delegation of Functions

4.1 The functions that are to be delegated by NHS Lothian to the IJB (subject to the exceptions and restrictions specified or referred to in Parts 1A and 1B of Annex 1) are set out in Parts 1A and 1B of Annex 1. The services currently provided by NHS Lothian in carrying out these functions are described in Part 2 of Annex 1.

- 4.2 The functions that are to be delegated by CEC to the IJB (subject to the restrictions and limitations specified or referred to in Part 1 of Annex 2) are set out in Part 1 of Annex 2. For indicative purposes only, the services which are currently provided by CEC in carrying out these functions are described in Part 2 of Annex 2.

5. Local operational delivery arrangements

Operational Role of IJB

- 5.1.1 The IJB must direct the Parties to carry out each of the functions delegated to the IJB. A direction in relation to a given function may be given to one or other of the Parties, or to both Parties. The primary responsibility for delivering capacity (that is to say, activity and case mix) in respect of the services associated with the carrying out of a given function shall lie with the IJB, and shall be reflected in the directions issued from time to time by the IJB. Subject to the provisions of the Act and the Scheme, the Parties are required to follow those directions.
- 5.1.2 The IJB shall oversee delivery of the services associated with the functions delegated to it by the Parties. The Integration Joint Board is the only forum where health and social care functions for the Edinburgh Area are governed by members of both NHS Lothian and CEC. Accordingly NHS Lothian and CEC agree that the primary focus for performance management in respect of delivery of the delegated functions will be at the Integration Joint Board.
- 5.1.3 NHS Lothian and CEC will provide performance information so that the IJB can develop a comprehensive performance management system.
- 5.1.4 The IJB performance management reports will be available to both NHS Lothian and CEC for their use in their respective performance management systems. However it is expected that the voting members of the IJB will take responsibility for performance management at the IJB, and will provide an account of highlights and/or exceptional matters to meetings of NHS Lothian and CEC.
- 5.1.5 In the interests of efficient governance, the relevant committees of NHS Lothian and CEC will continue to discharge their existing remits for assurance and scrutiny of the carrying out of NHS Lothian and CEC functions, regarding matters such as internal control, quality and professional standards, and compliance with the law. The Integration Joint Board will not duplicate the role carried out by those committees other than in exceptional circumstances where the IJB considers that direct engagement by

the IJB (or by a committee established by the IJB) is appropriate in order to secure the proper discharge by the IJB of its statutory responsibilities.

- 5.1.6 Each of the Parties shall use reasonable endeavours to procure that in the event that one of its committees identifies an issue which is of direct and material relevance to the Integration Joint Board, the chair of that committee will advise the Chair of the Integration Joint Board and the Chief Officer of that matter and will co-operate with the IJB (liaising as appropriate with any relevant committee established by the IJB) in supplying such further information and evidence in respect of that matter as the IJB may reasonably request.
- 5.1.7 The Parties shall ensure that their respective standing orders, schemes of delegation and other governance documents are amended (if and in so far as required) to reflect the IJB's powers and remit, and its place as a common decision-making body within the framework for delivery of health and social care within the Edinburgh Area.
- 5.1.8 The voting members of the Integration Joint Board are councillors of CEC and non-executive directors (or other board members) of NHS Lothian. In their capacity as councillors and non-executive directors, they will be engaged in the governance of their respective constituent bodies, and it is likely that they will be members of one or more committees of those constituent bodies.
- 5.1.9 Given the overall vision as outlined in the preamble to the Scheme, it is the intention that the interests of NHS Lothian, CEC, and the Integration Joint Board should be integrated. In all matters associated with the work of the Integration Joint Board, the voting members of the Integration Joint Board will be expected by the Parties to play a crucial role in:
- (a) communicating, and having due regard to, the interests of NHS Lothian or (as the case may be) CEC, but on the understanding that, in carrying out their role as a member of the Integration Joint Board, their primary duties and responsibilities are those which attach to them in that capacity;
 - (b) communicating, and having due regard to, the interests of the Integration Joint Board whilst discharging their role as a councillor or (as the case may be) as a non-executive director, but on the understanding that, in carrying out their role as a councillor or non-executive director, their primary duties and responsibilities are those which attach to them in that capacity.

5.1.10 Without prejudice to the role of the voting members of the Integration Joint Board (as specified above) in relation to oversight of operational delivery of services in accordance with directions issued to either or both of the Parties by the Integration Joint Board, the Integration Joint Board will, through the Chief Officer, have an appropriate role in the operational delivery of services by the Parties in the carrying out of integration functions. The Parties acknowledge that the Chief Officer's role in operational delivery will represent an important means by which closer integration of services, in accordance with the integration delivery principles specified in the Act, can be achieved. For the avoidance of doubt, the Chief Officer's role in operational delivery shall not displace

- (a) the responsibilities of each Party regarding compliance with directions issued by the Integration Joint Board; or
- (b) the principle that each Party's governance arrangements must allow that Party to manage risks relating to service delivery.

5.1.11 This Scheme sets out, in various sections of the Scheme, the detailed measures regarding the governance of integration functions. Over and above these measures, the Parties will use all reasonable endeavours to ensure that the members of the IJB are fully involved in overseeing the carrying out of integration functions through the following measures:

- (a) The terms of reference, membership and reporting arrangements of the relevant committees of the Parties shall be reviewed shortly after the establishment of the IJB and periodically thereafter, with a view to reinforcing the principles of integration and reflecting the role of the IJB and its members; and the IJB will be consulted in the context of each of such reviews; and
- (b) In order to develop a sustainable long term solution for the oversight of integration functions by the members of the IJB, a working party will be convened, with membership drawn from all four Lothian IJBs and from the Parties; the working party will develop recommendations in this regard for approval by the IJB.

5.1.12 In addition to the specific commitments set out above and the obligations regarding provision of information attaching to the Parties under the Act, each of the Parties will use reasonable endeavours to provide the Integration Joint Board with any information which the Integration Joint Board may reasonably require from time to time to support

its responsibilities regarding strategic planning, performance management, and public accountability.

Support for Strategic Planning

5.1.13 The Parties will provide the IJB with all information that it may reasonably require to prepare its Strategic Plan, including information that is pertinent specifically to localities.

5.1.14 The Parties will advise the IJB of any intention to change service provision where that change would have a significant impact on the Strategic Plan.

5.1.15 The Parties will support the IJB in ensuring that the consultation process associated with the preparation of each Strategic Plan for the Edinburgh Area includes other integration authorities likely to be affected by the Strategic Plan. The integration authorities that are most likely to be affected by the Strategic Plan for the Edinburgh Area are:

- (a) East Lothian integration joint board
- (b) Midlothian integration joint board
- (c) West Lothian integration joint board.

5.1.16 NHS Lothian will procure that reciprocal provisions to those set out in Sections 5.1, 5.2 and to 5.3 are contained in the integration schemes of the Neighbouring IJBs.

5.1.17 The Parties will provide appropriate support (through the measures specified in Section 5.1.18) with a view to ensuring that the IJB can:

- (a) effectively engage in all of the planning processes and support the Neighbouring IJBs in discharging their role, including contributing to the work of the Strategic Planning Groups for the Neighbouring IJBs as required;
- (b) provide such information and analysis as Neighbouring IJBs reasonably require for the production of their Strategic Plans;
- (c) inform Neighbouring IJBs as to how the services, facilities and resources associated with the functions delegated to the IJB by the Parties are being or are intended to be used with respect to carrying out of those functions in line with these planning processes;

- (d) in a situation where Strategic Plans in one area are likely to have an impact on the plans in another area, ensure that these matters are raised with other relevant integration joint boards and resolved in an appropriate manner;
- (e) in a situation where Strategic Plans in another area are likely to have an impact on the Edinburgh Area, ensure that these matters are raised and any associated risks are mitigated for the benefit of service users.

5.1.18 The measures referred to in Section 5.1.17 are as follows:

- (a) The Chief Officers for the Lothian IJBs sharing information and working collaboratively, taking reasonable steps to ensure that each of the Lothian IJBs is aware of emerging proposals intended to be described in any of the Strategic Plans which are under preparation by the Lothian IJBs;
- (b) Regular meetings between the Chief Officers for the Lothian IJBs and relevant managers of NHS Lothian to provide the Chief Officers with an opportunity to communicate any proposed changes likely to be required by their integration joint boards which will impact on service provision for the population served by another integration joint board and to allow NHS Lothian managers to make the Chief Officers of the Lothian IJBs aware of any new developments which could have a bearing on Strategic Plans;
- (c) Regular meetings between the Chief Officer of the IJB and relevant senior officers of CEC to provide the Chief Officer with an opportunity to communicate any proposed changes likely to be required by the IJB which may impact on service provision for other services delivered by CEC, and to allow CEC senior officers to make the Chief Officer aware of any developments which could have a bearing on the Strategic Plan.

5.1.19 In addition, a template will be introduced for the IJB, with the support of each of the Parties, to help to ensure that all major strategic matters are considered in light of the potential impact on Neighbouring IJBs, and on services provided by the Parties which are not delivered in the course of carrying out functions delegated to the IJB.

5.2 Lothian Hospitals Strategic Plan

5.2.1 NHS Lothian will develop a plan (the “**Lothian Hospitals Strategic Plan**”) to avoid destabilisation of hospital provision and to support the Lothian IJBs to achieve their

purpose. The Lothian Hospitals Strategic Plan will encompass both functions delegated to the Lothian IJBs and functions that are not so delegated.

5.2.2 The Lothian Hospitals Strategic Plan will be developed in partnership with the Lothian IJBs where integration functions are delivered by NHS Lothian in a hospital. It will reflect the relevant provisions of the Strategic Plans prepared by the respective Lothian IJBs, as well as NHS Lothian plans for non delegated functions. The first Lothian Hospitals Strategic Plan will be published by 1 December 2015.

5.2.3 The purpose of the Lothian Hospitals Strategic Plan is to ensure that planning for hospital functions and use of hospital facilities is:

(a) responsive to and supports each Strategic Plan prepared by the Lothian IJBs for delegated functions; and

(b) supports the requirement of NHS Lothian to deliver hospital services required by the IJB and other hospital services that are not the responsibility of the Lothian IJBs (e.g. tertiary, trauma, surgical, planned and children's services).

5.2.4 The Lothian Hospitals Strategic Plan will be a plan developed jointly by NHS Lothian and the Lothian IJBs. The elements of the Lothian Hospitals Strategic Plan addressing non delegated functions can only be agreed by the NHS Lothian Board after the four Lothian IJBs have been consulted and their views and requirements appropriately considered. Elements of the Lothian Hospitals Strategic Plan which cover functions delegated to the respective Lothian IJBs will be signed off by relevant Lothian IJBs in consultation with NHS Lothian and all Lothian IJBs.

5.2.5 The Lothian Hospitals Strategic Plan will be updated at least every three years; the process to update the plan (which will include appropriate consultation) will be led by NHS Lothian.

5.3 Professional, technical or administrative support services

5.3.1 In the short term, the Parties will continue to use the arrangements that have already been put in place to provide professional, technical and administrative support to Community Health Partnerships, social care services and joint working more generally.

5.3.2 In order to develop a sustainable long term solution, a working party will be convened, with membership from NHS Lothian and the four local authorities which prepared

integration schemes for the Lothian IJBs. This working party will develop recommendations for approval by NHS Lothian, the four local authorities, and the Lothian IJBs.

5.3.3 Key matters that the working party will address are:

- (a) understanding the needs of the Lothian IJBs (in relation to functions delegated to them), as well as the continuing needs of the Parties (for non-delegated functions);
- (b) defining what is meant by “professional, technical or administrative services”;
- (c) systems to appoint the Chief Officer and Chief Finance Officer, as well as addressing their requirements for support;
- (d) bringing all these elements together and devising a pragmatic and sustainable solution.

5.3.4 The working party will link in with any ongoing initiatives that are pertinent to its agenda, so that all relevant work is co-ordinated. Any changes will be taken forward through the existing systems in NHS Lothian and CEC for consultation and managing organisational change.

5.3.5 As soon as the proposals have been finalised by the working party and agreed by NHS Lothian and the four local authorities which prepared the integration schemes for the Lothian IJBs, a draft agreement will be prepared reflecting the agreed proposals. The draft agreement will be adjusted in line with discussions among the parties, and, as soon as the terms have been finalised, it is intended that the agreement will then be formally executed by NHS Lothian, the four local authorities, and the Lothian IJBs (including the IJB).

5.4 Performance targets, improvement measures and reporting arrangements

5.4.1 All national and local outcomes, improvement measures and performance targets which are connected exclusively with the functions delegated by the Parties to the IJB under the Scheme will become the responsibility of the IJB to deliver; and the IJB will also be responsible for providing all such information regarding integration functions which is required by either of the Parties to enable each of them to fulfil its obligations regarding reporting arrangements in respect of those functions.

- 5.4.2 Where particular national or local outcomes, measures or targets (and associated reporting arrangements) relate to services which are associated with both integration functions and functions which are not delegated by a Party to the IJB, the responsibility for the outcomes, measures or targets (and associated reporting arrangements) will be shared between the IJB and the Party or Parties which exercise those functions, and the IJB will be responsible for providing all such information regarding those integration functions as is required by the relevant Party to enable it to fulfil its obligations regarding reporting arrangements.
- 5.4.3 A set of shared principles will be developed and agreed between the Parties for targets and measurement based on existing best practice.
- 5.4.4 A core group of senior managers and relevant support staff from each Party will develop the performance framework for the IJB, taking account of relevant national guidance. In addition, a collaborative approach will be adopted with wider partners involved in the strategic planning group to develop a holistic approach to performance across the whole system. The framework will be underpinned by the Outcomes and will be developed to drive change and improve effectiveness. The framework will be informed by an assessment of current performance arrangements across the whole system and the development of a set of objectives which the framework will be intended to achieve.
- 5.4.5 The Parties recognise that the performance management framework for the IJB needs to be robust, and should draw from reliable information. In any performance management system there are risks that the information is inaccurate, incomplete, or not prepared on a consistent basis. It is also important to ensure that performance management systems are efficient and sustainable. To address these issues an integration dataset (“**Integration Dataset**”) will be created for the IJB.
- 5.4.6 The Integration Dataset will be a core set of indicators and measures identified by the Parties from publicly accountable and national indicators and targets which relate to services delivered in carrying out the functions of the IJB and will provide information for the performance framework developed through the process described in Section 5.4.4.
- 5.4.7 The Integration Dataset will include information on the data gathering, reporting requirements and accountability for each of the indicators, measures and targets referred to in Section 5.4.6; and including, in relation to each target, the extent to which responsibility is to transfer to the IJB.

- 5.4.8 The performance framework will be based on indicators from the Integration Dataset which are aligned with the priority areas identified in the joint strategic needs assessment and the Strategic Plan, and will be refined as these documents are reviewed and refreshed. These priority areas will be aligned with the indicators within the Integration Dataset and will be linked to the Outcomes, to demonstrate progress in delivering the Outcomes.
- 5.4.9 The Parties have obligations to meet targets for functions which are not delegated to the IJB, but which are affected by the performance and funding of integration functions. Therefore, when preparing performance management information, the Parties agree that the effect on both integration and non-integration functions must be considered and details must be provided of any targets, measures and arrangements for the IJB to take into account when preparing the Strategic Plan. Where responsibility for performance measures and targets is shared, this will be set out clearly for agreement by the relevant Parties.
- 5.4.10 The Integration Dataset will include information on functions which are not delegated to the IJB. Either one of the Parties, or the IJB, will be able to reasonably require information of that nature to be included within the Integration Dataset.
- 5.4.11 The Integration Dataset will be developed during the strategic planning process in 2015. A final Integration Dataset will be submitted for approval by the IJB and the Parties before 1 March 2016.
- 5.4.12 The Integration Dataset will be reviewed on at least an annual basis, through a process similar to that outlined above.

6. Clinical and Care Governance

6.1 Introduction

- 6.1.1 This section of the Scheme sets out the arrangements that will be put in place to allow the IJB to fulfil its role with professional advice and with appropriate clinical and care governance in place. The Parties will expect the IJB to develop more integrated arrangements in the Edinburgh Area to complement the existing clinical and care governance arrangements.
- 6.1.2 The Parties have well established governance systems (including committees of NHS Lothian and Committees of CEC), to provide governance oversight in terms of clinical and care governance, as well as assurance for professional accountabilities. Those

existing systems will continue following the establishment of the IJB and their scope will be extended so as to support the IJB in fulfilling its clinical and care governance responsibilities.

6.1.3 This section describes the relationship between the Parties' clinical and care governance systems and the IJB. The relationship between these systems and (a) the Strategic Planning Group and (b) the delivery of services within localities, will be via the Chair and Chief Officer of the IJB, and further supported by the non-voting professional members of the IJB. The IJB will be responsible for ensuring that the Strategic Planning Group has sufficient information regarding clinical and care governance to effectively fulfil its remit; and each of the Parties undertakes to provide all such information as the IJB may reasonably require from time to time to support the IJB in discharging that responsibility.

6.1.4 Continuous improvement and the quality of service delivery (and its impact on outcomes) will be addressed through the development of the IJB's performance management framework pursuant to Section 5 of the Scheme.

6.1.5 The arrangements for local operational oversight by the IJB as Specified in section 5 will also apply to clinical and care governance.

6.1.6 Within its existing governance framework, NHS Lothian has:

(a) a healthcare governance committee, the remit of which is to provide assurance to the Board of NHS Lothian that the quality of all aspects of care in NHS Lothian is person-centred, safe, effective, equitable and maintained to a high standard and to provide assurance to the Board of NHS Lothian that NHS Lothian meets its responsibilities with respect to:-

- i. NHS Lothian participation standards
- ii. Volunteers/Carers
- iii. Information governance
- iv. Protection of vulnerable people including children, adults, offenders
- v. Relevant statutory equalities duties;

and

(b) a staff governance committee, the remit of which is to support and maintain a culture within NHS Lothian where the delivery of the highest possible standard of staff management is understood to be the responsibility of everyone working within NHS Lothian and is built upon partnership and collaboration. The staff

governance committee must ensure that robust arrangements to implement the (NHS Scotland) Staff Governance Standard are in place and monitored.

- 6.1.7 The staff governance committee has the primary role on staff governance matters, but can and does refer matters of relevance to the healthcare governance committee.
- 6.1.8 The healthcare governance committee can request assurance from the staff governance committee on matters of direct relevance to its remit, e.g. quality of recruitment, learning and development, completion of mandatory training.
- 6.1.9 Within CEC, the Chief Social Work Officer has overall responsibility for the professional standards of CEC's social work and social care staff. The workforce is also regulated by the Scottish Social Services Council (SSSC), and all social work professional staff must by law be registered with the SSSC. This registration requirement will, in due course, extend to all social care staff employed by CEC and the voluntary and independent sectors. Allied health professionals are required to register with their relevant professional body.
- 6.1.10 The Chief Social Work Officer reports annually to CEC on the registration of the workforce and on training, including mandatory training and post-qualifying learning and development. The Chief Social Work Officer will provide a copy of this annual report to the IJB.
- 6.1.11 The Chief Social Work Officer also reports annually to CEC on standards achieved, governance arrangements and volume/quantity of statutory functions discharged. This report must comply with national guidance issued by the Scottish Government. The Chief Social Work officer will provide a copy of this annual report to the IJB.
- 6.1.12 For the avoidance of doubt, the rationale for using the relevant existing NHS Lothian and CEC committees (and associated arrangements) as a primary source of assurance for the IJB regarding clinical and care governance is that, following the establishment of the IJB, the Parties will have continuing governance responsibilities for both delegated and non-delegated functions and, against that background, the use of existing NHS Lothian and CEC committees avoids unnecessary bureaucracy. The IJB will be engaged through its membership on these committees and its relationship with the chairs of these committees. The IJB will be in a position to holistically consider the information and assurance received from the Parties in exercising its functions. If at any time the IJB is not satisfied with the information or assurance that it receives from the Parties, or with the effectiveness of the Parties' committees, it may address the issues

of concern (a) by requesting a Party to take appropriate steps to revise its clinical and care governance systems, or (b) by revising its own clinical and care governance systems.

6.2 Professional advice

There is a risk that a Strategic Plan and/or a direction issued by the IJB could have a negative impact on clinical and care governance and/or on professional accountabilities. This section of the Scheme sets out the arrangements that will be put in place to avoid this.

- 6.2.1 NHS Lothian's Board has within its executive membership three clinical members (referred to below as "**Executive Clinical Directors**"): a Medical Director, a Nurse Director, and a Director of Public Health. Their roles include responsibility for the professional leadership and governance of the clinical workforce (medical, nursing, allied health professionals, healthcare scientists, psychology, pharmacy), as well as clinical governance within NHS Lothian generally. The creation of the IJB does not change their roles in respect of professional leadership, and they remain the lead and accountable professionals for their respective professions.
- 6.2.2 CEC has a Chief Social Work Officer who reports to the Chief Executive and councillors. The Chief Social Work Officer monitors service quality and professional standards in social care and social work, for staff employed in both adult and children's services, together with standards in relation to the protection of people at risk. The Chief Social Work Officer role also includes quality assurance of decision-making with regard to adult social care, mental health, criminal justice and children's services, in particular in relation to public protection and the deprivation of liberty.
- 6.2.3 The creation of an IJB does not change the Chief Social Work Officer's role in respect of professional leadership, and he or she will remain the lead and accountable professional for his or her profession.
- 6.2.4 The Chief Social Work Officer must be a non-voting member of the IJB
- 6.2.5 The IJB may elect to appoint one or both of the Medical Director and Nurse Director as additional non-voting members of the IJB.
- 6.2.6 The Integration Joint Boards Order requires NHS Lothian to fill the following non-voting membership positions on the IJB:

- (a) a registered medical practitioner whose name is included in the list of primary medical services performers prepared by the Health Board in accordance with Regulations made under Section 17P of the National Health Service (Scotland) Act 1978;
- (b) a registered nurse who is employed by the Health Board or by a person or body with which the Health Board has entered into a general medical services contract; and
- (c) a registered medical practitioner employed by the Health Board and not providing primary medical services.

6.2.7 NHS Lothian will consider the advice of the Executive Clinical Directors, and of any other relevant officer it deems fit, before making appointments to fill the membership positions referred to in Section 7.2.6. The appointees will be professionally accountable to the relevant Executive Clinical Director.

6.2.8 NHS Lothian will develop a role description for the appointments referred to in Section 7.2.6, to ensure that their role on the IJB with regard to professional leadership and accountability is clearly defined and understood.

6.2.9 The three health professional representatives referred to in Section 7.2.6 will each also be:

- (a) a member of an integrated professional group (should it be established), and/or
- (b) a member of an NHS Lothian Board committee, and/or
- (c) a member of a consultative committee established by NHS Lothian.

6.2.10 If a new 'integrated professional group' is established, then the Chief Social Work Officer must also be a member.

6.2.11 The three health professional representatives set out in Section 7.2.6 and the Chief Social Work Officer will be expected by the Parties to play a lead role in:

- (a) communicating and having regard to their duties to NHS Lothian or CEC as the case may be whilst discharging their role as a member of the IJB;

- (b) communicating and having regard to the interests of the IJB whilst discharging their duties as professionals employed by NHS Lothian or (as the case may be) CEC.

6.2.12 The members will be expected to communicate regularly with the Executive Clinical Directors, and CEC's Chief Executive as and when appropriate.

6.2.13 The presence of these four members will ensure that the decisions of the IJB are informed by professional advice from within the membership of the IJB.

6.2.14 As noted in Section 7.1.10, the Chief Social Work Officer reports annually to CEC on the registration of the workforce and on training, including mandatory training and post-qualifying learning and development.

6.2.15 NHS Lothian includes a governance statement in its annual accounts, the content of which is informed by the annual reports of its governance committees (such as healthcare governance and staff governance) and certificates of assurance from its Executive Clinical Directors. The IJB may place reliance on these existing processes, and the Parties will provide any such reports from those processes as the IJB may require.

6.2.16 The Executive Clinical Directors shall be entitled to raise issues directly with the IJB in writing. The IJB shall be required to respond in writing when issues are raised in this way. The Chief Social Work Officer will be a non-voting member of the IJB, and can therefore raise any issues directly at the IJB.

6.2.17 The engagement of professionals throughout the process to develop and consult on the Strategic Plan, is intended to ensure that the IJB has all the required information to prepare a Strategic Plan which will not compromise professional standards.

6.2.18 In the unlikely event that the IJB issues a direction to NHS Lothian which is reasonably likely to compromise professional standards, then in the first instance the relevant Executive Clinical Director will write to the IJB.

6.2.19 If the issue is not resolved to his/her satisfaction, he/she must inform the Board of NHS Lothian before it takes action to implement the direction, and the following measures will apply:

- (a) the relevant Executive Clinical Director must ensure that appropriate advice is tendered to the Board of NHS Lothian on all matters relating to professional standards;
- (b) the relevant Executive Clinical Director must set out in writing to the Board of NHS Lothian any objections he/she may have on a proposal that may compromise compliance with professional standards;
- (c) the Board of NHS Lothian will inform the IJB that it has received such objections, along with a statement of the views of the Board of NHS Lothian on those objections;
- (d) if the Board of NHS Lothian decides to proceed with a proposal despite those objections, then the relevant Executive Clinical Director must obtain written authority from the Board of NHS Lothian to act on the proposal. The Board of NHS Lothian must inform the Scottish Government Health & Social Care Directorate if a request for such a written authority is made. A copy of that authority must be sent to the appropriate regulatory body, e.g. General Medical Council;
- (e) once the relevant Executive Clinical Director has received that written authority, then he/she must comply with it.

6.2.20 Regardless of whether written authority has been given, the Executive Clinical Directors, in their capacity as members of the board of NHS Lothian, should always vote against a proposal that they cannot endorse as accountable officers. It is not sufficient to abstain from a decision.

6.2.21 The three professional clinical members on the IJB (two medical practitioners, one nurse) are non-voting members. They will be expected by the Executive Clinical Directors to raise any concerns in relation to matters which may compromise professional standards with the IJB.

6.2.22 If any of the three professional clinical members becomes aware of a matter arising from the conduct of IJB business which may compromise professional standards, he/she must immediately notify the Chief Officer of the IJB of his/her concerns, and if his/her concerns are not resolved by the Chief Officer to his/her satisfaction, must then raise the matter with the Chief Executive of NHS Lothian.

6.2.23 The Chief Social Work Officer will be a non-voting member of the IJB, and as such, will contribute to decision-making, and will provide relevant professional advice to influence service development.

6.2.24 In the event that the IJB issues an instruction to a Party which in the view of the Chief Social Work Officer compromises professional social work standards or the discharge of statutory functions, the Chief Social Work Officer must immediately notify the Chief Officer of the IJB of his/her concerns, and if his/her concerns are not resolved by the Chief Officer to his/her satisfaction, must then raise the matter with the Chief Executive of CEC.

6.3 Professionals Informing the IJB Strategic Plan

6.3.1 With regard to the development and approval of its Strategic Plan, the IJB is required by the Act to:

- (a) establish a strategic planning group (which will review the draft Strategic Plan). This strategic planning group must include a nominee from each Party in its membership, as well as representation from health professionals and social care professionals. The Parties will make recommendations to the IJB with regard to the representation from health professionals and social care professionals;
- (b) formally consult both Parties on its Strategic Plan, and take into account their views before it finalises the Strategic Plan.

6.3.2 There will be three opportunities within these arrangements for professional engagement in the planning process;

- (a) at the IJB
- (b) in the context of the work of the strategic planning group; and
- (c) as part of the consultation process with the Parties associated with the Strategic Plan.

6.3.3 The membership of the IJB will not be the only source of professional advice available to the IJB, In advance of the establishment of the IJB, the Parties agree that the chairs of all appropriate committees and groups will be informed that they are able to, and expected to, directly provide advice to the IJB. Those committees and groups may also

advise an integrated professional group that provides advice to the IJB. Those committees and groups include, but are not limited to:

- (a) Area Clinical Forum
- (b) Local consultative committees that have been established under Section 9 of the National Health Service (Scotland) Act 1978.
- (c) Managed Clinical/ Care Networks
- (d) Edinburgh Public Protection Committees (adult and child protection, drug and alcohol, violence against women, offender management etc). The IJB will consult these committees on any plans that may impact on the protection of children or vulnerable adults or people who are assessed as posing a risk
- (e) any integrated professional group which may be established.

6.3.4 The shadow arrangements established within the Shadow Edinburgh Health and Social Care Partnership will be reviewed in light of the legislation and guidance, in order to determine whether any new professional committees need to be established.

6.3.5 The Parties will ensure that the draft Strategic Plan is sent to the following senior professionals in order to secure their input and advice:

- (a) NHS Lothian Medical Director
- (b) NHS Lothian Nurse Director
- (c) NHS Lothian Director of Public Health & Health Policy
- (d) NHS Lothian Allied Health Professions Director
- (e) Chief Social Work Officer
- (f) Head of Housing.

6.3.6 The engagement of CEC professionals will not be limited to social work staff, but will extend to related professionals, such as, but not exclusively, occupational therapists, home care, housing and social care staff.

6.3.7 The approach to locality planning and delivery including the arrangements for clinical and social care governance will be developed through the strategic planning process in a collaborative manner and determined by the IJB.

6.4 External scrutiny of clinical and care functions

6.4.1 NHS Lothian seeks assurance for internal control/quality through its Healthcare Governance Committee, which includes reports by external bodies such as Healthcare Improvement Scotland.

6.4.2 The Care Inspectorate (Social Care and Social Work Improvement Scotland) regulates, inspects and supports improvement of adult and children's social work and social care, and its reports feed into CEC's system of governance.

6.4.3 The IJB will consequently be informed of any relevant issues from external scrutiny, as a consequence of drawing from the systems already established by the Parties.

6.5 Service User and Carer Feedback

6.5.1 The Parties have a range of systems already in place to capture and respond to service users' experience, and these will continue to be used as the Parties implement the directions of the IJB.

6.5.2 As part of the wider strategic planning process (particularly the joint strategic needs assessment process) and the performance management framework, existing work streams on (a) standards and quality improvement and (b) service user feedback will be used to inform how the IJB can address the integration delivery principles and deliver on the Outcomes.

7. Chief Officer

7.1 The Chief Officer will be appointed by the IJB; he/she will be employed by one of the Parties and will be seconded to the IJB.

7.2 The Chief Officer will provide a strategic leadership role as principal advisor to and officer of the IJB and will be a member of the senior management teams of both Parties. The Chief Officer will lead the development and delivery of the Strategic Plan for the IJB and will be accountable to the IJB for the content of the directions issued to the Parties by the IJB and for monitoring

compliance by the Parties with directions issued by the IJB. The Chief Officer's role in operational delivery will represent an important means by which closer integration of services, in accordance with the integration delivery principles specified in the Act, can be achieved.

- 7.3 The Chief Officer will be jointly managed by both Parties in respect of operational delivery and will report directly to the Chief Executive of NHS Lothian and the Chief Executive of CEC. There will be a joint process for regular performance reviews, support and supervision with both Chief Executives.
- 7.4 Annual objectives for the Chief Officer will be agreed and the process will involve the chairperson of the IJB agreeing objectives with the Chief Officer relevant to his/her role with the IJB as well as the Chief Executives of CEC and NHS Lothian. The Chief Officer's performance against those annual objectives will be monitored through an agreed performance management framework established by the Party which is his/her employer.
- 7.5 If an interim replacement for the Chief Officer of the IJB is required, in accordance with a request from the IJB to that effect (on the grounds that the Chief Officer is absent or otherwise unable to carry out his/her functions), the Chief Executives of CEC and NHS Lothian will initiate a joint selection process, identifying a list of potential replacements; and selection of a suitable candidate will be undertaken against a set of agreed criteria. The interim replacement will be employed by one of the Parties and will be seconded to the IJB on an interim basis.
- 7.6 The Chief Officer will have operational responsibility for all of the functions delegated to the IJB, subject to the following exceptions:
- 7.5.1 services associated with delegated functions which are delivered at the Western General Hospital, the Royal Infirmary of Edinburgh, St John's Hospital and the Royal Edinburgh Hospital will (subject to the directions issued from time to time by the IJB) be operationally managed by NHS Lothian;
- 7.5.2 each of the specific services associated with functions delegated by NHS Lothian which is proposed to be managed on a pan-Lothian basis as a 'hosted service' will be operationally managed by one of the chief officers of the Lothian IJBs, as proposed by NHS Lothian, in their role as a member of the NHS Lothian senior management team, subject to the directions issued from time to time by the IJB; and
- 7.5.3 where a physical change to a property is assessed to be required for an adult with social care needs, this will be operationally managed by CEC, subject to the directions issued from time to time by the IJB.

7.6 A group consisting of senior managers of NHS Lothian responsible for hospital functions delegated to the IJB and the chief officers of the four Lothian IJBs will be established, to ensure close working arrangements between:

7.6.1 chief officers of the four Lothian IJBs, and senior managers of NHS Lothian responsible for hospital services; and

7.6.2 the chief officer of a Lothian IJB responsible for the management of any hosted services on behalf of the other three Lothian IJBs, and the other Lothian IJB chief officers.

8. Workforce

8.1 A human resources and organisational development working group established by the Parties has prepared a work plan for integrating the health and social care workforce in Edinburgh. This group includes NHS Lothian partnership representatives and trade union representatives from CEC. The work plan guiding the work of the group includes a number of work streams, two of which focus on the implementation of an integrated senior management model and an organisational development plan respectively.

8.2 The organisational development plan, agreed between the Parties, is currently being implemented. This is a comprehensive plan which covers staff communication, staff engagement, staff and team development, leadership development and the training needs for those staff members who will be responsible for managing integrated teams. In particular, it includes procurement of team and leadership development programmes.

8.3 A workforce plan will be developed for the IJB to support the implementation of the Strategic Plan. The workforce plan will take into account the workforce supply and demand challenges that will need to be addressed in order to be able to implement the Strategic Plan.

8.4 Both the organisational development plan and workforce plan will be finalised following completion of the first Strategic Plan and will be refreshed annually to ensure that they take account of the Strategic Plan and the development needs of staff engaged in the delivery of integrated functions.

8.5 The Lothian-wide work plan for 2014 / 2015 guiding the group referred to in Section 8.1 is already agreed by the Parties. It will be reviewed annually.

9. Finance

9.1 Financial Governance

Appointment of a Chief Finance Officer

- 9.1.1 The IJB will make arrangements for the proper administration of its financial affairs. This will include the appointment of a Chief Finance Officer with this responsibility.
- 9.1.2 The IJB will have regard to the current CIPFA guidance on the role of the chief financial officer in local government when appointing to this finance role. A job description will be developed with due regard to Scottish Government guidance in terms of financial functions.
- 9.1.3 The Chief Finance Officer will be employed by CEC or NHS Lothian and seconded to the IJB.
- 9.1.4 In the event that the Chief Finance Officer position is vacant, the Chief Officer shall secure, through agreement with both the CEC Section 95 officer and the NHS Lothian Director of Finance, an appropriate interim dedicated resource to discharge the role.

Financial Management of the IJB

- 9.1.5 The IJB will determine its own internal financial governance arrangements; and the Chief Finance Officer will be responsive to the decisions of the IJB, and the principles of financial governance set out in this Scheme.

Principles of Financial Governance

- 9.1.6 The Parties will work together in a spirit of openness and transparency, in all matters associated with financial governance.

Financial Governance

- 9.1.7 CEC and NHS Lothian agree to the establishment of an IJB Budget (as defined in Section 1 of the Scheme). The Chief Officer will manage the IJB Budget.
- 9.1.8 The Parties are required to implement the directions of the IJB in carrying out a delegated function in line with the Strategic Plan, provided that the costs incurred by the relevant Party in implementing a direction shall be met in full by the IJB.

- 9.1.9 The Parties will apply their established systems of financial governance to the payments they receive from the IJB. The NHS Lothian Accountable Officer and the CEC Section 95 Officer have legally defined responsibilities and accountability for the financial governance of their respective bodies.
- 9.1.10 The Chief Officer in his/her operational role within NHS Lothian and CEC is responsible for the financial management of any Operational Budget, and is accountable for this to the NHS Lothian Chief Executive and CEC Section 95 officer.
- 9.1.11 The IJB will develop its own financial regulations. The Chief Finance Officer will periodically review these financial regulations and present any proposed changes to the IJB for its approval.
- 9.1.12 CEC will host the IJB financial accounts and will be responsible for recording the IJB financial transactions through its existing financial systems, including the ability to establish reserves.
- 9.1.13 The IJB's Chief Finance Officer will be responsible for preparing the IJB's accounts and ensuring compliance with statutory reporting requirements as a body under the relevant legislation.
- 9.1.14 The IJB's Chief Finance Officer will also be responsible for preparing a medium-term financial plan to be incorporated into the Strategic Plan. The IJB's Chief Finance Officer will also be responsible for preparing the annual financial statement that the IJB must publish under Section 39 of the Act, which sets out what the IJB intends to spend in implementation of the Strategic Plan.
- 9.1.15 The Chief Finance Officer will be responsible for producing finance reports to the IJB, ensuring that those reports are comprehensive.
- 9.1.16 The Chief Finance Officer will liaise closely with the CEC Section 95 officer and the NHS Lothian Director of Finance and their teams in order to discharge all aspects of his/her role. Section 6 of the Scheme sets out the process the Parties will undertake to determine how professional, technical and administrative services (including, without limitation, finance support) will be provided to the IJB.

9.2 Payments to the IJB (made under Section 1(3) (e) of the Act)

9.2.1 The Parties will agree annually a schedule of payments (covering their respective calculated payments for the financial year in accordance with the Strategic Plan) to the IJB. This schedule of payments will be agreed within the first 30 working days of each new financial year.

9.2.2 It is expected that the net difference between payments into and out of the IJB may result in a balancing payment between CEC and NHS Lothian for each financial year which reflects the effect of the directions of the IJB. The anticipated amount of the balancing payment will be reviewed throughout each financial year; and depending on the expected amount of the balancing payment for a given financial year, the balancing payment will be made either on a single occasion or on a quarterly basis during a given financial year by agreement between the Parties.

Payments to the IJB

9.2.3 The Parties will apply their respective financial planning processes to arrive at a core baseline Operational Budget for each function delegated to the IJB; this will be used to calculate their respective payments to the IJB for the financial year in question.

Hosted Services

9.2.4 Some of the functions that will be delegated by NHS Lothian to all four Lothian IJBs are currently provided as part of a single Lothian-wide service, (referred to below as “**Hosted Services**”). As such there is not currently a separately identifiable budget for Hosted Services allocated to each local authority area.

9.2.5 In order to identify the core baseline budget for each of the Hosted Services in each local authority area, NHS Lothian will initially determine which of the following methodologies is the most appropriate in representing the distribution of the delivery of those services in each local authority area and their respective populations at a given point in time:

- (a) local activity and cost data for each service within each local authority area;
- (b) population distribution across the local authority areas;
- (c) patient level activity and cost data;

(d) historically applied and recognised percentages.

NHS Lothian will follow the same process in relation to each subsequent financial year.

9.2.6 CEC and the IJB will review the proposals from NHS Lothian referred to above, as part of a due diligence process, and the core baseline budget will be jointly agreed.

Due Diligence

9.2.7 The Parties will share information on the financial performance over the previous two financial years of the functions which will be delegated to the IJB (and the services associated with the carrying out of those functions). This will allow the Parties to undertake appropriate reviews to gain assurance that the services are currently being delivered sustainably within approved resources, and that the anticipated initial payments will be sufficient for the IJB to fund the carrying out of the functions delegated to it.

9.2.8 Where a Party reasonably believes in relation to a function which it is to delegate to the IJB, that there is potential for the actual expenditure to vary significantly from projections, it will identify that function, and will ensure that sufficient information is provided to the IJB so that it may build up its working knowledge of the issues, and focus on those functions within their systems for risk management and financial reporting.

9.2.9 This process of due diligence will be applied in future years, and this will be informed by, amongst other things, the intelligence within the financial performance reports covering all integration functions that the IJB will routinely receive.

Determining the schedules for the Initial Payments

9.2.10 The CEC Section 95 officer and the NHS Lothian Director of Finance are responsible for preparing the draft schedules for their respective constituent authorities setting out the initial payment to the IJB. The CEC Section 95 officer and the NHS Lothian Director of Finance will consult with the Chief Officer (designate) and officers of both Parties as part of this process.

9.2.11 The CEC Section 95 officer and the NHS Lothian Director of Finance will each prepare a draft schedule outlining the detail and total value of the proposed payment from each Party, and the underlying methodology and assumptions behind that payment. These

draft schedules will identify any amounts included in the payments that are subject to separate legislation or subject to restrictions stipulated by third party funders. The draft schedules will also contain the detail and total value of set aside resources for hospital services, made under Section 1(3) (d) of the Act.

9.2.12 The CEC Section 95 officer and the NHS Lothian Director of Finance will refer the draft schedules to the Chief Officer (designate) so that he/she has an opportunity to formally consider it. This draft schedule must be agreed by the Director of Finance of NHS Lothian, the CEC Section 95 Officer and the Chief Officer (designate). The CEC Section 95 officer and the NHS Lothian Director of Finance will thereafter present the final draft schedules to CEC and NHS Lothian for approval in line with their respective governance procedures.

Subsequent Section 1(3) (e) Payments to the IJB

9.2.13 The calculation of payments in each subsequent financial year will follow the same processes as are described above for the initial payment subject to the following:

- (a) the starting position will be the payments made to the IJB in the previous financial year;
- (b) the Parties will then review the payments, having due regard to any known factors that could affect core baseline budgets, available funding, their existing commitments, the results of their own financial planning processes, the previous year's budgetary performance for the functions delegated to the IJB, the IJB's performance report for the previous year, and the content of the Strategic Plan;
- (c) the Parties will also have due regard to the impact of any service re-design activities that have been a direct consequence of IJB directions;
- (d) the Parties will engage the IJB, Chief Officer, and Chief Financial Officer in the process of calculating payments for subsequent financial years through the following arrangements:
- (e) both Parties will provide indicative three year allocations to the IJB, subject to annual approval through their respective budget setting processes;
- (f) the Parties will ensure that the Chief Officer and Chief Finance Officer are actively engaged in their financial planning processes. The Chief Officer will be expected to feed into the respective planning processes of the Parties with any

intelligence that is relevant, such as the effect of previous directions on activity and expenditure, and projected changes in activity and expenditure.

The set-aside of resources for use by the IJB under Section 1(3) (d) of the Act

9.2.14 In order to identify the core baseline budget for each of the set aside functions in each local authority area, NHS Lothian will initially determine which of the following methodologies is the most appropriate in representing the distribution of the delivery of those services in each local authority area and their respective populations at a given point in time:

- (a) local activity and cost data for each service within each local authority area;
- (b) population distribution across the local authority areas;
- (c) patient level activity and cost data;
- (d) historically applied and recognised percentages.

NHS Lothian will follow the same process in relation to each subsequent financial year.

9.2.15 CEC and the IJB will review the proposals from NHS Lothian referred to above, as part of a due diligence process, and the core baseline budget for the set-aside functions will be jointly agreed by CEC, NHS Lothian and the IJB.

Process to agree payments from the IJB to NHS Lothian and CEC

9.2.16 The IJB will determine and approve, in accordance with the Strategic Plan, the payments to the Parties which will accompany its directions to them for carrying out functions delegated to the IJB. The Party receiving a direction from the IJB shall implement it to the extent its costs in doing so are met by the payment received from the IJB.

9.2.17 Each direction from the IJB to a Party will take the form of a letter from the Chief Officer referring to the arrangements for delivery set out in the Strategic Plan and will include information on:

- (a) the delegated function(s) that are to be carried out;
- (b) the outcomes to be delivered for those delegated functions;

- (c) the amount of and method of determining the payment to be made, in respect of the carrying out of the delegated functions.

9.2.18 Once issued, directions can be amended by a subsequent direction by the IJB.

9.2.19 Where amounts paid to the IJB are subject to separate legislation or subject to restrictions stipulated by third party funders, the IJB must reflect these amounts in full, in determining the level of the payments to be made to CEC and/or NHS Lothian in respect of the carrying out of the relevant function or functions. However, the IJB is not precluded from increasing the resource allocated to the relevant services.

9.3 Financial Reporting to the IJB

9.3.1 Budgetary control and monitoring reports (in such form as the IJB may reasonably request from time to time) will be provided to the IJB as and when reasonably required. The reports will set out the financial position and outturn forecast against the payments by the IJB to each Party in respect of the carrying out of integration functions and against the amount set aside by NHS Lothian for hospital services. These reports will present the actual and forecast positions of expenditure for delegated functions and highlight any financial risks and areas where further action is required by the IJB to manage its budget pressures.

9.3.2 NHS Lothian will provide reports to the IJB on the set aside budget in accordance with Section 9.3.1 above.

9.3.3 Through the process of reviewing the professional, technical and administrative support to the IJB, and the development of accounting for the set-aside, the Parties will devise a sustainable model to support financial reporting to the new IJB. Until that model is in place, both Parties will provide the required information from their respective finance systems, and this will be co-ordinated and consolidated by the Chief Finance Officer to provide reports to the IJB on all the IJB's integration functions.

9.3.4 It is expected by the Parties that as a minimum there will be quarterly financial reports to the Chief Officer, quarterly reports to the IJB for section 1(3)(e) purposes, and six-monthly reports to the Chief Officer and the IJB on the set-aside and hosted service budgets; but on the understanding that the IJB may request more frequent reports if the IJB considers that to be appropriate.

9.4 Process for addressing variance in the spending of the Integration Joint Board

Treatment of forecast over- and under-spends against the Operational Budget

- 9.4.1 The Integration Joint Board is required to deliver its financial outturn for a given financial year within the IJB Budget applicable to that financial year.
- 9.4.2 The Parties will ensure that their respective budget monitoring and management systems will be applied to monitor and manage their expenditure in relation to delivery of integrated functions in accordance with directions issued to them by the IJB.
- 9.4.3 Where financial monitoring reports indicate that an overspend is forecast on the Operational Budget, the Chief Officer should take immediate and appropriate remedial action to endeavour to prevent the overspend.
- 9.4.4 In the event that such remedial action will not prevent the overspend, the IJB Chief Finance Officer will develop a proposed recovery plan to address the forecast overspend. The Chief Finance Officer will then present that recovery plan to the IJB as soon as practically possible. The recovery plan will be subject to the approval of the IJB.

Additional Payments by the Parties to the Integration Joint Board

- 9.4.5 Where such a recovery plan is projected to be unsuccessful and an overspend occurs at the financial year end, and there are insufficient reserves to meet the overspend, then the Parties may consider making additional payments to the Integration Joint Board.
- 9.4.6 NHS Lothian and CEC will consider making interim funding available on a basis to be agreed between the Parties, with repayment in future years on the basis of the revised recovery plan by the IJB. If the revised plan cannot be agreed by NHS Lothian and CEC or is not approved by the IJB, the dispute resolution arrangements provided for in the Scheme will apply.

Underspends

- 9.4.7 In the event of an underspend in the Operational Budgets, the following shall apply:

- (a) if the underspend is fortuitous, and unrelated to any direction by the IJB, then the underspend shall be returned to the relevant Party (through a corresponding reduction in the payments to be made by it to the IJB);
- (b) the IJB will retain all other underspends.

9.4.8 The IJB can hold reserves. It is a matter for the IJB to determine what its reserves strategy will be.

Treatment of variations against the amounts set aside for use by the IJB

9.4.9 A process will be agreed between NHS Lothian and the IJB to manage any variations within the set-aside budget. This process will reflect any variations in the activity that was used to establish the set-aside budget. Any cost variations will be managed in the same way as overspends and underspends within the Operational Budgets as specified above.

9.4.10 The Parties agree that the primary responsibility for providing the capacity required in terms of the relevant direction issued by the IJB within the resources allocated by the IJB (being the amount of the set-aside amount specified in the relevant direction) shall lie with NHS Lothian.

9.5 Redetermination of payments (made under Section 1(3)(e)) to the IJB

9.5.1 Redeterminations of payments made by CEC and NHS Lothian for the carrying out of integration functions would apply under the following circumstances:

- (a) additional one off funding is provided to a Party or Parties by the Scottish Government, or some other body, for expenditure in respect of a function delegated to the IJB;
- (b) the Parties agree that an adjustment to the payment is required to reflect changes in demand and/or activity levels;
- (c) there is a transfer of resources between set aside hospital resources and integrated budget resources delegated to the IJB and managed by the Chief Officer.

9.5.2 The Parties and the IJB would be required to agree to the redetermination. The Parties would apply the process used to calculate the payment to the IJB to the affected functions and the Strategic Plan would require to be amended accordingly.

9.5.3 Any agreed additional payments shall be added to the schedule of payments for the financial year in question.

9.6 Redetermination of payments (made under Section 1(3)(d)) to the IJB

A process will be agreed between NHS Lothian and the IJB to manage any redetermination of payments within the set-aside budget. This process will reflect any variations in the activity that was used to establish the set-aside budget. Any cost variations will be managed in the same way as overspends and underspends within the Operational Budgets as specified above.

9.7 Use of Capital Assets

9.7.1 The IJB, NHS Lothian and CEC will identify all capital assets which will be used in the delivery of the Strategic Plan. Further to this, the associated revenue and future capital liabilities will be identified for each asset

9.7.2 An agreement will be developed which specifies and regulates the use (in relation to integration functions) of capital assets belonging to one Party by the other Party, or jointly by both Parties. A similar agreement will specify and regulate the use by the IJB, in the carrying out of its functions, of assets belonging to the Parties. These agreements will be updated as required.

9.7.3 Changes in use of capital assets will flow from the Strategic Plan and the directions issued by the IJB to the Parties. The Strategic Plan process will outline any implications or requirements for capital assets.

9.7.4 The Parties will ensure that their respective capital asset planning arrangements take due cognisance of the above implications and requirements.

9.7.5 The Chief Officer of the IJB will consult with CEC and NHS Lothian to identify the specific need for improvements/changes to assets owned by each which may be required in connection with the carrying out of integration functions. Where a capital investment need is identified, the Chief Officer will present a business case to CEC and

NHS Lothian to make best use of existing resources and develop capital programmes. Any business case will set out how the investment will meet the strategic objectives set out in the Strategic Plan and identify the ongoing revenue costs/savings associated with implementation of the proposals.

- 9.7.6 The IJB, CEC and NHS Lothian will work together to ensure that assets required in connection with the carrying out of integration functions are used as effectively as possible and in compliance with the relevant legislation relating to use of public assets.

Financial Statements and External Audit

- 9.7.7 The legislation requires that the IJB is subject to the audit and accounts provisions of a body under Section 106 of the Local Government (Scotland) Act 1973 (Section 13). This will require audited annual accounts to be prepared with the reporting requirements specified in the relevant legislation and regulations (Section 12 of the Local Government in Scotland Act 2003 and regulations under section 105 of the Local Government (Scotland) Act 1973). These will be proportionate to the limited number of transactions of the IJB whilst complying with the requirements for transparency and true and fair reporting in the public sector.

- 9.7.8 The reporting requirements for the annual accounts are set out in legislation and regulations and will be prepared following the CIPFA Local Authority Code of Practice.

- 9.7.9 As part of the financial year-end procedures and in order to develop the year-end financial statements, the Chief Financial Officer of the IJB will annually co-ordinate an exercise agreeing the value of balances and transactions with CEC and NHS Lothian finance teams. Each of the Parties will submit to the Chief Financial Officer of the IJB their recorded income, expenditure, receivable and payable balance with the IJB. The Parties' respective finance representatives will then work to resolve any differences arising.

- 9.7.10 The IJB financial statements must be completed to meet the audit and publication timetable specified in the regulations (Regulations under section 105 of the Local Government (Scotland) Act 1973). The Parties will agree a timetable for the preparation of the IJB's annual accounts, which will incorporate a process to agree any balances between the Parties and the IJB.

- 9.7.11 The Accounts Commission will appoint the external auditors to the IJB.

9.7.12 The financial statements will be signed in line with the governance arrangements for the IJB and as specified in the Regulations under section 105 of the Local Government (Scotland) Act 1973.

9.7.13 In all forms of audit, the Parties are expected to comply with related requests and to aid the audit process.

10. Participation and Engagement

10.1 Consultation in the development of the Scheme

10.1.1 The development of the Scheme has involved consultation with:

- (a) the groups represented on the shadow strategic planning group (the “SPG”) established by the Parties as set out in the regulations issued under the Act. (further details of such groups being set out in Annex 3);
- (b) the service user and carer members of the shadow Integration Joint Board established by the Parties, and their wider networks; and
- (c) groups and fora that represent a combination of staff (practitioners and clinicians) service users and service providers (further details of such groups and fora being set out in Annex 4).

10.1.2 A collaborative three stage approach was adopted:

- (a) Stage 1 – officers of NHS Lothian and CEC produced a first draft in line with guidance and in discussion with a range of professionals
- (b) Stage 2 – a wide consultation was undertaken, following the framework for ‘Consulting Edinburgh’ with the groups and fora referred to in Section 10.1.1(c) above, including members of the Shadow Strategic Planning Group.
- (c) Stage 3 – a second draft was prepared by NHS Lothian and CEC (which included adjustments to reflect points arising from the consultation process) for submission to the Scottish Ministers.

10.2 Participation and engagement strategy in relation to decisions about carrying out integration functions

10.2.1 The Parties recognise the importance of building on existing approaches of engagement and participation and will support the IJB to produce a strategy for engagement with, and participation by members of the public, representative groups or other organisations in relation to decisions about the carrying out of integration functions as set out in this Section 10.2.

10.2.2 The Parties expect that a draft of the IJB's participation and engagement strategy will be produced by the IJB for consultation with key stakeholders, and with the public, using the 'Consulting Edinburgh' electronic portal and that the draft participation and engagement strategy will be amended following consultation and submitted to the IJB for approval.

10.2.3 The Parties expect that the ongoing development of the participation and engagement strategy by the IJB will be achieved using a collaborative approach, involving the membership of the strategic planning group; and will be underpinned by the very best practice in participation and involvement approaches. The Parties expect that the Strategy will be reviewed periodically by the IJB as it sees fit.

10.2.4 It is envisaged that the strategic planning group will take both an advisory and active role in the undertaking of future participation and engagement around the implications of service development and re-design.

10.2.5 The Parties expect that the action plan for delivering the strategy will be reviewed at regular meetings of the strategic planning group and if necessary, changes will be recommended for approval by the IJB, to take account of new audiences or service design and re-design.

10.2.6 CEC's 'Consulting Edinburgh' framework can be used for engagement; and NHS Lothian has contributed to the development of the consultation framework that supports the approach and has agreed to follow the framework and make use of the consultation hub (a digital platform) to launch future consultations; the extent to which the framework (and/or use of the consultation hub) is to be adopted in relation to future consultations relating to delegated functions will, however, be a matter for the IJB. Further details are set out in Annex 5.

10.2.8 The Parties expect that the IJB Participation and Engagement Strategy will be produced before the date when the IJB approves the Strategic Plan. It is anticipated that the

members of the IJB will want to be satisfied that the Strategic Plan has had sufficient consultation (and that the Participation and Engagement Strategy has been followed) before the IJB approves the Strategic Plan.

11. Information-Sharing and Data Handling

- 11.1 There is an existing and long standing Pan-Lothian and Borders General Information Sharing Protocol, to which NHS Lothian, CEC, East Lothian Council, Midlothian Council and West Lothian Council are all signatories. This is currently being reviewed by a sub group on behalf of the Pan-Lothian Data Sharing Partnership for any minor modifications required to comply with the Integration Scheme Regulations. The final Protocol, following consultation, will be recommended for signature by Chief Executives of the respective organisations, and the Chief Officers of the Lothian IJBs, on behalf of the Data Sharing Partnership.
- 11.2 The Pan-Lothian and Borders General Information Sharing Protocol update will be agreed by December 2015. The process referred to in Section 11.1 will apply in relation to future reviews of, and amendments to, the Pan-Lothian and Borders General Information Sharing Protocol.
- 11.3 Procedures for sharing information between the relevant local authority, Health Board, and, where applicable, the relevant integration joint board will be drafted as Information Sharing Agreements and procedure documents. This will be undertaken by a sub group on behalf of the Pan-Lothian Data Sharing Partnership, who will detail the more granular purposes, requirements, procedures and agreements for each of the Lothian IJBs and the functions respectively delegated to them.
- 11.4 CEC and NHS Lothian will continue to be Data Controller for their respective records (electronic and manual), and will detail arrangements where these are jointly controlled by agreement. The IJB may require to be Data Controller for personal data if it is not held by either CEC or NHS Lothian.
- 11.5 Procedures will be based on a single point of governance model. This allows data and resources to be shared; with governance standards and their implementation being the separate responsibility of each organisation.
- 11.6 Following consultation, Information Sharing Protocols and procedure documents will be recommended for signature by the Chief Executives of the respective organisations, and by the Chief Officers of the Lothian IJBs (once established).

11.7 Once established, Agreements and Procedures will be reviewed bi-annually by the sub group of the Pan-Lothian Data Sharing Partnership, or more frequently if required. This will follow the process described in 11.3 above.

11.8 The Information Sharing Agreements and procedures applicable to the IJB will be agreed by December 2015.

12. Complaints

12.1 People who use services provided in pursuance of integration functions will continue to make complaints either to CEC or to NHS Lothian. Both organisations have in place well publicised, clearly explained and accessible complaints procedures that allow for timely recourse and signpost independent advocacy services, where relevant.

12.2 Complaints about the delivery of an integration function may be made to, and dealt with by, the Party which is required to deliver that function in pursuance of a direction issued by the IJB or (in a case where the direction is issued in respect of a given function to both constituent authorities jointly) to either of those constituent authorities.

12.3 Complaints can be made to:

The Council by:

Telephone: 0131 553 8395

Email: socialwork.complaints@edinburgh.gov.uk

In writing: by using the freepost slip attached to the Council's Social Work Advice and Complaints Service leaflet available from any social work office OR to Social Work Advice and Complaints, Level 1.7, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG

In person: at any social work office or by visiting Waverley Court at the address above.

NHS Lothian by:

Telephone: 0131 536 3370

Email: craft@nhslothian.scot.nhs.uk

In writing to: NHS Lothian Customer Relations and Feedback Team, Waverley Gate, 2-4 Waterloo Place, Edinburgh, EH1 3EG.

In person: by visiting Waverley Gate at the address above

(but on the understanding that the telephone numbers, email addresses, and postal addresses set out above reflect the position as at the Relevant Date; the telephone numbers, email addresses, and postal addresses to be used for making a complaint may be altered from time to time by the Parties).

- 12.4 When responding to complaints about a service which is delivered jointly, officers responsible for complaints handling within CEC and NHS Lothian will discuss the complaint, and identify which elements that are the subject of the complaint will be investigated by each Party, and agree which Party will prepare the written response at the end of the investigation. Failing agreement, the Chief Officer acting reasonably will decide which of the constituent authorities should prepare the written response and this will be signed by the Chief Officer.
- 12.5 Any investigation will be carried out in line with the published complaints procedure of the relevant Party, mindful of any statutory complaints handling arrangements that might apply. It will be the responsibility of the Party preparing the written response to ensure that the complainant is correctly signposted to the options open to him/her to progress his/her complaint if he/she remains dissatisfied.
- 12.6 On completion of the complaints procedure, complaints about specific social work functions may be referred to a Complaints Review Committee (CRC) at the complainant's request and thereafter the Scottish Public Services Ombudsman. At the end of the complaints process, complainants are entitled to take their complaint to the Scottish Public Services Ombudsman. Where appropriate, complainants will also be advised of their right to complain to the Care Inspectorate.
- 12.7 The Chief Officer will have an overview of complaints made about integration services and subsequent responses. Complaints about integration services will be recorded and reported to the Chief Officer on a regular and agreed basis. Regular trend analysis of complaints and complaint outcomes will also be carried out as part of a wider quality assurance framework.
- 12.8 Responsibility for responding to Scottish Public Services Ombudsman complaints enquiries will lie with the Party that dealt with the original complaint.
- 12.9 Where necessary, officers responsible for complaints handling within CEC and NHS Lothian will work together to provide a full response to any Scottish Public Services Ombudsman enquiry that covers both health and social care functions.

- 12.10 All independent contractors involved in the delivery of services associated with an integration function will be required to have a complaints procedure. Where complaints are received about the service provided by an independent contractor, the relevant Party will refer the complaint to the independent contractor in the first instance, either providing contact details or by passing the complaint on, depending on the preferred approach of the complainant. Complaints received about independent contractors will be recorded for contract monitoring purposes.
- 12.11 Complaints about the IJB should be made to the chairperson of the IJB. Staff within CEC and NHS Lothian will support the Chief Officer with the investigation and written response to the complainant, which will be signed by the Chief Officer.
- 12.12 The Parties will work together to align their complaints processes in as far as reasonably practicable and put in place a joint working protocol to adopt an integrated approach to complaints handling, so that the process of making a complaint is as simple as possible for service users and complaints about services associated with integration functions are responded to clearly, thoroughly and timeously. This joint working protocol will identify the lead organisation for each service which is delivered jointly and will include the contact details of officers responsible for managing any complaints received.
- 12.12 For the avoidance of doubt:
- 12.12.1 the Parties and the IJB shall use all reasonable endeavours, in implementing their respective complaints processes, to avoid taking any step which could prejudice the ability of either Party (or the IJB, where applicable) to access the benefit of any relevant insurance policy or, as the case may be, the CNORIS scheme in the event of any claim associated with the event or circumstances which are the subject of the complaint;
- 12.12.2 any claim for compensation shall be dealt with in accordance with the provisions of Section 13, and not in accordance with the provisions of this Section 12.

13. Claims Handling, Liability & Indemnity

- 13.1 The liability of either or both Parties and/or the IJB in respect of any claim that may be made by a third party in relation to any matter connected with the carrying out of integration functions shall be determined in accordance with principles of common law and/or any applicable legislation.
- 13.2 Where a claim by a third party is received by either of the Parties or the IJB in relation to any matter connected with the carrying out of integration functions (the body receiving such a claim being referred to as the "Claim Recipient"), the Claim Recipient, shall, as soon as reasonably

practicable, notify the other Party and the IJB (or, in the case of a claim received by the IJB, both Parties); and the Parties and the IJB (each being bound to act reasonably in this respect) shall then jointly assess:

13.2.1 which of them could be held to be liable (whether wholly or partly) in relation to the claim were it to be upheld by the court; and

13.2.2 (where two or more of them could potentially be liable) which of them is more likely to carry the primary liability.

13.3 For the avoidance of doubt, in the circumstances referred to in Section 13.2:

13.3.1 the Claim Recipient may acknowledge receipt of the claim, but shall avoid taking any step (without the prior written consent of the other Party and the IJB; or, in the case of a claim received by the IJB, the prior written consent of both Parties) which could prejudice the defence of the claim, pending completion of the assessment referred to in that Section; and

13.3.2 the Claim Recipient shall provide such information available to it as may be required to facilitate any formal intimation or other steps which either Party or the IJB may require to take under the terms of any relevant insurance policy or (as the case may be) the CNORIS scheme.

13.4 Where, on the basis of the assessment carried out in pursuance of Section 13.2, it is considered that only the Claim Recipient could be held to be liable in relation to the claim should it be upheld by the court, the Claim Recipient may conduct the defence of the claim and any associated negotiations as it sees fit, but shall continue to keep the others informed in that regard.

13.5 Where, on the basis of the assessment carried out in pursuance of Section 13.2, it is considered that the other Party and/or the IJB (or, in the case of a claim received by the IJB, both Parties) could be held to be liable in relation to the claim should it be upheld by the court, the Claim Recipient shall, following that assessment:

13.5.1 provide the other body or bodies which (on the basis of that assessment) could be liable in respect of the claim, with all such information in relation to the claim as is available to the Claim Recipient;

13.5.2 allow that other body or bodies (and/or its or their insurers or, as the case may be, the relevant officers acting under the CNORIS scheme) to conduct the defence of the claim

and any associated negotiations, subject to that other body or bodies indemnifying the Claim Recipient in relation to any loss or liability (including legal expenses on a solicitor-client basis, and any award of expenses) which the Claim Recipient might thereby incur; and

13.5.3 avoid taking any step which could prejudice the defence of the claim without the prior written consent of that other body or bodies.

13.6 Where, on the basis of the assessment carried out in pursuance of Section 13.2, it is considered that the Claim Recipient could be held to be liable along with another Party and/or the IJB (or, where the Claim Recipient is the IJB, along with either or both Parties) in relation to the relevant claim were it to be upheld by the court:

13.6.1 the Claim Recipient and the other body or bodies (and/or their respective insurers or, as the case may be, the relevant officers acting under the CNORIS scheme) shall conduct the defence of the claim and any associated negotiations; and

13.6.2 the costs of defending the claim (and any associated negotiations) shall be shared between the bodies (including the Claim Recipient) who (on the basis of the assessment carried out in pursuance of Section 13.2) could be held to be liable in respect of the claim, and the indemnity by the other body or bodies referred to in Section 13.5.2 shall be qualified accordingly.

13.7 Where two or more bodies are to conduct the defence of any claim (and any associated negotiations) under Section 13.5.2 or 13.6.1, the body which is considered (on the basis of the assessment carried out in pursuance of Section 13.2) to be more likely to carry the primary liability shall have overall control of the conduct of the defence (and any associated negotiations), subject to liaising closely with the other relevant body or bodies and taking due account of the requirements of its or their insurers (and/or, as the case may be, any requirements associated with the CNORIS scheme).

13.8 If both Parties, or if either or both Parties and the IJB, receive a claim relating to the same matter, the procedures set out in Sections 13.1 to 13.7 shall (subject to Section 13.9) apply, subject to such adjustments (as agreed among the relevant bodies) as may be appropriate to facilitate the efficient handling of the claims.

13.9 If both Parties, or if either or both Parties and the IJB, are parties to the same court proceedings arising out of a claim, each of them (and/or its or their insurers or, as the case may be, the relevant officers acting under the CNORIS scheme) may conduct its own defence of the claim against it (and any associated negotiations) in such manner as it may see fit and at its own

expense; and the liability of each body in respect of the claim shall be as determined by the court (or, if the claim is settled outwith the court proceedings) as agreed by each body in the context of the negotiations regarding settlement of the claim.

13.10 If a claim by a third party in relation to any matter connected with the carrying out of integration functions relates to services delivered in an area served by a Neighbouring IJB, or relates to services delivered within the Edinburgh Area under arrangements involving a Neighbouring IJB, each of the Parties, and the IJB, will liaise with each other and with the Neighbouring IJB in order to reach agreement as to how the claim is to be handled; the IJB and Neighbouring IJBs shall jointly develop and agree a protocol for the handling of claims of that nature.

13.11 The Parties and the IJB shall use all reasonable endeavours to operate the procedures set out in Sections 13.1 to 13.10 as rapidly as possible, and in a manner which complies with the requirements from time to time of relevant insurers and/or (as applicable) the CNORIS scheme; each of them undertakes to the others:

13.11.1 to provide all such information and render all such co-operation as may be reasonably required from time to time in connection with any such claim; and

13.11.2 if and to the extent that any matter which cannot be agreed between them requires to be dealt with under the dispute resolution procedure set out in Section 16, to operate the dispute resolution procedure as rapidly as possible so as to minimise any prejudice to (a) the efficient defence of the claim and/or (b) the ability of any body to access the benefit of any insurance policy or (as the case may be) the CNORIS scheme.

13.12 Where payment is made by either Party or by the IJB in settlement of a claim by a third party in relation to any matter connected with the carrying out of integration functions, the body which made payment (if that body is not wholly liable, on the basis of principles of common law and/or any applicable legislation, in respect of the matter which gave rise to the claim) shall be entitled to be indemnified by the other Party and/or the IJB (or, in a case where payment was made by the IJB, by either or both Parties) to the extent of its or their liability (as determined in accordance with principles of common law and/or any applicable legislation) in respect of the matter which gave rise to the claim; but due account shall be taken of any prejudice to the indemnifying body or bodies (including its/their ability to access the benefit of any insurance policy or, as the case may be, the CNORIS scheme) arising from any failure to comply with the other provisions of this Section 13.

13.13 For the avoidance of doubt, the principles set out in Section 13.12 shall also apply in respect of the expenses of defending any claim by a third party in relation to any matter connected with

the carrying out of integration functions, and in respect of any award of expenses in connection with any such claim.

- 13.14 The arrangements set out in this Section 13 shall be subject to periodic review and adjustment, in order to reflect the requirements from time to time of insurers and the CNORIS scheme and to ensure efficiency in the handling of claims; any revised arrangements shall be recorded in a written agreement entered into by the Parties and the IJB.

14. Risk Management

- 14.1 A shared risk management strategy (which will include risk monitoring and a reporting process) for the Parties and the IJB will be established in the first year of the IJB. In developing this shared risk management strategy, the Parties and the IJB will work together to review the shared risk management arrangements currently in operation. This in turn will provide a list of risks to be reported on. The Parties will provide to the IJB sufficient support to enable it to fully discharge its duties in relation to risk management. This will be determined through the process described in section 5.3.

14.2 IJB

- 14.2.1 The Parties anticipate that the IJB will also develop and agree a risk management strategy in relation to carrying out of integration functions by 31st March 2016 or the integration start date if sooner.

- 14.2.2 The risk management strategy developed by the IJB is expected to include:-

- (a) a statement of the IJB's risk appetite and associated tolerance measures;
- (b) a description of how the system of risk management will work in practice, including the procedures for identification, classification, recording and reporting of risk, and the respective roles of the IJB and its officers. This will explain how the output from the risk management systems within NHS Lothian and CEC will inform the IJB's system of risk management as well as ensuring that any risks associated with proposals from the Strategic Plan are captured, assessed and managed appropriately and shared with NHS Lothian and CEC;
- (c) a description of how the IJB system of risk management is informed by other related systems of NHS Lothian and CEC, such as complaints management, health & safety, adverse events management, emergency planning and business resilience;

- (d) an agreement between NHS Lothian and CEC on the resources to be made available to support risk management in the IJB and how this will work;
- (e) a description of how risk will be monitored by the IJB, the framework for reporting and frequency.

14.2.3 A group of officers from across NHS Lothian and CEC have worked collaboratively to develop a first draft risk register which will be submitted for approval by the IJB. The IJB will be expected to update and amend its risk register should there be any emerging themes/risks which have a bearing on its activities.

14.3 NHS Lothian and CEC

14.3.1 Both Parties will continue to apply their existing policies and systems for risk management, and will implement any required restructuring of their risk registers to recognise the creation of the IJB.

14.3.2 NHS Lothian covers four local authority areas, and there will be some services delivered by NHS Lothian under directions from the Lothian IJBs which one operational Chief Officer will manage on a Lothian-wide basis. The identification and management of risk for those Hosted Services will reflect the differing directions of the Lothian IJBs.

15. Dispute Resolution

15.1 In the event of any dispute between the Parties in relation to any matter provided for in this Scheme or any of the duties, obligations, rights or powers imposed or conferred upon them by the Act (a “**Dispute**”), the provisions of this section 16 will apply.

15.2 Either Party shall give to the other written notice of the Dispute, setting out its nature and full particulars (a “**Dispute Notice**”), together with relevant supporting documents. The Party giving the Dispute Notice will provide a copy to the chairperson of the IJB. On service of the Dispute Notice, the Chief Executives of the Parties shall meet and attempt in good faith to resolve the Dispute.

- 15.3 Where the matter remains unresolved within 21 days of service of the Dispute Notice, the Parties shall inform the chairperson of the IJB and may proceed to mediation with a view to resolving the issue. Any mediator will be external to the Parties and will be identified and appointed with the agreement of the Chair of NHS Lothian and the Leader of CEC and failing agreement within 21 days shall be nominated by the Centre for Effective Dispute Resolution (CEDR) on the request of either Party.
- 15.4 The mediation will start not later than 21 days after the date of appointment of the mediator.
- 15.5 The Parties agree that the cost of the mediator will be met equally by NHS Lothian and CEC. The timeframe to resolve the issue will be agreed prior to the start of the mediation process by the Chair of NHS Lothian and the Leader of CEC and notified to the chairperson of the IJB.
- 15.6 The chairperson of the IJB will inform Scottish Ministers in writing of the Dispute and agreed timeframe to conclude the mediation process.
- 15.7 Where following mediation the issue remains unresolved, the chairperson of the IJB shall notify Scottish Ministers in writing. Scottish Ministers may then advise the Parties how to proceed.
- 15.8 The Parties shall cooperate with each other to mitigate any adverse effect on service delivery pending resolution of the Dispute.
- 15.9 Nothing in this Scheme shall prevent either of the Parties from seeking any legal remedy or from commencing or continuing court proceedings in relation to the Dispute.

Annex 1

Part 1A Functions delegated by NHS Lothian to the IJB

Set out below is the list of functions that are to be delegated by NHS Lothian to the IJB, in compliance with the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014

<i>Column A</i>	<i>Column B</i>
The National Health Service (Scotland) Act 1978	
All functions of Health Boards conferred by, or by virtue of, the National Health Service (Scotland) Act 1978	Except functions conferred by or by virtue of— section 2(7) (Health Boards); section 2CB ⁽¹⁾ (Functions of Health Boards outside Scotland); section 9 (local consultative committees); section 17A (NHS Contracts); section 17C (personal medical or dental services); section 17I ⁽²⁾ (use of accommodation); section 17J (Health Boards' power to enter into general medical services contracts); section 28A (remuneration for Part II services); section 38 ⁽³⁾ (care of mothers and young children) to the extent falling outwith the relevant services specified in Part 1B of Annex 1; section 38A ⁽⁴⁾ (breastfeeding) to the extent falling outwith the relevant services specified in Part 1B of Annex 1;

(1) Section 2CB was inserted by S.S.I. 2010/283, regulation 3(2).

(2) Section 17I was inserted by the National Health Service (Primary Care) Act 1997 (c.46), Schedule 2 and amended by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 4. The functions of the Scottish Ministers under section 17I are conferred on Health Boards by virtue of S.I. 1991/570, as amended by S.S.I. 2006/132.

(3) The functions of the Secretary of State under section 38 are conferred on Health Boards by virtue of S.I. 1991/570.

(4) Section 38A was inserted by the Breastfeeding etc (Scotland) Act 2005 (asp 1), section 4. The functions of the Scottish Ministers under section 38A are conferred on Health Boards by virtue of S.I. 1991/570 as amended by S.S.I. 2006/132.

section 39⁽⁵⁾ (medical and dental inspection, supervision and treatment of pupils and young persons) to the extent falling outwith the relevant services specified in Part 1B of Annex 1;

section 48 (provision of residential and practice accommodation);

section 55⁽⁶⁾ (hospital accommodation on part payment);

section 57 (accommodation and services for private patients);

section 64 (permission for use of facilities in private practice);

section 75A⁽⁷⁾ (remission and repayment of charges and payment of travelling expenses);

section 75B⁽⁸⁾(reimbursement of the cost of services provided in another EEA state);

section 75BA ⁽⁹⁾(reimbursement of the cost of services provided in another EEA state where expenditure is incurred on or after 25 October 2013);

section 79 (purchase of land and moveable property);

section 82⁽¹⁰⁾ use and administration of certain endowments and other property held by Health Boards);

section 83⁽¹¹⁾ (power of Health Boards and local health councils to hold property on trust);

⁽⁵⁾ Section 39 was relevantly amended by the Self Governing Schools etc (Scotland) Act 1989 (c.39) Schedule 11; the Health and Medicines Act 1988 (c.49) section 10 and Schedule 3 and the Standards in Scotland's Schools Act 2000 (asp 6), schedule 3.

⁽⁶⁾ Section 55 was amended by the Health and Medicines Act 1988 (c.49), section 7(9) and Schedule 3 and the National Health Service and Community Care Act 1990 (c.19), Schedule 9. The functions of the Secretary of State under section 55 are conferred on Health Boards by virtue of S.I. 1991/570.

⁽⁷⁾ Section 75A was inserted by the Social Security Act 1988 (c.7), section 14, and relevantly amended by S.S.I. 2010/283. The functions of the Scottish Ministers in respect of the payment of expenses under section 75A are conferred on Health Boards by S.S.I. 1991/570.

⁽⁸⁾ Section 75B was inserted by S.S.I. 2010/283, regulation 3(3) and amended by S.S.I. 2013/177.

⁽⁹⁾ Section 75BA was inserted by S.S.I. 2013/292, regulation 8(4).

⁽¹⁰⁾ Section 82 was amended by the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 7) section 1(2) and the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 2.

⁽¹¹⁾ There are amendments to section 83 not relevant to the exercise of a Health Board's functions under that section.

section 84A⁽¹²⁾ (power to raise money, etc., by appeals, collections etc.);
section 86 (accounts of Health Boards and the Agency);
section 88 (payment of allowances and remuneration to members of certain bodies connected with the health services);
section 98 ⁽¹³⁾ (charges in respect of non-residents);
and
paragraphs 4, 5, 11A and 13 of Schedule 1 to the Act (Health Boards);
and functions conferred by—
The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989 ⁽¹⁴⁾;

NHS Lothians (Membership and Procedure) (Scotland) Regulations 2001/302;
The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland) Regulations 2000/54;
The National Health Services (Primary Medical Services Performers Lists) (Scotland) Regulations 2004/114;
The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004;
The National Health Service (Discipline Committees) Regulations 2006/330;
The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006/135;

The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009/183;

⁽¹²⁾ Section 84A was inserted by the Health Services Act 1980 (c.53), section 5(2). There are no amendments to section 84A which are relevant to the exercise of a Health Board's functions.

⁽¹³⁾ Section 98 was amended by the Health and Medicines Act 1988 (c.49), section 7. The functions of the Secretary of State under section 98 in respect of the making, recovering, determination and calculation of charges in accordance with regulations made under that section is conferred on Health Boards by virtue of S.S.I. 1991/570.

⁽¹⁴⁾ S.I. 1989/364, as amended by S.I. 1992/411; S.I. 1994/1770; S.S.I. 2004/369; S.S.I. 2005/455; S.S.I. 2005/572 S.S.I. 2006/141; S.S.I. 2008/290; S.S.I. 2011/25 and S.S.I. 2013/177.

The National Health Service (General Dental Services) (Scotland) Regulations 2010/205; and
The National Health Service (Free Prescription and Charges for Drugs and Appliances) (Scotland) Regulations 2011/55⁽¹⁵⁾.

Disabled Persons (Services, Consultation and Representation) Act 1986

Section 7

(Persons discharged from hospital)

Community Care and Health (Scotland) Act 2002

All functions of Health Boards
conferred by, or by virtue of, the
Community Care and Health
(Scotland) Act 2002.

Mental Health (Care and Treatment) (Scotland) Act 2003

All functions of Health Boards
conferred by, or by virtue of, the
Mental Health (Care and Treatment)
(Scotland) Act 2003.

Except functions conferred by—
section 22 (Approved medical practitioners);
section 34 (Inquiries under section 33: co-
operation)⁽¹⁶⁾;
section 38 (Duties on hospital managers:
examination notification etc.)⁽¹⁷⁾;
section 46 (Hospital managers' duties:
notification)⁽¹⁸⁾;
section 124 (Transfer to other hospital);
section 228 (Request for assessment of needs: duty
on local authorities and Health Boards);

⁽¹⁵⁾ S.S.I. 2011/55, to which there are amendments not relevant to the exercise of a Health Board's functions.

⁽¹⁶⁾ There are amendments to section 34 not relevant to the exercise of a Health Board's functions under that section.

⁽¹⁷⁾ Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards under that Act.

⁽¹⁸⁾ Section 46 is amended by S.S.I. 2005/465.

section 230 (Appointment of a patient's responsible medical officer);

section 260 (Provision of information to patients);

section 264 (Detention in conditions of excessive security: state hospitals);

section 267 (Orders under sections 264 to 266: recall);

section 281⁽¹⁹⁾ (Correspondence of certain persons detained in hospital);

and functions conferred by—

The Mental Health (Safety and Security) (Scotland) Regulations 2005⁽²⁰⁾;

The Mental Health (Cross Border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2005⁽²¹⁾;

The Mental Health (Use of Telephones) (Scotland) Regulations 2005⁽²²⁾; and

The Mental Health (England and Wales Cross border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2008⁽²³⁾.

Education (Additional Support for Learning) (Scotland) Act 2004

Section 23

(other agencies etc. to help in exercise of functions under this Act)

Public Services Reform (Scotland) Act 2010

Except functions conferred by—

⁽¹⁹⁾ Section 281 is amended by S.S.I. 2011/211.

⁽²⁰⁾ S.S.I. 2005/464, to which there are amendments not relevant to the exercise of the functions of a Health Board. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards.

⁽²¹⁾ S.S.I. 2005/467. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards.

⁽²²⁾ S.S.I. 2005/468. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards.

⁽²³⁾ S.S.I. 2008/356. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards.

All functions of Health Boards conferred by, or by virtue of, the Public Services Reform (Scotland) Act 2010

section 31(Public functions: duties to provide information on certain expenditure etc.); and section 32 (Public functions: duty to provide information on exercise of functions).

Patient Rights (Scotland) Act 2011

All functions of Health Boards conferred by, or by virtue of, the Patient Rights (Scotland) Act 2011

Except functions conferred by The Patient Rights (Complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012/36⁽²⁵⁾.

[Carers \(Scotland\) Act 2016^{\(24\)}](#)

[Section 31](#)

[\(duty to prepare local carer strategy\)](#)

But in each case, subject to the restrictions set out in paragraph (a) of article 3(3) of the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014, and only so far as (i) they are exercisable in relation to care or treatment provided by health professionals for the purpose of the health care services listed in paragraphs (a) to (f) of Part 2 of this Annex 1 or (ii) they are exercisable in relation to the health care services listed in paragraphs (g) to (v) of Part 2 of this Annex 1.

⁽²⁴⁾ [Entry inserted by Public Bodies \(Joint Working\) \(Prescribed Health Board Functions\) \(Scotland\) Amendment Regulations 2017/381 \(Scottish SI\) reg.2 \(December 18,2017\)](#)

⁽²⁵⁾ S.S.I. 2012/36. Section 5(2) of the Patient Rights (Scotland) Act 2011 (asp 5) provides a definition of “relevant NHS body” relevant to the exercise of a Health Board’s functions.

Annex 1

Part 1B

Additional functions delegated by NHS Lothian to the IJB

Set out below is the list of additional functions that are to be delegated by NHS Lothian to the IJB

- (A) The functions listed in Part 1A of this Annex 1 insofar as they relate to the services listed below in relation to persons under the age of 18:
- (a) Primary Medical Services and General Medical Services (including GP Pharmaceutical services)
 - (b) General Dental Services, Public Dental Services and the services provided by the Edinburgh Dental Institute
 - (c) General Ophthalmic Services
 - (d) General Pharmaceutical Services
 - (e) Out of Hours Primary Medical Services
 - (f) Services for people with Learning Disabilities.
- (B) The functions listed in Part 1A of this Annex 1 insofar as they relate to the prison health care service provided within HMP Edinburgh and HMP Addiewell.

Annex 1

Part 2

Services associated with the functions delegated by NHS Lothian to the IJB

Interpretation of this Part 2 of Annex 1

In this Part 2—

“Allied Health Professional” means a person registered as an allied health professional with the Health Professions Council;

“general medical practitioner” means a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;

“general medical services contract” means a contract under section 17J of the National Health Service (Scotland) Act 1978;

“hospital” has the meaning given by section 108(1) of the National Health Service (Scotland) Act 1978;

“inpatient hospital services” means any health care service provided to a patient who has been admitted to a hospital and is required to remain in that hospital overnight, but does not include any secure forensic mental health services;

“out of hours period” has the same meaning as in regulation 2 of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004⁽²⁶⁾; and

“the public dental service” means services provided by dentists and dental staff employed by a health board under the public dental service contract.

- a) Accident and Emergency services provided in a hospital.
- b) Inpatient hospital services relating to the following branches of medicine—
 - (a) general medicine;
 - (b) geriatric medicine;
 - (c) rehabilitation medicine;
 - (d) respiratory medicine; and
 - (e) psychiatry of learning disability.
- c) Palliative care services provided in a hospital.
- d) Inpatient hospital services provided by General Medical Practitioners.

⁽²⁶⁾ S.S.I. 2004/115.

- e) Services provided in a hospital in relation to an addiction or dependence on any substance.
- f) Mental health services provided in a hospital, except secure forensic mental health services.
- g) District nursing services.
- h) Services provided outwith a hospital in relation to an addiction or dependence on any substance.
- i) Services provided by allied health professionals in an outpatient department, clinic, or outwith a hospital.
- j) The public dental service.
- k) Primary medical services provided under a general medical services contract, and arrangements for the provision of services made under section 17C of the National Health Service (Scotland) Act 1978, or an arrangement made in pursuance of section 2C(2) of the National Health Service (Scotland) Act 1978⁽²⁷⁾.
- l) General dental services provided under arrangements made in pursuance of section 25 of the National Health (Scotland) Act 1978⁽²⁸⁾.
- m) Ophthalmic services provided under arrangements made in pursuance of section 17AA or section 26 of the National Health Service (Scotland) Act 1978⁽²⁹⁾.
- n) Pharmaceutical services* and additional pharmaceutical services provided under arrangements made in pursuance of sections 27 and 27A of the National Health Service (Scotland) Act 1978⁽³⁰⁾.
- o) Services providing primary medical services to patients during the out-of-hours period.
- p) Services provided outwith a hospital in relation to geriatric medicine.
- q) Palliative care services provided outwith a hospital.
- r) Community learning disability services.

⁽²⁷⁾ Section 2C was inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 1(2) and relevantly amended by the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 1, and the Tobacco and Primary Medical Services (Scotland) Act 2010 (asp 3), section 37.

⁽²⁸⁾ Section 25 was relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 15.

⁽²⁹⁾ Section 17AA was inserted by the National Health Service (Primary Care) Act 1997 (c.46), section 31(2) and relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 25. Section 26 was relevantly amended by the Health and Social Security Act 1984 (c.48), Schedule 1, and the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13) section 13.

⁽³⁰⁾ Section 27 was relevantly amended by the Health Services Act 1990 (c.53), section 20; the National Health Service and Community Care Act 1990 (c.19), Schedule 9; the Medicinal Products: Prescription by Nurses etc. Act 1992 (c.28), section 3; the National Health Service and Community Care Act 1997 (c.46), Schedule 2 and the Health and Social Care Act 2001 (c.15), section 44.

- s) Mental health services provided outwith a hospital.
- t) Continence services provided outwith a hospital.
- u) Kidney dialysis services provided outwith a hospital.
- v) Services provided by health professionals that aim to promote public health.

In each case, subject to the exceptions set out in Parts 1A and 1B of Annex 1 and to the restrictions set out in article 3(3) of the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014.

NHS Lothian has also chosen to delegate the functions listed in Part 1 of Annex 1 in relation to the following services

- (A) Provision for people under the age of 18 of:
 - i) Primary Medical Services and General Medical Services (including GP Pharmaceutical services)
 - ii) General Dental Services, Public Dental Services and the Edinburgh Dental Institute
 - iii) General Ophthalmic Services
 - iv) General Pharmaceutical Services
 - v) Out of Hours Primary Medical Services
 - vi) Learning Disabilities

- (B) The functions exercisable in relation to the prison health care service provided within HMP Edinburgh and HMP Addiewell.

Annex 2

Part 1

Functions delegated by CEC to the IJB

Set out below is the list of functions that are to be delegated by CEC to the IJB (being the functions prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014)

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>
National Assistance Act 1948⁽³¹⁾	
Section 48 (Duty of councils to provide temporary protection for property of persons admitted to hospitals etc.)	
The Disabled Persons (Employment) Act 1958⁽³²⁾	
Section 3 (Provision of sheltered employment by local authorities)	
The Social Work (Scotland) Act 1968⁽³³⁾	

⁽³¹⁾ 1948 c.29; section 48 was amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 39, paragraph 31(4) and the Adult Support and Protection (Scotland) Act 2007 (asp 10) schedule 2 paragraph 1.

⁽³²⁾ 1958 c.33; section 3 was amended by the Local Government Act 1972 (c.70), section 195(6); the Local Government (Scotland) Act 1973 (c.65), Schedule 27; the National Health Service (Scotland) Act 1978 (c.70), schedule 23; the Local Government Act 1985 (c.51), Schedule 17; the Local Government (Wales) Act 1994 (c.19), Schedules 10 and 18; the Local Government etc. (Scotland) Act 1994 (c.49), Schedule 13; and the National Health Service (Consequential Provisions) Act 2006 (c.43), Schedule 1.

⁽³³⁾ 1968 c.49; section 1 was relevantly amended by the National Health Service (Scotland) Act 1972 (c.58), schedule 7; the Children Act 1989 (c.41), Schedule 15; the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”), schedule 10; S.S.I. 2005/486 and S.S.I. 2013/211. Section 4 was amended by the 1990 Act, Schedule 9, the Children (Scotland) Act 1995 (c.36) (“the 1995 Act”), schedule 4; the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) (“the 2003 Act”), schedule 4; and S.S.I. 2013/211. Section 10 was relevantly amended by the Children Act 1975 (c.72), Schedule 2; the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13; the Regulation of Care (Scotland) Act 2001 (asp 8) (“the 2001 Act”) schedule 3; S.S.I. 2010/21 and S.S.I. 2011/211. Section 12 was relevantly amended by the 1990 Act, section 66 and Schedule 9; the 1995 Act, Schedule 4; and the Immigration and Asylum Act 1999 (c.33), section 120(2). Section 12A was inserted by the 1990 Act, section 55, and amended by the Carers (Recognition and Services) Act 1995 (c.12), section 2(3) and the Community Care and Health (Scotland) Act 2002 (asp 5) (“the 2002 Act”), sections 8 and 9(1). Section 12AZA was inserted by the Social Care (Self Directed Support) (Scotland) Act 2013 (asp 1), section 17. Section 12AA and 12AB were inserted by the 2002 Act, section 9(2). Section 13 was amended by the Community Care (Direct Payments) Act 1996 (c.30), section 5. Section 13ZA was inserted by the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 64.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>
Section 1 (Local authorities for the administration of the Act.)	So far as it is exercisable in relation to another integration function.
Section 4 (Provisions relating to performance of functions by local authorities.)	So far as it is exercisable in relation to another integration function.
Section 8 (Research.)	So far as it is exercisable in relation to another integration function.
Section 10 (Financial and other assistance to voluntary organisations etc. for social work.)	So far as it is exercisable in relation to another integration function.
Section 12 (General social welfare services of local authorities.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 12A (Duty of local authorities to assess needs.)	So far as it is exercisable in relation to another integration function.
Section 12AZA (Assessments under section 12A - assistance)	So far as it is exercisable in relation to another integration function.
Section 12AA (Assessment of ability to provide care.)	
Section 12AB (Duty of local authority to provide information to carer.)	

Section 13A was inserted by the 1990 Act, section 56 and amended by the Immigration and Asylum Act 1999 (c.33), section 102(2); the 2001 Act, section 72 and schedule 3; the 2002 Act, schedule 2 and by S.S.I. 2011/211. Section 13B was inserted by the 1990 Act sections 56 and 67(2) and amended by the Immigration and Asylum Act 1999 (c.33), section 120(3). Section 14 was amended by the Health Services and Public Health Act 1968 (c.46), sections 13, 44 and 45; the National Health Service (Scotland) Act 1972 (c.58), schedule 7; the Guardianship Act 1973 (c.29), section 11(5); the Health and Social Service and Social Security Adjudications Act 1983 (c.41), schedule 10 and the 1990 Act, schedule 9. Section 28 was amended by the Social Security Act 1986 (c.50), Schedule 11 and the 1995 Act, schedule 4. Section 29 was amended by the 1995 Act, schedule 4. Section 59 was amended by the 1990 Act, schedule 9; the 2001 Act, section 72(c); the 2003 Act, section 25(4) and schedule 4 and by S.S.I. 2013/211.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Section 13

(Power of local authorities to assist persons in need in disposal of produce of their work.)

Section 13ZA

(Provision of services to incapable adults.)

So far as it is exercisable in relation to another integration function.

Section 13A

(Residential accommodation with nursing.)

Section 13B

(Provision of care or aftercare.)

Section 14

(Home help and laundry facilities.)

Section 28

(Burial or cremation of the dead.)

So far as it is exercisable in relation to persons cared for or assisted under another integration function.

Section 29

(Power of local authority to defray expenses of parent, etc., visiting persons or attending funerals.)

Section 59

(Provision of residential and other establishments by local authorities and maximum period for repayment of sums borrowed for such provision.)

So far as it is exercisable in relation to another integration function.

The Local Government and Planning (Scotland) Act 1982⁽³⁴⁾

Section 24(1)

(The provision of gardening assistance for the disabled and the elderly.)

Disabled Persons (Services, Consultation and Representation) Act 1986⁽³⁵⁾

Section 2

(Rights of authorised representatives of disabled persons.)

⁽³⁴⁾ 1982 c.43; section 24(1) was amended by the Local Government etc. (Scotland) Act 1994 (c.39), schedule 13.

⁽³⁵⁾ 1986 c.33. There are amendments to sections 2 and 7 which are not relevant to the exercise of a local authority's functions under those sections.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>
Section 3 (Assessment by local authorities of needs of disabled persons.)	
Section 7 (Persons discharged from hospital.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments within the meaning of section 16 and which have been delegated.
Section 8 (Duty of local authority to take into account abilities of carer.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments (within the meaning set out in section 16 of that Act) which are integration functions.
The Adults with Incapacity (Scotland) Act 2000⁽³⁶⁾	
Section 10 (Functions of local authorities.)	
Section 12 (Investigations.)	
Section 37 (Residents whose affairs may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 39 (Matters which may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 41 (Duties and functions of managers of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions
Section 42 (Authorisation of named manager to withdraw from resident's account.)	Only in relation to residents of establishments which are managed under integration functions

⁽³⁶⁾ 2000 asp 4; section 12 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), schedule 5(1). Section 37 was amended by S.S.I. 2005/465. Section 39 was amended by the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1 and by S.S.I. 2013/137. Section 41 was amended by S.S.I. 2005/465; the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1 and S.S.I. 2013/137. Section 45 was amended by the Regulation of Care (Scotland) Act 2001 (asp 8), Schedule 3.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>
Section 43 (Statement of resident's affairs.)	Only in relation to residents of establishments which are managed under integration functions
Section 44 (Resident ceasing to be resident of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions
Section 45 (Appeal, revocation etc.)	Only in relation to residents of establishments which are managed under integration functions
The Housing (Scotland) Act 2001⁽³⁷⁾	
Section 92 (Assistance to a registered for housing purposes.)	Only in so far as it relates to an aid or adaptation.
The Community Care and Health (Scotland) Act 2002⁽³⁸⁾	
Section 5 (Local authority arrangements for of residential accommodation outwith Scotland.)	
Section 14 (Payments by local authorities towards expenditure by NHS bodies on prescribed functions.)	
The Mental Health (Care and Treatment) (Scotland) Act 2003⁽³⁹⁾	
Section 17 (Duties of Scottish Ministers, local authorities and others as respects Commission.)	
Section 25 (Care and support services etc.)	Except in so far as it is exercisable in relation to the provision of housing support services.

⁽³⁷⁾ 2001 asp 10; section 92 was amended by the Housing (Scotland) Act 2006 (asp 1), schedule 7.

⁽³⁸⁾ 2002 asp 5.

⁽³⁹⁾ 2003 asp 13; section 17 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), section 111(4), and schedules 14 and 17, and by the Police and Fire Reform (Scotland) Act 2012 (asp 8), schedule 7. Section 25 was amended by S.S.I. 2011/211. Section 34 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedules 14 and 17.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>
Section 26 (Services designed to promote well-being and social development.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 27 (Assistance with travel.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 33 (Duty to inquire.)	
Section 34 (Inquiries under section 33: Co-operation.)	
Section 228 (Request for assessment of needs: duty on local authorities and Health Boards.)	
Section 259 (Advocacy.)	
The Housing (Scotland) Act 2006⁽⁴⁰⁾	
Section 71(1)(b) (Assistance for housing purposes.)	Only in so far as it relates to an aid or adaptation.
The Adult Support and Protection (Scotland) Act 2007⁽⁴¹⁾	
Section 4 (Council's duty to make inquiries.)	
Section 5 (Co-operation.)	
Section 6 (Duty to consider importance of providing advocacy and other.)	
Section 11 (Assessment Orders.)	
Section 14 (Removal orders.)	

⁽⁴⁰⁾ 2006 asp 1; section 71 was amended by the Housing (Scotland) Act 2010 (asp 17) section 151.

⁽⁴¹⁾ 2007 asp 10; section 5 and section 42 were amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedules 14 and 17 and by the Police and Fire Reform (Scotland) Act 2012 (asp 8), schedule 7. Section 43 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedule 14.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>
Section 18 (Protection of moved persons property.)	
Section 22 (Right to apply for a banning order.)	
Section 40 (Urgent cases.)	
Section 42 (Adult Protection Committees.)	
Section 43 (Membership.)	
Social Care (Self-directed Support) (Scotland) Act 2013⁽⁴²⁾	
Section 3 (Support for adult carers.)	Only in relation to assessments carried out under integration functions.
Section 5 (Choice of options: adults.)	
Section 6 (Choice of options under section 5: assistances.)	
Section 7 (Choice of options: adult carers.)	
Section 9 (Provision of information about self-directed support.)	
Section 11 (Local authority functions.)	
Section 12 (Eligibility for direct payment: review.)	
Section 13 (Further choice of options on material change of circumstances.)	Only in relation to a choice under section 5 or 7 of the Social Care (Self-directed Support) (Scotland) Act 2013.
Section 16 (Misuse of direct payment: recovery.)	

⁽⁴²⁾ 2013 asp 1.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>
Section 19 (Promotion of options for self-directed support.)	
<u>Carers (Scotland) Act 2016⁽⁴³⁾</u>	
<u>Section 6⁽⁴⁴⁾</u> (duty to prepare adult carer support plan)	
<u>Section 21⁽⁴⁵⁾</u> (duty to set local eligibility criteria)	
<u>Section 24⁽⁴⁶⁾</u> (duty to provide support)	
<u>Section 25</u> (provision of support to carers: breaks from caring)	
<u>Section 31</u> (duty to prepare local carer strategy)	
<u>Section 34</u> (information and advice service for carers)	
<u>Section 35</u> (short breaks services statement)	

Functions, conferred by virtue of enactments, prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

⁽⁴³⁾ Section 21 was inserted into the schedule of the Public Bodies (Joint Working) (Scotland) Act 2014 by paragraph 6 of the schedule of the Carers (Scotland) Act 2016 (asp 9).

⁽⁴⁴⁾ Section 6 was inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017/449 (Scottish SI) reg.3(2)(c) (December 13, 2017)

⁴⁵ Entry inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment Regulations 2017/190 (Scottish SI) reg.2(2) (June 16, 2017)

⁴⁶ Sections 24, 25, 31, 34 and 35 inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017/449 (Scottish SI) reg.3(2)(c) (December 13, 2017)

The Community Care and Health (Scotland) Act 2002

Section 4⁽⁴⁷⁾

The functions conferred by Regulation 2 of
the Community Care (Additional Payments)
(Scotland) Regulations 2002⁽⁴⁸⁾

In each case, so far as the functions are exercisable in relation to persons of at least 18 years of age.

⁽⁴⁷⁾ Section 4 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), schedule 4 and the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 62(3).

⁽⁴⁸⁾ S.S.I. 2002/265, as amended by S.S.I. 2005/445.

Annex 2

Annex 2 Part 2

Services currently associated with the functions delegated by CEC to the IJB

Set out below is an illustrative description of the services associated with the functions delegated by CEC to the IJB as specified in Part 1 of Annex 2.

Social work services for adults and older people

Services and support for adults with physical disabilities and learning disabilities

Mental health services

Drug and alcohol services

Adult protection and domestic abuse

Carers support services

Community care assessment teams

Support services

Care home services

Adult placement services

Health improvement services

Housing support/aids and adaptation in so far as they relate to adult with social care needs

Day services

Local area co-ordination

Respite provision

Occupational therapy services

Re-ablement services, equipment and telecare.

In each case, so far as the services are provided to persons of at least 18 years of age.

Annex 3

Shadow Strategic Planning Group Consultees

The list of individuals and their wider constituency consulted on the Scheme is as follows:

Member	Wider constituency
Health care member of the Professional Advisory Committee	Professional Advisory Committee
Social care member of Professional Advisory Committee	Professional Advisory Committee
Social care member of Professional Advisory Committee	Professional Advisory Committee
Non-voting service user rep from Shadow Partnership Board (health care)	Patients Council
Non-voting service user rep from Shadow Partnership Board (adult social care)	Network of service users and carers
Non-voting carer rep from Shadow Partnership Board (health)	Carers' network
Non-voting carer rep from Shadow Partnership Board (adult social care)	Carers' network
Officer or member of Scottish Care	Scottish Independent care providers
Representative from a third sector provider of non-commercial providers of health care	EVOC Named charities
Representative from a third sector provider of social care	Third sector providers of social care
Member of Edinburgh Affordable Housing Partnership	Edinburgh Affordable Housing Partnership
Rep of Third sector organisations carrying out activities related to health or social care	EVOC
Representative from one neighbourhood partnership in each locality	Neighbourhood Partnerships
Commercial providers of health care	Internet

Annex 4 List of Consultees

Key Audience - Groups and Fora that represent a combination of staff, services users, service providers and Party governance arrangements

All Council members

All Health Board members

Edinburgh Partnership Board

Shadow Health and Social Care Partnership

Edinburgh Alcohol and Drugs Partnership

Reducing Re-offending Partnership

Providers:

Mental Health and Substance Misuse services providers

Disability services providers

Care at Home providers

Care home providers

Care at Home Providers

Scottish Care

Coalition Care Providers

Planning Fora and Groups:

Joint Mental Health planning forum *

Dementia Delivery Group

Older People's Management Group *

Carer Support Hospital Discharge Steering Group

Carers strategic planning group *

Planning and Commissioning Officers

Edinburgh (Learning Disability) Plan Advisory Group Health & Social Care *

*These groups also have service user representatives

Service Users and Carers Groups: (please note that all of these groups may be involved in the planning of services)

Autism Champions

Young Carers Action Group

VolunteerNet

Edinburgh Carers Reference Group

Carers Network
Housing and Care Group
Network/Core Group (for Personalisation) of service users and carers
Mental Health & Wellbeing Forum
Health related groups of the Neighbourhood Partnerships Edinburgh Partnership Equality Network
LGBT Age Capacity

Staff and Management Groups:

General cascade briefing/email for all staff
Departmental Joint Consultative Committee
Council Partnership at work Forum
NHS Lothian Partnership Forum
Health & Social Care Senior Management Team
Black and Minority Ethnic Workers Forum
Discharge Hubs
Social work sector and hospital teams managers
Older People and Disabilities Managers
Integrated Carers Team
Mental Health Service Managers
Criminal Justice Service Managers
Quality and Standards Managers
Business Development Managers
Contracts Team
Joint Consultative Forum/ DJCC/Trade Unions

Open staff meetings at key sites – RIE/WGH/AAH/Liberton
Staff open sessions (perhaps one on each hospital site in Edinburgh)
Offer to attend other sessions.

Health Board and Council Governance:

Acute Hospitals Committee
General Practitioners Sub Committee
Lothian Medical Committee
CHP committees (e.g. Primary Care)
NHS Lothian Finance and Resources Committee
NHS Lothian Staff Governance Committee
NHS Lothian Healthcare Governance Committee
NHS Lothian Strategic Planning Committee
Council Finance and Resources Committee

Council Health, Social Care and Housing Committee
Council Education, Children and Families Committee
Council Administration and Opposition
Governance Review and Best Value Committee (Audit)
Internal Audit of Council and NHS Lothian
Corporate Programme Office of Council – and relevant programmes e.g. BOLD

Other External Audiences:

Other Local Authorities in Lothian
Criminal Justice Authority Board
MSPs and MPs
Community Planning Partnerships
Scottish Government Health Department
Third Sector via TSIs – EVOC, Compact
External Audit of NHS Lothian and Council
SSSC
Care Commission
Relevant professional clinical and care bodies

Annex 5 Consultation framework – ‘Consulting Edinburgh’

Main features of ‘Consulting Edinburgh’

Presents the Consultation Charter based on the principles of integrity, visibility, accessibility, transparency, disclosure, fair interpretation and publication.

- Provides ability to evidence how views have been sought.
- Supports staff on how to undertake consultations.
- Acts as a benchmark for consistency and robust process and practice
- Provides a definition of consultation that incorporates ‘deliberative dialogue, i.e. decisions are taken **after** consultation.
- Offers an e-learning tool for officers to assess if a consultation is appropriate.
- Guides officers and stakeholders who are launching a consultation through all stages, including: preparation; pre-consultation; consultation and post-consultation. (The guidance includes the development of a communications strategy.)
- Defines the roles and responsibilities of officers who provide communications, research, data collection and analysis, equalities and rights and stakeholder mapping support.

There is other guidance for:

- when the consultation is out-sourced to an external agency.
- setting up a consultation on the electronic ‘hub’ (which is open to the public to view and interact with) monitoring and evaluation.

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The City of Edinburgh Council

10.00am, Thursday, 22 August 2019

Report of Pre-Determination Hearing – South East Wedge, Old Dalkeith Road, Edinburgh – referral from the Development Management Sub-Committee

Item number
Executive/routine
Wards
Council Commitments

1. For Decision/Action

- 1.1 To consider the recommendation of the Development Management Sub-Committee on a planning application, which was the subject of a pre-determination hearing under the procedures set out in the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2008, to refuse planning permission for the reasons outlined in the report by the Chief Planning Officer, and to refer the decision to Scottish Ministers.

Laurence Rockey

Head of Strategy and Communications

Contact: Veronica MacMillan, Committee Officer

E-mail: veronica.macmillan@edinburgh.gov.uk | Tel: 0131 529 4283

Referral Report

Report of Pre-Determination Hearing – South East Wedge, Old Dalkeith Road, Edinburgh – referral from the Development Management Sub-Committee

2. Terms of Referral

- 2.1 In December 2009, the Council approved procedures for dealing with planning applications requiring to be considered by means of a pre-determination hearing.
- 2.2 On 31 July 2019, the Development Management Sub-Committee conducted a pre-determination hearing in respect of an application for planning permission. The proposal would deliver 502 residential units, of which 25% would be affordable.
- 2.3 The Sub-Committee received:
- a presentation on the report by the Chief Planning Officer (Appendix 1)
 - a presentation by Jeff Stevenson, an objector
 - a presentation by Innes Smith and Mark Hamilton from Springfield Homes (the applicant).

Report by the Chief Planning Officer

- 2.3 The Chief Planning Officer gave details of the application and the planning considerations involved for planning permission.
- 2.4 Full planning permission was sought for the erection of 502 residential units and 350 square metres of retail space (although the applicant had indicated some flexibility in terms of the units for commercial/residential space, so the total number of units could be up to 505). While the site was 36 hectares in area, development would only cover around 16.3 hectares. The rest would be retained as a park.
- 2.5 The application raised a number of issues which would require to be negotiated through a legal agreement if planning permission was granted. These related to infrastructure issues including education, transport and healthcare. Further information would be required regarding noise, biodiversity, some design elements and cumulative transport impacts.

- 2.6 However, the principle of housing on this site was not supported and the development was contrary to the Edinburgh Local Development Plan (LDP). The land was allocated as green belt in the LDP and had been identified as a greenspace proposal in order to provide a landscaped, multi-functional parkland, woodland and country park, linking to Midlothian. Although the applicant was proposing to deliver and maintain the remainder of the site as a parkland, the construction of houses would result in the loss of a significant part of the park in perpetuity. This would remove the opportunity to provide a strategic parkland for the benefit of the city as well as the immediately adjoining neighbourhood areas.
- 2.7 The development was also not supported by the Strategic Development Plan (SESPlan) in that it would prejudice the delivery of the green network. In terms of the landscape, it was acknowledged that there were a number of urban interventions around the site that impacted on the overall landscape setting and character of the site. However, this reinforced the site as an area of strategic importance in providing parkland and cycle/footpath links between the Edinburgh BioQuarter and new housing developments at Greendykes/Craigmillar and formed an important visual link to Craigmillar Castle and beyond. This would be impacted to a significantly detrimental degree if the site was developed. Furthermore, the design, scale and layout of the proposal does not accord with policies and guidance.
- 2.8 Therefore, on balance, the principle of the development was not supported. Development of this site would prejudice the development of the parkland, which would be detrimental to the future communities in the area. The visual impact on the landscape had been assessed and was not acceptable. This site was assessed during the preparation of the LDP and it was not supported due to its importance as a strategic green space. There were no overriding material considerations which outweighed this conclusion.

Presentation by Jeff Stevenson, Objector

- 2.9 Jeff Stevenson gave a presentation as an objector to the application.
- 2.10 Both proposals would result in loss of greenbelt and green wedge parkland; loss of the panoramas from the Pentlands across Braid Hills/Blackford Hill to Craigmillar Castle and Arthur's Seat and across to the Firth of Forth; severe damage to the scope to appreciate Edinburgh's setting in this area; major adverse effects on landscape character and visual amenity both external to and internally within the Springfield site, the Little France Park and also along The Wisp; a substantial reduction of opportunity to provide for recreation, well-being associated with physical and mental health and the scope to engage with nature; exacerbation of existing traffic problems over the local highway network and issues for educational capacity as a new school would be needed and this could result in the loss of even more green belt land.
- 2.11 Mr Stevenson concluded that, if accepted, so much existing and future public benefit would be lost. The consenting of either proposal would undermine the

Council's principles, policies and plans which would give rise to the erosion and loss of the Council's planning and environmental credibility.

Presentation by Applicant

- 2.13 Innes Smith (Springfield Properties) and Mark Hamilton (Springfield Properties) were heard in support of the application.
- 2.14 Mr Smith discussed the commercial and amenity aspects of the application. The application was recommended for refusal, primarily because it was on Green Belt land. Mr Smith stated that the proposals would enhance and secure Green Belt land. The Little France area was approximately 90 acres of unkept, waist high grass with a path route. Fly-tipping was a problem on the site and was not a particularly safe area. Springfield Properties were proposing to convert 30 acres to housing and to give 60 acres of the park an injection of investment.
- 2.15 Springfield Properties would spend up to £1m putting in interconnecting pathways, installing benches, clearing areas, cutting grass to allow for public art, play parks, and allotment space. Springfield would also collect fees from the residents as part of a factoring charge which would pay for the park in perpetuity and would secure the area for Green Belt forevermore.
- 2.16 Of the 500 houses proposed, 133 would be affordable housing which could be managed by the City of Edinburgh Council or a Housing Association. Mr Smith stated he was happy to work with whoever the Council wanted Springfield Properties to work with.
- 2.17 The development would create jobs and make a significant economic contribution to the city. Each house was estimated to create four indirect jobs and Springfield properties would employ fifteen apprentices.
- 2.18 Mr Smith concluded by thanking the Sub-Committee for their time and asking that planning permission was granted.

Deliberation by Sub-Committee Members

- 2.19 Copies of representations received during the consultation period had been made available to members of the Sub-Committee for inspection.
- 2.20 Both parties were questioned on their presentations by members of the Sub-Committee.

Decision

To refuse planning permission, subject to referral to Full Council, for the reasons set out in Section 3 of the report by the Chief Planning Officer.

3. Background Reading/ External References

[Webcast - Development Management Sub-Committee - 31 July 2019](#)

4. Appendices

Appendix 1 – report by the Chief Planning Officer

Development Management Sub Committee

Wednesday 31 July 2019

Application for Planning Permission 19/01481/FUL At South East Wedge, Old Dalkeith Road, Edinburgh Erection of 505 residential dwellings, 350 sq m of retail, open space and associated infrastructure.

Item number

Report number

Wards

B17 - Portobello/Craigmillar

Summary

The proposal would deliver 502 residential units, of which 25% would be affordable and this would help contribute towards meeting Edinburgh's affordable housing needs.

The application raises a number of issues which will require to be negotiated through a legal agreement if planning permission was granted. These relate to infrastructure issues including education, transport and healthcare. Further information would be required regarding noise, biodiversity, some design elements and cumulative transport impacts.

However, the principle of housing on this site is not supported and the development is contrary to the Edinburgh Local Development Plan (LDP).

The land is allocated as green belt in the LDP and has been identified as a greenspace proposal in order to provide a landscaped, multi-functional parkland, woodland and country park, linking to Midlothian. Although the applicant is proposing to deliver and maintain the remainder of the site as a parkland, the construction of houses would result in the loss of a significant part of the park in perpetuity. This would remove the opportunity to provide a strategic parkland for the benefit of the city as well as the immediately adjoining neighbourhood areas.

The development is also not supported by the Strategic Development Plan (SESPlan) in that it would prejudice the delivery of the green network.

In terms of the landscape, it is acknowledged that there are a number of urban interventions around the site that impact on the overall landscape setting and character of the site. However, this reinforces the site as an area of strategic importance in providing parkland and cycle/footpath links between the Edinburgh BioQuarter and new housing developments at Greendykes/Craigmillar and forms an important visual link to Craigmillar Castle and beyond. This would be impacted to a significantly detrimental degree if the site was developed.

Furthermore, the design, scale and layout of the proposal does not accord with policies and guidance.

Therefore, on balance, the principle of the development is not supported. Development of this site would prejudice the development of the parkland, which would be detrimental to the future communities in the area. The visual impact on the landscape has been assessed and is not acceptable. This site was assessed during the preparation of the LDP and it was not supported due to its importance as a strategic green space. There are no overriding material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	SDP, SDP06, SDP07, LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES06, LDES07, LEN07, LEN08, LEN09, LEN10, LDES09, LEN16, LEN21, LEN22, LHOU01, LHOU02, LHOU04, LHOU06, LHOU10, LTRA08, LTRA09, LTRA10, SPP, OTH, NSGD02,
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Report

Application for Planning Permission 19/01481/FUL At South East Wedge, Old Dalkeith Road, Edinburgh Erection of 505 residential dwellings, 350 sq m of retail, open space and associated infrastructure.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The site comprises Little France Park and covers approximately 36 hectares in area. It is green belt land, mainly utilised as parkland in the Edmonstone area of south-east Edinburgh. It comprises open grassland and scrubland with occasional mature trees and informal paths and desire lines traversing the site. There is also the formalised active travel walking/cycle route connecting Little France Drive to The Wisp to the immediate south of the site. The site undulates throughout, sloping from east to west towards the valley at Little France Drive.

The Edinburgh Royal Infirmary and the initial phases of the Edinburgh BioQuarter development are situated to the west of the site, beyond which lies the A7 Old Dalkeith Road and the suburb of Moredun. Residential properties forming the area of Danderhall (within the jurisdiction of Midlothian Council) are located adjacent to the south east, immediately beyond The Wisp. The A6106 (The Wisp) is adjacent to the east of the site and forms the boundary with Midlothian Council. The areas of Craigmillar, Greendykes and Niddrie are situated to the north. New residential properties are currently under construction adjacent to the north of the site in the vicinity of Greendykes.

Along a portion of the eastern boundary of the site is the Home Farm Enclosure, which is a scheduled monument.

The ruins of the former Edmonstone House are located to the south of the site.

2.2 Site History

This site:

8 August 2013 - The Craigmillar Urban Design Framework is approved.

4 November 2016 - Application withdrawn for proposed residential development, community parkland and a primary school on Land at Edmonstone, the Wisp, South East, Edinburgh (application number: 15/05074/FUL).

11 January 2017 - Application withdrawn for the development of an area of existing open space into public parkland, to include new active travel links with lighting, paths, landscaping, habitat creation/enhancement and tree planting (application number: 16/02661/FUL).

19 September 2017 - Application withdrawn for proposed residential development, community parkland and a primary school on land at Edmonstone, the Wisp, South East Edinburgh (application number: 16/05417/PPP).

The Applicant is currently seeking planning permission for residential-led development, through the submission of two detailed planning applications:

- An application for 199 dwellings within the eastern portion of the Site, on Springfield-owned land, referred to as Wisp 2A, (application number: 19/01032/FUL); and
- This application for up to 505 dwellings and 350 square metres of retail space, covering the western part of the Site (on City of Edinburgh Council owned land) and a small portion of land in the north-eastern corner of the Site, referred to as Wisp 2B (application number 19/01481/FUL).

Other relevant applications within the area:

14 February 2008 - outline planning permission for an 80 bed private hospital on the site of the former Edmonstone House, granted subject to a legal agreement to secure the reinstatement of the designed landscape including use of the policies as a country park and transport contributions (application number: 04/03551/OUT).

27 July 2010 - outline planning permission for a residential care village on the field to the south of the hospital site (and south and west of this application site), granted subject to a legal agreement to secure a landscape strategy and transport contributions (application number: 08/00934/OUT).

27 July 2010 - outline planning permission for the erection of a care home in the walled garden (to the west of this site), granted subject to a legal agreement to secure a landscape strategy and transport contributions (application number: 08/00936/OUT).

6 December 2011 - Proposal of Application Notice for residential development of two storey houses with associated roads and landscaping on land to the west of the site (and access to the north) (application number: 11/03928/PAN).

8 November 2011 - full planning permission granted to form access road at the north of the site to serve private hospital, care home, care village (application number: 11/02143/FUL).

11 November 2011 - listed building consent granted to relocate existing stone gate posts at the East Lodge (application number: 11/02145/LBC).

11 October 2012 - planning permission for residential development with associated roads and landscaping refused on land largely to the west of the site in the walled garden and eight acre field. The decision to refuse the application was appealed to the Scottish Ministers. The appeal was allowed, subject to a legal agreement, and a decision notice was issued on 20 September 2013 (application number: 12/01624/FUL).

15 April 2014 - listed building consent granted to alter and renovate derelict listed south lodge (545 Old Dalkeith Road) to form single dwellinghouse, with associated access and landscaping (application number: 14/00695/LBC).

24 April 2014 - application granted for renovations and alterations to the listed south lodge (545 Old Dalkeith Road) to form single dwellinghouse with associated accesses and landscaping (application number: 14/00694/FUL).

25 November 2014 - application granted to amend existing consent 12/01624/FUL (residential development) to revise housing mix and elevations (application number: 14/00578/FUL).

12 February 2015 - Reporter from the Department of Planning and Environmental Appeals granted planning permission in principle for residential development, ancillary uses and associated development (application number: 14/01057/PPP).

23 April 2015 - planning permission was granted for ground stabilisation works (application number: 14/01166/FUL).

23 April 2015 - application granted for a cemetery (including provision for woodland burials), memorial garden, chapel of rest and associated development (application number: 13/05235/PPP).

24 April 2015 - application granted on the same site for a cemetery, crematorium, memorial garden, chapel of rest and associated development (application number: 13/05302/PPP).

2 February 2017 - section 42 application granted to extend the outline hospital consent (04/03551/OUT) for a further 3 years (application number: 12/00764/FUL).

Main report

3.1 Description Of The Proposal

Full planning permission is sought for the erection of 502 residential units and 350 square metres of retail space (although the applicant has indicated some flexibility in terms of the units for commercial/residential space, so the total number of units could be up to 505). While the site is 36 hectares in area, development would only cover around 16.3 hectares. The rest would be retained as a park.

The residential units comprise 144 houses and 358 flats. The houses are all two storeys, while the flats are three, four and five storeys. The commercial space is proposed in the north-eastern part of the site.

There is a range of semi-detached and detached properties across the site, as well as cottage flats and traditional flats. There are 144 affordable flats in two locations across the site and comprise over 25% of the total number of units.

Vehicular and pedestrian access to the site would be afforded via two primary vehicular access points from the north, along Tobias Street and Milligan Drive, which connect to the main Greendykes access road.

Pedestrian access is proposed to be taken from a number of points along Tobias Street, with one connection onto The Wisp. There are also paths proposed to connect into the existing active travel route in the park.

A total of 676 car parking spaces are proposed to be provided and would include 288 private driveways spaces for the detached/semi-detached dwellings and 388 on-street parking bays for flats. All detached and semi-detached dwellings would be equipped with electricity charging points and all parking courts for flats would be enabled to accommodate electric charging points in the future.

All detached and semi-detached dwellings are designed to have space to accommodate sufficient bike storage (e.g. within the secure rear gardens). For the flatted buildings (including the cottage flats), dedicated cycle parking provisions in the form of cycle racks would be provided at a ratio of two per dwelling, in accordance with guidance, and would therefore provide a total of 722 spaces.

Affordable housing is proposed to be provided at a rate of 25% of the total number of units.

Open space for the site is proposed to be provided within the existing parkland, as well as within new areas of woodland on the northern boundary along the primary access road. Within the remaining parkland, paths are proposed to be formed, linking the site to the existing active travel route that traverses the park.

Supporting Information

An Environmental Statement was submitted in support of the application. It covered the following topics:

- Noise and Vibration Assessment;
- Air Quality Assessment;
- Tree Survey;
- Historic Environment;
- Ground Conditions and Water Resources Assessment; and
- Cumulative Impact Assessment.

Other supporting documents include:

- Planning Statement;
- Transportation and Access Appraisal;
- Pre-application Consultation Report;
- Landscape and Visual Impact Assessment;
- Design and Access Statement;

- Site Investigation Report; and
- Drainage Strategy.

These documents are available to view on the Planning and Building Standards Online Service.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of residential development is acceptable;
- b) the design, scale and layout of the proposed development is acceptable;
- c) there is sufficient amenity for existing neighbours and future occupiers, and the affordable housing provision is acceptable;
- d) the proposal would have acceptable transport impacts;
- e) there are any infrastructure constraints;
- f) the development would have an adverse impact on the landscape, including the historic landscape;
- g) the proposal would have an adverse impact on the biodiversity or ecology of the area;
- h) the proposal would raise drainage, flooding, ground stability or contamination issues;
- i) the proposal would have any detrimental air quality impacts;
- j) the development would have any adverse impact on any archaeological remains or the scheduled ancient monument;
- k) the proposal would meet sustainability criteria; and

l) the comments raised by third parties have been addressed.

a) The Principle of the Development

Section 25 of the Town and Country Planning (Scotland) Act 1997 states that any determination under the Planning Acts should be made in accordance with the development plan, unless material considerations indicate otherwise. In this case, the development plan comprises the South East Scotland Strategic Development Plan (SESplan) and the adopted Edinburgh Local Development Plan (LDP). Other material considerations include Scottish Planning Policy (SPP) and the Craigmillar Urban Design Framework.

Conformity with SESplan

SESplan was approved in June 2013. The Spatial Strategy sets out locational priorities for development up to 2024 and gives a broad indication of the scale and direction of growth up to 2032. Policy 1A, supported by Figure 1, identifies the Strategic Development Areas (SDAs) where there will be a focus on development and to which new strategic development is to be directed. These locations maximise the potential for development, meeting sustainability and environmental objectives. The site falls within the South East Edinburgh SDA.

Policy 1B (Spatial Strategy Development Principles) sets out the broad principles for LDPs in bringing development forward. Broadly, these principles seek to protect areas with national and local environmental designations and conserve and enhance the natural and built environments.

As noted, the application site is located within the South East Edinburgh SDA. Although this means that the location of the site does not conflict with SESplan's overall spatial strategy, this does not mean that all land within the SDA is required for housing or suitable for housing development in principle. The SDP requires the provision in LDPs of a green belt around Edinburgh for a number of stated purposes, namely to direct planned growth to the most appropriate locations; support regeneration objectives; protect and enhance the quality, character, landscape setting and identity of towns and the city; and protect and give access to open space within and around Edinburgh. Several areas of significance to the Edinburgh Green Belt lie within the South East Edinburgh SDA, and SDP Policy 1A requires LDPs to take account of such environmental constraints. This is assessed further below.

SDP Policy 12 (Green Belts) continues to require that the relevant Local Development Plans define and maintain a green belt around Edinburgh. Paragraph 129 of the SDP further states that in preparing Local Development Plans, authorities should seek to minimise the loss of land from the green belt and effort should be made to minimise the impact on green belt objectives and secure long term boundaries. The policy contains four criteria.

Criterion a) of Policy 12 aims to maintain the identity and character of Edinburgh and Dunfermline and their neighbouring towns, and prevent coalescence, unless otherwise justified by the local development plan settlement strategy. In assessing this proposal against Policy 12, it has the potential to undermine the identity and character of Edinburgh due to its prominent ridge location. It would have an impact on the greenspace leading into Midlothian and prejudice the delivery of the Holyrood to Dalkeith green network as set out in the SESplan Main Issues Report. It would also result in the coalescence of settlements due to the proximity of Danderhall and other local plan allocations in the Proposed Midlothian Local Development Plan.

The development would therefore not meet the first criterion.

Criterion b) states that one of the purposes of the defined Edinburgh Green Belt is to 'direct planned growth to the most appropriate locations and support regeneration'. Since the proposal does not conform in principle to the development plan, this application does not constitute planned growth. The Environmental Report (2013) that supports the LDP assessed part of this site in terms of its suitability for development (identified as South East Wedge Parkland, North). The assessment concluded that through the realisation of the parkland proposals, this site will have an important role in providing open space and path routes connecting the settlements of Little France, Danderhall and Craigmillar. It was therefore not considered appropriate for housing development. In addition, a release of additional greenfield sites would be likely to undermine the redevelopment of brownfield sites, and so would not support regeneration.

The proposal does not meet the second criterion.

Criterion c) states that maintaining the landscape setting of Edinburgh is one of the purposes of the green belt. The proposal fails to place sufficient weight upon the importance of the site and its location along a sensitive ridgeline. The development of the site's ridge top location would impact upon the wider landscape setting of the city. The site is visually prominent in views from Craigmillar Castle and throughout the city skyline (including from Queen's Drive) and from the surrounding road network. The current landform visually contains the existing urban edge and provides an undeveloped skyline in eastward views. In views from within the site, parkland forms a foreground element in views towards the city with a near continuous backdrop of Edinburgh's hills.

The impact on the landscape is further assessed in 3.3(f) below.

Criterion d) states that green belts should 'provide opportunities for access to open space and the countryside'. The proposals would remove 16 hectares (40 acres) of strategic parkland. While some parkland would remain between the proposed housing and the BioQuarter, the main consideration is whether the area of open space that is left would provide adequate opportunities for access to open space and the countryside. The resultant area of parkland between the proposed housing and the BioQuarter would provide some amenity, and it is noted that the proposed plans show a network of paths and routes connecting the surrounding residential areas and there is potential for connections to Midlothian.

These actions are supported in principle, particularly the formation of the paths and routes. However, these are only providing access from the proposed development, and would not benefit existing surrounding properties.

Furthermore, the delivery of a strategic area of open space in this location has been a fundamental aim of the LDP (and preceding adopted local plans), as well as the Craigmillar Urban Design Framework, which underwent significant local community consultation. The loss of the large area of parkland would remove an opportunity to create strategic open space for residents of Edinburgh and beyond. The scale of the South East Wedge Parkland is identified in the LDP to provide a strategic area of parkland to benefit the whole of the city and Midlothian, and the proposed development would prejudice this delivery.

The site also forms an important part of the Central Scotland Green Network (CSGN), as contained within National Planning Framework 3 (NPF3) and the removal of the parkland would prejudice the delivery of the CSGN in this location.

Therefore, despite its benefits in terms of providing linkages and retaining some areas of open space, the application does not accord with this objective.

The provisions of SDP policy 12 confirms that:

- Despite an increased need for more housing land, the Edinburgh LDP must also designate land as green belt in places where it will help meet green belt objectives.
- This process should not be undermined by approving housing proposals on land identified as green belt in the emerging LDP.

As stated above, granting planning permission on this site would undermine green belt objectives in a number of ways. Overall, the proposal does not comply with SDP Policy 12.

Conformity with the Local Development Plan (LDP)

The site is within the green belt in the adopted LDP. It is also identified as a specific greenspace proposal (GS4).

With regards to the green belt, policy Env 10 (Development in the Green Belt and Countryside) only permits new development for the purposes of agriculture, woodland and forestry, or where a countryside location is essential. Development of this site for housing would not comply with policy Env 10.

The greenspace proposal (GS4) seeks to retain the land around Craigmillar/Greendykes in the green belt, in order to provide a landscaped multi-functional parkland, woodland and country paths, linking to Midlothian. In assessing the proposal against GS4, a degree of parkland is proposed to be retained as part of the proposal.

The issue that requires consideration is whether the remaining area of parkland would provide a sufficient area of land in order to provide a multi-functional parkland for the future residents of the adjacent housing developments, as well as providing an area of valuable strategic open space for the city.

The applicant has asserted that the ground levels and poor environmental management have previously prevented this area of land from realising its full potential as a parkland. In addition, the site has been subject to large amounts of fly-tipping in the past, which has prevented it from being utilised to its full extent.

However, the parkland has undergone a series of recent improvements and investment, and is now being utilised for its intended purpose by the new population in the surrounding Greendykes housing developments. The representations submitted by surrounding residents demonstrates how the parkland is becoming a valuable asset for the surrounding communities.

In this context, it is important to consider that the wider area is undergoing considerable amounts of regeneration. At Greendykes there are over 1000 homes with planning permission under construction, as well as the development of the BioQuarter and new Royal Hospital for Sick Children. The character and function of the area will intrinsically change as a result of all this development. This will have a consequential impact on the function, use and need of the parkland.

Although the application site is not fully within Council ownership, and the land which is in Council ownership is still undergoing a transition from unmaintained land to parkland, housing development on this site would remove this land from the green belt in perpetuity. This would prevent the site from realising its full potential in the future as a multi-functional parkland which would benefit the new residents of the adjoining housing areas and the wider city, as well as providing a landscape setting for the BioQuarter. Development of the land would also prejudice the green link from Holyrood Park to Shawfair and hence prejudice the function of the green belt at this location.

However, during the LDP examination process, the Reporter concluded that whilst the planned open space will be substantially reduced by the housing allocations to the north and south of this site, the site forms part of a continuous green wedge running from the wider green belt westwards between Greendykes and the BioQuarter. The Reporter considered that its retention is important in providing open space and recreational routes connecting through these areas, and that development of this site would effectively dislocate the green belt to the west with the wider countryside in Midlothian to the east, to the significant detriment of green belt objectives.

Furthermore, whilst development at The Wisp results in a consequent change to the green belt to the north, the Reporter stated the circumstances for this site are different given that the objective of open space proposal GS4, South East Wedge Parkland, is described as multifunctional parkland, woodland and country paths linking with parallel developments in Midlothian. The site forms part of the city's green network in the Open Space Strategy and secures a green link through to Midlothian. Development of the sites to the north and south will accentuate the importance of this remaining area in maintaining continuity of this green corridor and its contribution to green belt objectives in terms of recreational access. Consequently, the Reporter concluded that he did not consider the site should be identified for housing and that it should be retained in the greenbelt and as open space.

Therefore, at this stage, the proposal cannot be justified in terms of policy Env 10 and greenspace proposal GS4 on the basis that it is not an appropriate form of development in the green belt and is removing the opportunities for a multi-functional strategic parkland.

Scottish Planning Policy 2014 (SPP)

SPP introduces a presumption in favour of development that contributes to sustainable development. Paragraph 110 of SPP states that the planning system should:

- Identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a five-year supply of effective housing land at all times;
- Enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- Have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

SPP Paragraph 29 lists a number of sustainable development principles which should be used to guide decisions. It states that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

In terms of assessing the proposal against the principles of SPP, the applicant has provided justification as to why this site is suitable for development based on the fact that the adjacent developments have diluted the original setting of the parkland from a remote countryside location to a strategic investment area. The applicant also asserts that the aspirations and proposals for the parkland should be revisited and that it should become a more formal parkland setting, as opposed to a country park-type aspiration. The applicant also states that since the land ownership is not solely with the Council, the applicant's land will never become integrated into the park unless development potential is realised.

While it is acknowledged that the land is not solely within the control of the Council, this site has been considered in line with green belt objectives and SPP. The key aim of SPP is to deliver sites in a plan-led manner and as SPP sets out, the aim is to achieve the right development in the right place; it is not to allow development at any cost. The potential economic benefits of developing this site cannot outweigh the environmental cost and irreversible impact on the landscape setting of the city. The land was formerly part of a designed landscape, providing setting for Craigmillar Castle and the views outward from the castle can still be appreciated from an historical viewpoint as the structure of the designed landscape can still be seen.

Housing Land Supply

The applicant has asserted that the Council area currently does not have an adequate five-year housing land supply and that the current local development plan is out of date, and therefore paragraphs 32-35 and 125 of SPP apply.

This is not the case. LDP Policy Hou 1 relates to the location of housing development and consists of two parts. The first part gives priority to housing development in the urban area as defined in the LDP.

The application site lies in the green belt as defined in the LDP and so is not supported by part 1 of Policy Hou 1. Should there be a deficit in the maintenance of the five year housing land supply, the site may be assessed in terms of part 2 of Policy Hou 1.

Policy Hou 1 Housing Development (part 2) states that where a deficit in the maintenance of the five year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:

- a) The development will be in keeping with the character of the settlement and the local area;
- b) The development will not undermine green belt objectives;
- c) Any additional infrastructure required as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time;
- d) The site is effective or capable of becoming effective in the relevant timeframe;
- e) The proposal contributes to the principles of sustainable development.

The latest assessment of the housing land supply in the City of Edinburgh is the 2018 Housing Land Audit and Completions Programme (HLACP), which was reported to Planning Committee on 3 October 2018. The capacity of effective housing land and the anticipated programme of completions within the HLACP were agreed as reasonable with Homes for Scotland.

The HLACP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2018 HLACP demonstrates that there is more than sufficient effective housing land to meet the housing land requirements set by the SDP. The HLACP also demonstrates that the five year completions programme (previously referred to as the five year effective land supply) is above the five year completions target.

There is, therefore, no shortfall in either the supply of effective housing land or the expected delivery of new homes over the next five years. As there is no deficit in the maintenance of the five year land supply, Policy Hou 1 part 2 does not apply. Paragraphs 32-35 of SPP are also not relevant.

The landscaping and landscape setting is examined further below. At this stage, development of the site is not in accordance with the principles of the SDP, LDP or SPP.

Craigmillar Urban Design Framework (Updated 2013) and the BioQuarter and South East Wedge Parkland Supplementary Guidance

The Craigmillar Urban Design Framework (CUDF) sets out a vision and planning principles for development of the Craigmillar area. This application site is within the CUDF and is identified as a being retained as a parkland.

Similarly, the BioQuarter and South East Wedge Parkland Supplementary Guidance contains development principles which relate to the parkland. These detail that the parkland should have a clearly defined landscape structure; maximise biodiversity throughout the design; be a visually stimulating environment which provides a clear transition between the urban area and Edinburgh's rural hinterland; and through its design, walkways and planting, protect views to Craigmillar Castle, Arthur's Seat and Edinburgh Castle.

The proposal to build houses on the parkland does not accord with the CUDF or the Supplementary Guidance.

Conclusion

The principle of residential development is not acceptable on this site. It is therefore important to assess whether there are other material considerations which could indicate acceptability of the proposal. These are examined below.

b) Design, Scale and Layout

In assessing the design, scale and layout of the proposals, there is a framework of design policies contained with the LDP, as well as the requirements of the Craigmillar Urban Design Framework, the BioQuarter and South East Wedge Parkland Supplementary Guidance, the Edinburgh Design Guidance, Designing Streets: A Policy Statement for Scotland and PAN 67 (Housing Quality).

Design

Policy Des 1 (Design Quality and Context) states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design, or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

Similarly, the CUDF states that "The design of new areas should be conceived as a whole rather than as a collection of disparate housing estates and business parks. Dwellings, shops and public and private institutions should be located close to each other, within the same building or block or with easy access between these... The relationship between built form and the public realm allied to landscape character should generate a lively, distinctive character. It is the design of the space between the buildings which helps to give a place its character, and determines whether or not people feel comfortable within that space. There must be careful and considered design of various elements - street type, building type and the treatment of the public realm."

PAN 67 (Housing Quality) states that the design of new housing should reflect a full understanding of its context, in terms of both its physical location and market conditions.

In assessing this proposal against this framework of policies and guidance, the proposed buildings along the edges of the site do not address any of the surrounding streets or parkland in a positive way. Along the northern boundary, this is partly due to the ground levels between the proposed development and the new Greendykes housing to the north. Here, the land falls considerably over a short distance. This means that in long views (as demonstrated in the Landscape and Visual Impact Assessment (LVIA) that accompanied the application), this site is particularly prominent on the ridge. It appears that little consideration has been given to its location sitting higher than the surrounding existing properties at Greendykes, and therefore gives the proposed development the appearance of being disjointed and not relating to surrounding housing.

The housing along the western boundary does not address The Wisp, and the proposal forms an awkward boundary with this road. Similarly, the proposed housing along the southern boundary fails to provide a suitable edge to the park. The proposed houses do not address the park, while the flats are a dominant feature along this boundary and, given the ground levels, would appear incongruous and dominant in the landscape. Across the site, the levels plan shows the extent of the retaining walls, underbuilding and embankments. In some areas, there is a level difference in the finished floor levels of up to 5 metres between adjoining plots. The underbuilding is also substantial, where there can be up to a metre of underbuilding on the plots. While retaining walls and underbuilding is not uncommon on new housing sites, this proposal presents an engineering solution to the development of the site and takes little cognisance of the unique topography and landscape quality.

In the absence of a detailed landscape plan, it is difficult to assess whether there is any mitigation proposed, or whether the boundary treatments are suitable.

Policy Des 2 (Co-ordinated Development) states that planning permission will be granted for development which will not compromise the effective development of adjacent land, or the comprehensive development and regeneration of a wider area.

In this instance, Midlothian Council has expressed concern at the reduction in green space and narrowing of the corridor which would be caused by the development.

The location of this site is important in strategic terms due to the proximity of the boundary with Midlothian Council (MLC). Immediately across The Wisp are housing allocations within Midlothian for an extension to Danderhall and a new development at Cauldcoats. In addition, the Shawfair development site lies to the east.

The 2002 masterplan for the Shawfair development (which forms part of the outline application for Shawfair, planning application 02/00660/OUT, approved in 2014) contains a landscape framework which considers linkages between Shawfair and the surrounding area. The landscape concept is to provide a strategic green link between Holyrood Park and Dalkeith Park and the overall aspiration for this large green network is to provide safe off-road routes from Midlothian through to Edinburgh and into the City Centre.

While this aspiration could still be achieved through the delivery of a housing proposal if appropriate paths and connections were provided, development of the application site would create a narrowed section of green space which would erode the potential for a robust green link between the two local authority areas. The visual impact of the narrowed green space is seen to the greatest extent from viewpoints on the north east of the site. According to the applicant's Landscape and Visual Impact Assessment, views from Queen's Drive and Craigmillar Castle are where the greatest impact on the narrowing of the green link is particularly prevalent. The visual impression of the green space is that of a considerably narrowed area. This would discourage walkers or cyclists from utilising the green link, and while sensitive design could improve a reduced green link, the width is not sufficient within its context.

In summary, there are significant implications for allowing housing development on this site, including the impact on the potential for good visual and physical connections and the erosion of the strategic green link. While the connectivity impacts could be mitigated if paths and networks from the site are connected to Midlothian at appropriate locations, the contextual and visual impact cannot be mitigated and there is no compelling argument to suggest that the narrowed green link is appropriate.

Layout

LDP Policy Des 7 (Layout Design) states that planning permission will be granted for development where it meets a number of criteria relating to issues of the layouts of buildings, streets, footpaths and taking an integrated approach to new streets, and whether the development will encourage walking, cycling and the use of public transport.

There are very few amenities for residents within a 10 minute walking distance. This would suggest that the site is not suitable for a predominantly residential development with the obvious result being high car dependency and a negative impact on infrastructure and air quality. The applicant proposes to address this deficiency by providing a unit of up to 350 square metres at the site entrance that could accommodate a range of uses, including a small shop or doctor surgery.

In addition, the applicant is proposing to connect the site via a series of footpaths to the main Greendykes access road which is served by a bus route, as well as links to the existing active travel route through the parkland. These measures are acceptable in terms of Policy Des 7.

In terms of the details of the layout, Designing Streets offers guidance on the importance of creating successful places through good streets design. One example is given as to how street length can have a significant effect on the quality of a place. Acknowledging and framing vistas and landmarks can help bring an identity to a neighbourhood and orientate users. However, long straights can encourage high traffic speeds, which should be mitigated through careful design.

With regards to the proposed layout, there appears to have been little consideration given to how the streets could be used to frame vistas and landmarks. The surrounding landmarks include Arthur's Seat, Craigmillar Castle and the Firth of Forth. Neither the orientation of the buildings, nor the street layout pays cognisance to these features. Similarly, the long stretches of road within the site give priority to the car, and the pedestrian routes are compromised by the driveways that cross the footway. These are not principles which are supported by Designing Streets.

Scale

LDP Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

In assessing whether this scale of development is appropriate, the Craigmillar Urban Design Framework states that the edge of the housing areas facing parklands should be well designed and should take into account the surrounding landscape. The proposal in this case does not appropriately address the park, as the edge is formed by fragmented blocks of flats set behind a road. In particular, the flats at the far western end of the site do not create a strong or attractive urban edge, and the lack of a comprehensive landscape plan makes it difficult to assess how the buildings will sit within the landscape. Similarly, the houses at the eastern end of the site turn their backs onto the park, so this boundary will not be an attractive edge to the park.

With regards to policy Des 4, the scale and proportions of the proposed development do not sit comfortably within the landscape. The areas of parking are dominant across the development, and the scale and massing of the flats are incongruous at this location.

Design Conclusion

The finer details of the design have not been adequately considered. The streets are not legible for pedestrians, the massing of the flats is inappropriate and the layout does not present any innovative ways of addressing the unique landscape and topography of this site.

c) Amenity and Affordable Housing

The design policies in the LDP are supported by the Edinburgh Design Guidance, which provides more specific advice on site development with regards to providing appropriate levels of amenity. LDP Policy Des 5 (Development Design - Amenity) is relevant for assessing the impact of proposals on amenity for existing and new residents.

Existing Residents

The residents most affected by the proposals are located to the north in the New Greendykes development. However, due to considerable distances between the properties, there would be no impact on privacy or amenity. There would be some loss of immediate outlook as the existing properties sit lower than the floor levels of the proposed properties, however the green buffer would remain, and the height of this would retain a green outlook for existing residents.

However, the proposal to remove an area of parkland, will have an impact on the wider area. The areas around the site are within the most deprived areas in Scotland (the immediately adjoining areas in Craigmillar and Niddrie are in the 10% most deprived communities in Scotland, based on 2016 SIMD deciles). Reducing the parkland to such a degree would remove the potential for these deprived communities to access a strategic area of countryside parkland.

New Residents

The main impact on new residents will be noise arising from road traffic and nearby hospital operations.

The development is proposed to be situated directly beneath an existing flight path as presently utilised by the emergency helicopters coming to and going from the hospital. The new Royal Hospital for Sick Children (RHSC) includes a new helipad. The new helipad is likely to increase the number of flights over the proposed development albeit two other routes to and from the hospital are available for use by the helicopter pilots.

Therefore in summary, the applicant must submit further detailed assessments in relation to industrial, commercial and general hospital operations, helicopter and road traffic noise with mitigation measures designed, if planning permission was granted.

In relation to community facilities, the applicant has indicated that there is a site commercial/local shop of up to 350 square metres within the site. This would be secured through conditions if planning permission was granted.

Affordable Housing

This application is for a development consisting of up to 505 homes and as such, LDP Policy Hou 6 (Affordable Housing) applies. There will be a requirement for a minimum of 25% (126) homes of approved affordable tenures. The developer has been in contact with Dunedin Canmore Housing Association and they are satisfied with the range of housing that has been offered which is an integrated and representative mix of affordable housing on site. In terms of accessibility, the affordable homes are situated within close proximity of regular public transport links and are located next to local amenities.

The applicant has stated that the affordable housing will account for 25% of the new homes on site. This is supported in terms of policy Hou 6 and will be secured by a legal agreement if planning permission is granted.

In conclusion, the amenity of existing and future residents is adequate under policy Des 5, and the affordable housing provision is acceptable in terms of policy Hou 6.

d) Transport Impacts

This proposal requires to be assessed against relevant transport policies in the LDP, primarily Tra 8 (Provision of Transport Infrastructure).

This site is not an allocated housing site within the LDP and, therefore, its transport impact on the strategic road network has not been assessed cumulatively. The LDP states that development proposals relating to major housing or other development sites which would generate a significant amount of traffic must demonstrate that individual and cumulative transport impacts can be timeously addressed.

The Roads Authority has advised that the submitted Transport Assessment does not include specific figures for committed development outside the City of Edinburgh Council area. A high National Road Traffic Forecast (NRTF) growth rate is used as a proxy instead, but it is unclear whether this adequately reflects the likely traffic impact from development in Midlothian and elsewhere.

Midlothian Council (MLC) has notable concerns regarding the cumulative impact on the transport network arising from this proposal. MLC is concerned to ensure that the road network in the locality of development continues to operate efficiently if the proposed development is added to committed developments. It is particularly important to fully assess proposals such as this, which have not come through the plan-led system and do not benefit from a development plan transport assessment. The recent Scottish Ministers' decision on SDP2 indicates the strong concern of the Scottish Government that interactions between transport and land use planning are taken into account.

The applicant makes points relating to: adequacy of using NRTF growth rates in lieu of assessment of committed development in a neighbouring authority; need for improvements at The Wisp junction/ Old Dalkeith Road in advance of the development; and significance of traffic impact on junctions.

Midlothian Council is concerned that the NRTF growth rate (given as 1.045% between 2018 and 2021) does not adequately reflect the quantity of growth associated with Midlothian's share of the South East Wedge development, which will lead to a near four-fold increase in housing numbers from the part of Midlothian adjacent to the development. The applicant's Transport Assessment has incorporated assessment of significant committed developments in the CEC area in proximity to the development site, and Midlothian Council wishes this approach extended to the developments in the Shawfair area so that the whole of the south east wedge is accounted for in the TA.

The Shawfair new settlement (3423 units) and Danderhall South extensions (351 units) have planning permission and have commenced construction. The 2017 Midlothian Local Development Plan (MLDP) allocation at Newton Farm has planning permission (622 units). Although not yet consented, the 2003 Shawfair Local Plan allocation at North Danderhall (190 units) and the 2017 MLDP allocation at Cauldcoats (350 units) are committed sites and should be taken into account in assessing future transport impacts.

In reference to the significance of traffic growth on junctions, the significance of a traffic impact depends not only on the percentage increase but the available capacity. A 10% increase on a lightly trafficked road may not be significant whereas a 1% increase on a congested road will be. This approach is supported in Transport Scotland's Transport Assessment Guidance.

Transport Scotland also made comments on the proposal. It stated that although it would not propose to advise against the granting of planning permission, Transport Scotland's response is provided on the understanding that the City of Edinburgh Council will make provision (should the application be recommended for approval and if deemed necessary as a consequence of the SESplan Cross Boundary Transport Appraisal) for an agreement with the applicant to make appropriate and proportionate contribution to address cumulative impact on the strategic transport network and for a related action to be incorporated within the Council's Local Development Plan.

Transport Scotland also advised that with regards to LDP Policy Tra 8, the Transport Assessment (TA) does not undertake a cumulative and a cross boundary transport assessment. The assessment has included a number of committed developments in the immediate vicinity to the proposed development (New Greendykes; the new hospital for sick children; Edmonstone Policies & Walled Garden); Edinburgh BioQuarter and Shawfair but does not appear to include allocations in the adopted LDP that have not yet obtained consent. The road network considered only extends as far south as the A7 Old Dalkeith Road/Link Road/Shawfair Park and Ride roundabout and does not go as far south as the A720 Sheriffhall Roundabout.

Transport Scotland notes that the site is not allocated in the LDP and the related policy requires the applicant to do a cumulative, cross boundary transport assessment. Transport Scotland considers that this hasn't been undertaken. However, it is difficult to conclude that this development has an effective role in delivering the cumulative, cross boundary transport assessment referred to in LDP Policy Tra 8, given the fact it contributes only 1.6% of the traffic on the A7 and therefore significantly less than this in terms of overall impact on Sheriffhall.

Transport Conclusion

Overall, the junction of Old Dalkeith Road and The Wisp is currently operating over capacity at present and would be worsened when all the committed developments in the area are fully constructed and operational. The proposed development would have an impact on this junction. Midlothian Council have requested a number of improvements and these could be secured by a legal agreement if planning permission was issued.

e) Infrastructure Constraints

Education

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure actions have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

This site falls within Sub-Area C-2 of the 'Castlebrae Education Contribution Zone'. This site is not supported by the LDP and therefore was not accounted for in the Council's Education Appraisal. Using the pupil generation rates set out in the Appraisal, the development would be expected to generate 117 additional primary school pupils and 76 additional secondary school pupils.

In terms of secondary school provision, the replacement Castlebrae High School will have an expansion strategy so additional capacity could be delivered if this was required. Contributions towards the provision of additional secondary school capacity would therefore be required to mitigate the impact of the proposed development. As per the Council's Supplementary Guidance, this should be £980 per flat (as at Q4 2107) and £6,536 per house (as at Q4 2017).

In terms of primary school provision, the site is within the catchment area of Castleview Primary School. The school's catchment area is undergoing significant change with new housing development progressing quickly. School roll projections indicate that the roll of this school will exceed its current capacity in 2021.

The Council's Action Programme identifies a requirement for a three-class extension to mitigate the impact of housing development proposed by the LDP. This action will not mitigate the impact of this additional development.

In addition to the new housing proposed in the LDP there is significant previously committed development still to be completed in the area. Therefore longer-term projections indicate that the school roll could rise above 630 pupils. This is the normal capacity of a three stream (21 class) school. The Council does not have a primary school bigger than three streams.

Communities and Families cannot therefore support new development over and above what is already committed or proposed in the Local Development Plan in this area at this time as sufficient infrastructure is not already available and it has not been demonstrated that an appropriate solution to delivering additional primary school capacity can be provided at an appropriate time.

If planning permission was to be granted despite an appropriate solution to delivering additional primary school capacity not being identified, the Council would then have to consider if a new primary school was required. In line with the Supplementary Guidance, the development would be required to make a financial contribution that is sufficient to cover the costs of any education infrastructure action that is required because of that new development, including a new primary school.

If planning permission was granted, the contributions would be required under LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) and this would require to be negotiated under the terms of a legal agreement.

Transport

The site does not constitute planned development and therefore is not included within a contribution zone of the approved Developer Contribution and Infrastructure Delivery Supplementary Guidance.

Nevertheless, the Council's Transport Action Programme indicates that any development in this area will require to contribute to transport measures. However, it is unclear whether the additional traffic from this site can be accommodated within the improvement works set out in the Action Programme. Additional information will be required if planning permission was granted, and will be developed in conjunction with Midlothian Council. Potential improvement works include a contribution to the Sheriffhall Transport Contribution Zone; contribution towards the upgrading of The Wisp/Old Dalkeith Road signals (including MOVA); installation of traffic signals at the northern and southern ends of The Wisp (including The Wisp/Millerhill Road as necessary) and appropriate toucan crossings.

These requirements could be negotiated through a legal agreement if planning permission was granted.

Health Care

The site is within the north east contribution zone for health care. This requires contributions towards a new medical practice at Niddrie/Craigmillar. The cost of this is set out in the approved supplementary guidance and is at a cost of £945 per dwelling.

Conclusion

The educational infrastructure for the site requires a potentially significant financial contribution, as well as transport and health care contributions. If the costs as above can be met fully by the applicant, this is acceptable.

f) Landscape Impact

LDP Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

In assessing this application against Policy Des 4, there is the consideration of the impact of development on the landscape character of the site, and also the impact of the development on the wider landscape setting of the city, as well as the impact of the development at a more local level. Further to these considerations is the weight which is given to the overall potential of the site to deliver a quality parkland for the residents of surrounding approved housing developments, users of the BioQuarter and the wider city.

LDP Policy Des 9 (Urban Edge Development) states that planning permission will only be granted for development on sites at the green belt boundary where it conserves and enhances the landscape setting and special character of the city, promotes access to the surrounding countryside, and includes landscape improvement proposals that will strengthen the green belt boundary and contribute to multi-functional green networks by improving amenity and enhanced biodiversity.

Landscape Character

The landscape has the potential to provide many services for the population of Craigmillar and beyond. It is part of a strategic network of green corridors and parks, designed to complement existing and new urban development. Currently, the character of the landscape is semi-rural and whilst development has encroached into the parkland, this section of the parkland remains intact. The semi-rural nature of the character has the potential to provide an open landscape that is characterised by wildlife that is associated with the countryside. This will be damaged by the loss of parkland area. In the future, a large park would allow for recreational activities to be developed for the benefit of local residents and other residents of Edinburgh that would not be possible in a smaller area. Loss of this landscape to development prevents the creation of a semi-rural park.

An area of parkland would remain, but is of a different scale. The applicant has commented that the semi-rural nature of the park is not appropriate in this location and that the character of the park should change to become more of a managed urban parkland. The applicant has stated that it will contribute towards the management and maintenance of the park if planning permission was granted, on the basis of an urban park. However, this is not the Council's aspirations for this land, and as noted in the letters of representation, this semi-rural parkland is already providing a valuable area for the new residents of Greendykes.

In addition, as this large-scale landscape character is part of the setting of the city, the reduction in the parkland would impact on the setting of the city and the remaining setting of Craigmillar Castle.

Therefore, the proposal does not conserve or enhance the landscape setting and special character of the city. It also does not include landscape improvement proposals that will strengthen the green belt boundary, or contribute to multi-functional green networks by improving amenity and enhanced biodiversity, as required as part of LDP Policy Des 9.

Scottish Natural Heritage (SNH) commented on the application. SNH acknowledge that this is a new application encompassing several changes from previous proposals on this site. It is noted that the extent of development proposed on the parkland has been reduced and that there may be scope that the development could partially contribute to Plan objectives providing information on the detail and delivery of the parkland proposal and the green infrastructure is secured by the Council in the most appropriate manner.

Nevertheless, SNH note that there remains adverse impacts. The introduction of housing to areas of proposed parkland as set out in the LDP will have adverse impacts on local landscape character and visual amenity, as well as the resulting scale and diversity of uses for the parkland. Reducing the size of the parkland will affect its intended role as a large multi-functional open space serving neighbouring and wider communities in south east Edinburgh, compromising to some extent, the Council's ambitions for the creation of a strategic open space as set out in the various Plans and Strategies for the area.

However it is noted that the current proposals incorporate access linkages into the new parkland from surrounding neighbourhoods, to ensure continued access to the new parkland. Green infrastructure is proposed including woodland, street trees and SUDS, demonstrating good placemaking principles. However, these principles do not appear to be applied consistently to both applications for this site, for example, the houses with their backs onto the open space is questioned.

LDP policy Des 1: 'Design Quality and Context' states that planning permission will not be granted for '...proposals that would be damaging to the character or appearance of the area around it particularly where this has special importance.'

The proposals would damage the open landscape character that is important as a location for recreation and amenity and is part of the National Planning Framework 3. Part of the landscape character is the experiential aspects of the character.

It is acknowledged that the site is surrounded by urban interventions and encroachment, and views across the site looking west are interrupted by urban developments such as the hospital, BioQuarter and Greendykes. However, from higher viewpoints looking eastwards, there are sweeping views of greenspace and countryside beyond. A development of the extent proposed would have a detrimental impact on these important views and the landscape setting of the city.

The proposal is therefore contrary to policies Des 1 and Des 9.

Visual Amenity

The sweeping views across the landscape from Craigmillar Castle and Hawkhill Wood draw the eye to the green areas beyond. These would be affected by the development on this site. The undeveloped landscape connection between Craigmillar Castle parkland and the ridge is a strong visual characteristic and the views lead the eye down into the valley and then back up to the ridge. The proposal narrows this green space and it no longer appears as a strategic landscape between developments.

The existing development at Greendykes nestles into the valley bottom and its setting is the landscape that surrounds it.

LDP policy Des 4: 'Development Design: Impact on Setting' states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

The proposals do not have a positive impact on the views and do not enhance the setting of the city. This is noted in the applicant's Landscape and Visual Impact Assessment, which indicates that the development will have a major adverse effect on many views. Also, it will not have a positive impact on the landscape character as, for a large part of the site, the open landscape is lost and replaced with an urban character that is not suitable for this area of landscape due to its function as potential parkland and part of the setting of the City and the role it plays in providing strategic green infrastructure.

The proposal is therefore contrary to policy Des 4.

Future Potential of the Site to Deliver Parkland

The LDP Action Programme, adopted in December 2016, identified specific funding towards the delivery of the parkland. It states that the delivery of an 86 hectare multi functional parkland, woodland and country paths will be carried out by the Council in collaboration with the Edinburgh and Lothians Greenspace Trust and would link in to parallel developments in Midlothian.

LDP Policy Des 2: 'Co-ordinated Development' states that planning permission will not be granted for development which might compromise the effective development of adjacent land or the comprehensive development and regeneration of a wider area as provided for in a masterplan or development brief approved by the Council.

The Craigmillar Urban Design Framework showed this area for the future development of parkland to provide recreation and a setting for the designed development of Greendykes, the BioQuarter and the City. There is no open space provision within the New Greendykes development as it was envisaged that the open space for this development would be provided by the parkland. It was never envisaged that this would be lost.

While it is acknowledged that some parkland is proposed to be retained as part of the proposals, it is not sufficient to provide the useable open space for New Greendykes or the strategic parkland as envisaged in the Craigmillar Urban Design Framework, nor the multi-functional parkland/woodland, linking with parallel developments in Midlothian, as stated in Greenspace Proposal (GS 4) of the LDP.

The proposal is therefore contrary to policy Des 2.

Historic Landscape

The Council's 2013 Craigmillar Urban Design Framework recognises the significance of the historic landscapes occupying this site, identifying them as an area of valuable open space and parkland. This is the last piece of landscape setting that was part of the original setting for Craigmillar Castle.

As noted previously, there are a number of urban interventions that are prevalent in various views across the site towards the castle. However, the sweeping nature of the remaining landscape forms an appropriate visual link to the castle and the urban developments around the castle reinforces the need to retain a substantial landscape setting.

Policy Env 7 (Historic Gardens and Designed Landscapes) states that development will not be permitted if it has a detrimental impact upon views to and from the site.

Historic Environment Scotland (HES) commented on the application in relation to the scheduled monument adjacent to the site. Although HES did not object to the proposed development in principle, it held some concerns regarding the applicant's overall methodology of measuring the impact of the development on the scheduled monument.

HES made no comment regarding the impact on views from Craigmillar Castle. Previous comments received from HES in relation to development on this site also do not consider that the proposal would challenge the castle for dominance within its setting or disrupt the key relationship between the castle and its policies. While acknowledging that there will be an impact on setting, HES does not consider that this impact will raise issues of national significance.

Landscape Conclusion

It is acknowledged that the landscape has been eroded by urban developments surrounding the site. However, this reinforces the strategic importance of the parkland in delivering an appropriate landscape setting for these urban developments and the wider City.

The proposal does not demonstrate how it can comfortably sit in this important landscape and therefore cannot be supported.

g) Biodiversity and Ecology

Policy Des 3 (Development Design) and the Edinburgh Design Guidance (Chapter 3) aim to identify opportunities, through development, to enhance local biodiversity.

Little France Park is a key strategic location in Edinburgh's habitat network. The park is a link between the rural setting in adjacent Midlothian and a habitat node along a green corridor to important sites such as Duddingston Loch SSSI (1.5 kilometres to the north-west), Bawsinch and the wider Holyrood Park. It is also well linked with three adjacent smaller Local Nature Conservation Sites - Edmonstone, Hawkhill Wood and the green corridor of Niddrie Burn. This green wedge creates a crucial link in the wider habitat network in Edinburgh and has been identified as a priority area by the Edinburgh Living Landscape, the Local Development Plan (GS4) and North East Open Space Action Plan.

The Scottish Wildlife Trust (SWT) made representations regarding the impact of the development on the opportunities for the continued delivery of Little France Park. SWT stated that with the arrival of the new buildings at the BioQuarter and a range of other new developments, Little France Park provides a valuable green asset to new and existing communities. The Edinburgh Living Landscape partners (including the City of Edinburgh Council) have been working to create Edinburgh's biggest new park in a generation. Transport Scotland awarded £662,000 to the Edinburgh and Lothian Greenspace Trust to deliver two phase of a new high-quality walking and cycling network through the park. This was supported with additional funding from City of Edinburgh Council, EDI, Scottish Enterprise and NHS Lothian. The park is now well used by local people as an active travel route, and as a place to relax and a place to enjoy wildlife watching. Further investment is planned and there is currently a £174,000 application to the Scottish Natural Heritage Biodiversity Challenge Fund to address habitat loss in a fragmented urban environment.

The Edinburgh Biodiversity Action Plan 2019-2021 sets out a vision with Edinburgh as the Natural Capital of Scotland: "To make Edinburgh a greener city with more opportunities for wildlife, enabling people to engage with nature." A management framework commissioned by the Edinburgh and Lothian Greenspace Trust in 2019 identified that the diversity of natural habitats and size of the park make it ecologically valuable in the urban context.

The site benefits from a wide range of plant species that supports a number of wildlife habitats, foraging and commuting. While the impact of development on these habitats can be alleviated to some degree by appropriate mitigation (such as replacement habitats and appropriate landscaping), the remaining parkland would not provide the same level of biodiversity that is currently supported on the site.

Within the context of the development of other greenfield sites, and subsequent loss of biodiversity and habitats across the city, development on this site would further erode the city's biodiverse landscape. On a site that is not allocated for development, and where there is no justification for housing development, the loss of biodiversity and habitats is unacceptable and the development is therefore contrary to policy Des 3 (Development Design).

h) Drainage, Flooding, Ground Stability and Contamination

Drainage and Flooding

A Flood Risk Assessment (FRA) was submitted as part of this planning application.

Review of the SEPA Flood Map indicates that the site lies outwith the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at low risk of flooding. SEPA holds no records of flooding at this location. A Flood Risk Assessment (FRA) has been provided in support of this application and covers a wider site extending west to Pringle Drive. SEPA agrees that the site is sufficiently elevated above the Niddrie and Magdalene Burns that it is unlikely at flood risk from these watercourses. However, the site lies on sloping ground and the FRA notes that a flood risk from higher ground to the south of the site may exist. It is proposed to capture any runoff from the south and route it round the site to the existing drainage to the north constructed as part of the adjacent development which in turn conveys runoff to the Magdalene Burn.

Ground levels are elevated above the drainage channel for the site to the north and finished floor levels appear to be elevated above ground levels which should reduce any risk of surface water flooding. SEPA recommends that ground levels slope away from properties to ensure no water can pond against property.

SEPA notes that the upstream catchment is small at approximately 0.05 square kilometres and the existing site is steep so will provide limited attenuation, but SEPA would recommend that any surface water to the south is attenuated prior to discharge to the existing drainage network.

Therefore, at this stage, it can be concluded that issues of flood risk have been addressed, although further details would be required in future applications in relation to ground levels and SUDS, if permission was granted.

Contamination

The Environmental Statement submitted with the application contained information regarding ground conditions. It found that the site is underlain by strata that has been extensively worked in the past.

Environmental Assessment recommends that a condition is attached to any consent to ensure that contaminated land is fully addressed.

Ground Stability

The application site falls within the defined Development High Risk Area. Therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth. Records also indicate that thick coal seams outcropped across the site and the presence of one recorded mine entry within, or within 20 metres of the planning boundary.

The Coal Authority notes the supporting information from Mason Evans (April 2018), the content of which confirms that as a result of preliminary site investigations shallow coal mine workings have been identified, which pose a risk to ground stability and which will require stabilising.

On account of the above, The Coal Authority has no objection to this planning application, subject to a condition to ensure the remediation of the shallow coal mine workings.

i) Air Quality

LDP Policy Env 22 requires that new development will not have a significant adverse effects on air quality.

Environmental Protection has serious concerns with the principle of the proposed development on allocated greenspace. This greenspace is in a location which has significant levels of development committed in the area, including in the neighbouring local authority. Environmental Protection has also highlighted the potential impacts the works on the Sherrifhall Roundabout will have on traffic flows on The Wisp. The levels of traffic will likely increase and lead to congestion on the Wisp. The site is not well linked to public transport or high-quality pedestrian/cycling routes for commuting.

Environmental Assessment have also queried the levels of parking across the site, and the potential detrimental impacts on local air quality that would result from this proposal. Environmental Protection state that this proposal will have to provide additional justification for the development of greenspace with such a car-centric development.

Environmental Protection recommends the application is refused on adverse impact this proposal will have on local air quality.

However, the Air Quality Assessment that was submitted as part of the Environmental Statement stated that the development is predicted to have a negligible impact on local air quality and therefore the effect of the development would be not significant. However, the applicant has suggested that a Travel Plan would be prepared to encourage car sharing and reduce the number of car trips associated with the development, and to encourage walking and cycling and use of public transport, which would also reduce emissions to air. In addition, an appropriate number of electric vehicle charging points would be provided within the development.

While these measures can help reduce the impact on air quality of the development, there is not a clear commitment to reducing the car-centric nature of the proposals.

Nevertheless, the proposal is acceptable in terms of policy Env 22.

j) Archaeological Impacts and Impact on Scheduled Monument

In terms of archaeology, LDP Policies Env 8 (Protection of Important Remains) and Env 9 (Development of Sites of Archaeological Significance) are relevant, as well as the 2013 Craigmillar Urban Design Framework. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Archaeological evidence shows that the area has been occupied since the prehistoric period, with the nationally important Home Farm Enclosure (Ref 6038) located immediately to the south west on Edmonstone ridge plus the site of Woolmet Iron Age Fort located to the south on the opposite side of the Wisp. Roman occupation is possible with Roman finds discovered nearby in from Hawkhill Wood.

The Council's 2013 Craigmillar Urban Design Framework identifies this site as forming part of an area of valuable open space and parkland in part due to its surviving post-medieval landscape.

Further details would be required in order to understand how the proposals would impact upon archaeological remains and what level of mitigation would be appropriate. This could be dealt with as a condition of planning permission if it was granted.

k) Sustainability

The applicant has completed the Sustainability Statement form, indicating the measures taken to contribute towards sustainability. The applicant has indicated that there will be gas saver-type boilers and roof-mounted photo voltaic panels on the flats, as well as ground source heat pumps for the houses.

However, the applicant has not committed to using an alternative to uPVC on the windows. The applicant has also stated that the site is located in a sustainable location that will assist in the delivery of improvements to the park. As noted above, the proposed site layout does not discourage the use of cars and it is not the Council's strategy to develop this area as it offers a valuable resource for surrounding properties and the wider city.

Although the materials could potentially be a matter for conditions if planning permission was granted, the principle of development on this site is not sustainable.

l) Representations

Material Objections

- Not in accordance with green belt policy (addressed in 3.3(a));
- There is no need for additional houses (addressed in 3.3(a));

- Removal of the park would be detrimental to the community (addressed in 3.3(c);
- Lack of services and amenities to support the development (addressed in 3.3(b);
- Loss of green space and wildlife habitat (addressed in 3.3(f);
- Impact on traffic and congestion (addressed in 3.3(d);
- The retail unit is unnecessary (addressed in 3.3(b);
- Too many blocks of affordable housing in one area (addressed in 3.3(c); and
- The heights of the blocks are inappropriate (addressed in 3.3(b).

Support Comments

- Development would help the local economy and would help tidy the area.

General Comments

- There should be connections to the new active travel route to the site.

The Danderhall Community Council made comments with regards to the loss of greenbelt and parkland, traffic impact, the damage to the appreciation of Edinburgh's setting and the effect on landscape character and visual amenity both external to and internally within the Little France Park and along The Wisp. The consenting of such a proposal would give rise to the fundamental erosion of the city of Edinburgh's credibility in promoting the South East Wedge Parkland within the South East Scotland Plan's Strategic Green Network Priority Area.

Overall Conclusion

The proposal would deliver 502 residential units, of which 25% would be affordable and this would help contribute towards meeting Edinburgh's affordable housing needs.

The application raises a number of issues which will require to be negotiated through a legal agreement if planning permission was granted. These relate to infrastructure issues including education, transport and healthcare. Further information would be required regarding noise, biodiversity, some design elements and cumulative transport impacts.

However, the principle of housing on this site is not supported and the development is contrary to the Edinburgh Local Development Plan (LDP).

The land is allocated as green belt in the LDP and has been identified as a greenspace proposal in order to provide a landscaped, multi-functional parkland, woodland and country park, linking to Midlothian. Although the applicant is proposing to deliver and maintain the remainder of the site as a parkland, the construction of houses would result in the loss of a significant part of the park in perpetuity. This would remove the opportunity to provide a strategic parkland for the benefit of the city as well as the immediately adjoining neighbourhood areas.

The development is also not supported by the Strategic Development Plan (SESPlan) in that it would prejudice the delivery of the green network.

In terms of the landscape, it is acknowledged that there are a number of urban interventions around the site that impact on the overall landscape setting and character of the site. However, this reinforces the site as an area of strategic importance in providing parkland and cycle/footpath links between the Edinburgh BioQuarter and new housing developments at Greendykes/Craigmillar and forms an important visual link to Craigmillar Castle and beyond. This would be impacted to a significantly detrimental degree if the site was developed.

Furthermore, the design, scale and layout of the proposal does not accord with policies and guidance.

Therefore, on balance, the principle of the development is not supported. Development of this site would prejudice the development of the parkland, which would be detrimental to the future communities in the area. The visual impact on the landscape has been assessed and is not acceptable. This site was assessed during the preparation of the LDP and it was not supported due to its importance as a strategic green space. There are no overriding material considerations which outweigh this conclusion.

It is recommended that planning permission is refused subject to referral to Council.

Due to the fact that the development is a significant departure from the development plan and currently in Council ownership, the application requires to be referred to the Scottish Ministers if it is granted.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to SDP Policy 12, Edinburgh Local Development Plan Policies Env 10 and Hou 1 as there are no compelling reasons to override the strong policy presumption against development in the Green Belt.
2. The proposal is contrary to policy Des 2 of the Edinburgh Local Development Plan as it would compromise the comprehensive development and regeneration of the wider area, specifically the South East Wedge Parkland, as provided for in the Local Development Plan and the Craigmillar Urban Design Framework.
3. The proposals are contrary to Greenspace Proposal GS4 of the Edinburgh Local Development Plan which states that the land around Craigmillar/Greendykes is retained in the green belt and will be landscaped to provide multi-functional parkland, woodland and country paths, linking with parallel developments in Midlothian. This proposal would not support GS4 and would prejudice the delivery of the parkland.

4. The proposal is contrary to Edinburgh Local Development Plan Policies Des 1 and Des 4 as the development will not have a positive impact on its setting, the wider landscape and views.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council are land owners for the eastern portion of the site.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

The applicant has completed a Sustainability Statement, indicating measures taken to contribute towards sustainability.

Consultation and engagement

8.1 Pre-Application Process

A Proposal of Application Notice was submitted and registered on 1 February 2018. Copies of the Notice were also issued to:

Craigmillar Community Council;
Gilmerton and Inch Community Council;
Danderhall and District Community Council;
Craigmillar Neighbourhood Alliance;
Portobello and Craigmillar Neighbourhood Partnership;
Liberton and Gilmerton Neighbourhood Partnership;
Ward Councillors, including Midlothian Council; and
Local MSPs.

Public events were held on 27 February and 21 March 2018.

Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards online services.

A pre-application report on the proposals was presented to the Committee on 7 March 2018. The Committee noted the key issues in the report.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 5 April 2019 and 58 letters of representations were received. These comprised 56 letters of objection, one letter of support and one letter of general comment.

A full assessment of the representations can be found in the main report in the Assessment section.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The site is within the green belt and is in an area designated for a greenspace proposal (GS4).

Date registered

22 March 2019

Drawing numbers/Scheme

01-42,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer

E-mail:lesley.carus@edinburgh.gov.uk Tel:0131 529 3770

Links - Policies

Relevant Policies:

Relevant Policies of the Strategic Development Plan

SDP06 (Housing Land Flexibility) Policy 6 requires that a 5 year effective housing land supply is maintained. It allows the granting of planning permission for the earlier development of sites which are allocated for a later period in the LDP to maintain the land supply.

Policy 7 requires that a 5 year housing land supply is maintained. Sites within or outwith Strategic Development Areas may be allocated in LDPs or granted consent subject to the development; being in accord with the character of the settlement or area, not undermining green belt objectives and any additional infrastructure required is either committed or to be funded by the developer

Relevant policies of the Local Development Plan.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Des 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

LDP Policy Tra 10 (New and Existing Roads) safeguards identified routes for new roads and road network improvements listed.

Scottish Planning Policy (SPP) - The SPP sets out Scottish Government policy on nationally important land use matters and includes subject specific policies on: economic development, town centres and retailing, housing, rural development, coastal planning, fish farming, historic environment, landscape and natural heritage, open space and physical activity, green belts, transport, renewable energy, flooding and drainage, waste management, minerals, on-shore oil and gas, surface coal mining and communications infrastructure.

Other Relevant policy guidance

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Application for Planning Permission 19/01481/FUL At South East Wedge, Old Dalkeith Road, Edinburgh Erection of 505 residential dwellings, 350 sq m of retail, open space and associated infrastructure.

Consultations

Environmental Protection - 19 March 2019

The site is to be developed to include up to 505 residential dwellings, commercial space and associated parking spaces and landscaping. The site is currently undeveloped land with existing residential properties located to the north with other residential units to the north under construction. To the south of the proposed development site there is a builder's yard. The site is bounded to the east by The Wisp. To the west is open green space with the Royal Infirmary located just beyond. The applicant should note that the proposed level of development exceeds the level set out in the Local Development Plan (LDP) and associated Transport Appraisal. It is understood that this land is classified as Greenspace in the LDP

With regards some of the neighbouring committed development, on the north side of Wisp 2a there is currently a large residential development of some 1200 houses known as New Greendykes under construction. Planning permission has also been granted for residential development of the Edmonstone Policies, Edmiston House, Walled Garden and Eight Acre Field, with potential for a combined total of over 800 houses. It is also noted that upgrades to the Sheriffhall Roundabout have begun which will likely result in increased traffic along The Wisp in the future.

Environmental Protection raise concerns regarding this development including the impacts the development may have on local air quality, noise impacts on future residents, and contaminated land. The applicant has not addressed all these areas and has only submitted a contaminated land supporting document. Nothing has been submitted regarding noise and local air quality impacts.

Local Air Quality

Due to the size and density of the development Environmental Protection would require a detailed air quality impact assessment before we could even consider supporting such an application. However, it should be noted that Environmental Protection have serious concerns with the proposed development on LDP allocated Greenspace. This Greenspace is in an location which has significant levels of development committed in the area, including in the neighbouring local authority. Environmental Protection have also highlighted the potential impacts the works on the Sherrifhall Roundabout will have on traffic flows on The Wisp. The levels of traffic will likely increase and lead to congestion on the Wisp. The site is not well linked to public transport or high-quality pedestrian/cycling routes for commuting. The applicant's proposal for car parking spaces

is excessive and we would also request confirmation that this parking number includes all driveways and proposed double/single garages. The applicant has not submitted an air quality impact. Such an assessment would be required to address the local air quality impacts this proposal will have and to justify the development of Greenspace with such a car centric development.

Local Air Quality is a material planning consideration. Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration for the following situations where development is proposed inside or adjacent to an Air Quality Management Area (AQMA):

- Large scale proposals.*
- If they are to be occupied by sensitive groups such as the elderly or young children.*
- If there is the potential for cumulative effects.*

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken.

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh LPD. The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

Environmental Protection recommends the application is refused on adverse impact this proposal will have on local air quality.

Noise

The application is juxtaposing The Wisp which is a considerable source of transport noise that affects the development site. The applicant should have assessed the noise impacts and how it affects the proposed development site. It should also consider the potential for increased traffic and noise on Then Wisp due to committed development and Sherrifhall Roundabout works. Environmental Protection requires a noise impact assessment that demonstrates that satisfactory outdoor and internal noise levels can be achieved. It's likely an acoustic barrier will be required to protect garden areas proposed along The Wisp. Furthermore, upgraded glazing for the same affected proposed residential properties will be required. A noise impact assessment would also need to address the potential for noise from the neighbouring builders yard located to the south of the proposed development. The Royal Infirmary development has almost been completed and once operational there will be an increase in helicopter movements. The application site is in an area that may be affected by increased helicopter movements. Helicopter noise is impossible to mitigate with regards impacts on outdoor areas such as gardens.

As the applicant has not submitted a noise impact assessment it is not possible to support this application based on the submitted information. There are no noise mitigation measures proposed. Therefore, Environmental Protection recommend the application is refused due to the potential noise impacts transport and the builders yard may have on the proposed residential development.

Contaminated Land

The applicant has submitted a Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

Environmental Protection have concerns with the overall level of car parking, development of Greenspace, cumulative levels of development and the related adverse impact this shall have on local air quality. The poor standard of amenity proposed for the future occupant with regards noise. Based on the current submissions Environmental Protection recommend refusal based on the potential adverse impacts the development may have on local air quality and noise impacts.

Historic Environment Scotland - 15 April 2019

Thank you for your consultation which we received on 14 March 2019. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations and for our historic environment remit as set out under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We do not object to the proposed development. We note that in our scoping response, dated 21 August 2018, we identified the potential for impacts on Home farm scheduled monument (SM 6038). As the development boundary has now been altered, we are content that such impacts are unlikely.

From the details provided it appears that any impacts on the setting of historic environment assets covered by our interests will not be significant. We therefore have no further advice to offer on specific impacts. However, we do have some comments on the assessment provided.

We note that table 9.1 of the assessment states that impacts of a moderate adverse magnitude should be avoided where possible, and those of a major adverse magnitude should be avoided. We do not see how it is possible to make statements of this nature without taking into account the sensitivity of the asset affected, which is key in considering the significance of effect. This criteria appears to effectively skip a step in the assessment process.

We welcome the fact that reference is made to our Managing Change guidance note on Setting. However, we do not consider the methodology to be in line with this guidance.

The assessment is structured around three types of value - intrinsic, contextual and associative. These appear to be based on the scheduling criteria used to determine national importance. As such, these categories may not apply as clearly to other asset types, such as gardens and designed landscapes.

Laying out the assessment in this way does not lead to a simple and clear conclusion on levels of impact. This is particularly the case as all of these value types may contribute to the setting of a historic asset. There is therefore no clear overall narrative supporting the conclusions on impacts on setting.

We are content that none of the predicted impacts will be significant for our interests. However, we recommend that these comments are taken into account when considering the weight to be given to the conclusions of the assessment.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object.

Our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Ruth Cameron, who can be contacted by phone on 0131 668 8657 or by email on Ruth.Cameron@hes.scot.

Scottish Water - 16 April 2019

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

There is currently sufficient capacity in the Glencorse Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us. A Water Impact Assessment will be required to fully assess the impact of this proposed development on the existing Scottish Water network. Any network mitigation measures identified via this process will need to be funded and delivered by the developer prior to making new water and wastewater connections.

Foul

There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us. A Drainage Impact Assessment will be required to fully assess the impact of this proposed development on the existing Scottish Water network. Any network mitigation measures identified via this process will need to be funded and delivered by the developer prior to making new water and wastewater connections.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure within boundary

According to our records, the development proposals impact on existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at service.relocation@scottishwater.co.uk. The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system. There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused. In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address. If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer. The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

Please find all of our application forms on our website at the following link:

<https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>

Next Steps:

Single Property/Less than 10 dwellings

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals. Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants. If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link: <https://www.scottishwater.co.uk/business/ourservices/compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains. The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

Parks and Greenspace - 29 May 2019

Parks, Greenspace and Cemeteries object to the siting of housing in Little France Park for the following reasons:

- 1. Little France Park (LFP) is a Council maintained public park, having been officially publicly opened by the Convenor of the Transport & Environment Cttee on 28/09/2018.*
- 2. LFP's green space importance to the local community and wider city has been recognised by the Council following its agreement at the Transport & Environment Cttee to execute a protective Minute Of Agreement with Fields in Trust. This is now in process. This will make it necessary that the owner (the Council) seeks permission from Fields in Trust before unsympathetic developments can take place.*
- 3. Significant capital and revenue sums have already been invested in creating park and access infrastructure in LFP. This includes contributions from third-party funders.*
- 4. Parks are important public health solutions in urban communities. Research evidence confirms that nearby parks, gardens, and other green spaces support human health and wellness. Active living opportunities that reduce the likelihood of obesity and chronic diseases (such as diabetes, heart disease and respiratory problems) are particularly improved where people can enjoy walking, cycling, play, and other physical recreation in their local park or green space. Little France Park is situated in a deprived area that has high levels of obesity and ill-health as reflected in the latest Scottish Index of Multiple Deprivation figures.*
- 5. The Council's Open Spaces Strategy, as approved by the Planning Committee in 2016, makes it clear that green spaces that are cared for and well-connected matter for our health, wildlife and economy and that new parks and green spaces are to be created as the city grows, as they help people get to know each other, grow food, play, keep fit, see nature, get around by foot and by bike. Parks will also be improved and made wildlife friendly, helping the city to be ready for changes to our climate. LFP is now being improved and cared for by the Council and partner organisations (including Edinburgh & Lothians Greenspace Trust and Scottish Wildlife Trust) as a "Living Landscape", with management emphasis on physical and mental health, recreation, nature and accessibility to nature, and as a critical green reservoir/corridor within Edinburgh's green space network.*

The Coal Authority - 3 April 2019

The Coal Authority Response: Material Consideration

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth. Our records also indicate that thick coal seams outcropped across the site and the presence of one recorded mine entry within, or within 20m of the planning boundary.

The Coal Authority notes the supporting information from Mason Evans (April 2018), the content of which confirms that as a result of preliminary site investigations shallow coal mine workings have been identified, which pose a risk to ground stability and which will require stabilising.

On account of the above The Coal Authority has no objection to this planning application, subject to a condition to ensure the remediation of the shallow coal mine workings.

The Coal Authority concurs with the recommendations of the submitted information from Mason Evans (April 2018); that shallow mine workings pose a risk to both public safety and the stability of the proposed development and that remedial works to treat them will be required prior to commencement of the development.

A condition should therefore require prior to the commencement of development:

- The submission of a scheme of remedial works for approval; and*
- Implementation of those remedial works.*

The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

Waste Services - 4 April 2019

Waste and Cleansing Services would expect to be the service provider for the collection of waste as this appears to be a residential development.

It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.

Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location and I feel we would require to look at the bin storage areas for this development more closely.

SEPA response - 11 April 2019

Flood Risk

We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

Review of the SEPA Flood Map indicates that the site lies outwith the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at low risk of flooding. We hold no records of flooding at this location.

A Flood Risk Assessment (FRA) has been provided in support of this application and covers a wider site extending west to Pringle Drive. We agree that the site is sufficiently elevated above the Niddrie and Magdalene Burns that it is unlikely at flood risk from these watercourses. However, the site lies on sloping ground and the FRA notes that a flood risk from higher ground to the south of the site may exist. It is proposed to capture any runoff from the south and route it round the site to the existing drainage to the north constructed as part of the adjacent development which in turn conveys runoff to the Magdalene Burn.

Ground levels are elevated above the drainage channel for the site to the north and finished floor levels appear to be elevated above ground levels which should reduce any risk of surface water flooding. We would recommend that ground levels slope away from properties to ensure no water can pond against property.

We note that the upstream catchment is small at approximately 0.05km² and the existing site is steep so will provide limited attenuation, but we would recommend that any surface water to the south is attenuated prior to discharge to the existing drainage network.

Given the site lies outwith the flood map and we hold no additional information on flood risk we have no objection to the application. Surface water management is primarily a matter for the Local Authority, and Scottish Water, to consider and they should ensure measures are put in place to ensure there is no increase in runoff to existing development.

Caveats & Additional Information for Applicant

The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1).

Groundwater

(Ref 1: Wisp 2 - Environmental Impact Assessment Report, Waterman, March 2019)

We have no objection to this proposed development on the grounds of impacts to groundwater. We note that in section 10.107 (Ref 1) that once ground investigations are completed remedial works may be required to stabilise former mine workings. It is stated that this 'would most likely take the form of grouting up any former workings identified.' As such, please see below SEPA's standard advice on grouting.

We recommend that if stabilisation works are identified as being required to facilitate the development then an appropriate risk assessment for the proposed stabilisation of mine workings with pulverised fuel ash (PFA) grout is produced prior to this activity being undertaken on site.

The pouring of grout below the water table is a controlled activity under General Binding Rule (GBR) 16 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). GBR 16 includes a requirement that no material coming into contact with groundwater shall cause pollution of the water environment. SEPA considers that an assessment should be undertaken to assess whether the use of PFA grout will meet the requirements of GBR 16. If the activity causes pollution, SEPA may take enforcement action in accordance with these regulations.

SEPA recommends, therefore, that the assessment is undertaken in line with the guidance document: Stabilising mine workings with PFA grouts. Environmental code of practice. 2nd Edition, BRE Report 509.

In general, a detailed review of the assessment by SEPA is not considered necessary and the document should primarily serve the developer, to ensure no pollution occurs as a result of the activity. If the preliminary and simple risk assessments identify that the site is higher risk and conceptually complex, then a complex risk assessment is required. At this stage it may be prudent for the developer to highlight this to SEPA through additional consultation.

Additional Information

Further details relating to CAR requirements can be found on SEPA's website at: http://www.sepa.org.uk/water/water_regulation/regimes.aspx

Consultation with The Coal Authority is recommended.

Key points to note in relation to the water environment when undertaking mine workings grouting:

An adequate hydrogeological conceptual model is required (e.g. an assessment of ground conditions, depth to groundwater, likely flow of groundwater, depth/size of old mines workings etc). Ideally, the conceptual model would be backed up with site specific ground investigation and monitoring data.

It is recommended that the applicant/agent carries out an appropriate water features survey to identify what there is in the surrounding area that might be affected by the grout.

Note that potential hazards and impacts may not necessarily be confined to the proposed development site. Applicants should consider and mitigate as necessary risks both within and outwith the development site.

It should be noted that even if mine waters are currently low (i.e. below workings to be grouted), groundwater levels might, in the future, rebound into the grouted zone if mine water pumping were to cease. SEPA would recommend that both scenarios are considered.

If the excavation works require dewatering, the applicant may be required to demonstrate that this will not adversely affect the hydrogeological regime. Any adverse effects will depend on the size and duration of the excavation works.

Regulatory requirements

Management of surplus soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- is more than 4 hectares,*
- is in excess of 5km, or*
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees*

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in the local SEPA office.

Midlothian Council - 28 April 2019

The later application (reference 19/01481/FUL) incorporates the site covered by application 19/01032/FUL.

Landscape and Green Network - The 2002 masterplan for the Shawfair development (which forms part of the outline application for Shawfair, planning application 02/00660/OUT, approved 2014) contains a landscape framework which considers linkages between Shawfair and the surrounding area. The landscape concept is to provide a strategic green link between Holyrood Park and Dalkeith Park.

Midlothian Council is concerned at the reduction in green space and narrowing of the corridor which would be caused by these developments. The City of Edinburgh Local Development Plan (CEC LDP) adopted in November 2016 identifies this land as both green belt and green space (reference GS4). The CEC LDP states that it is to be retained in the green belt and landscaped to provide multi-functional parkland, woodland and country paths linking with parallel developments in Midlothian. The identification of additional housing sites at Edmonstone (HSG40) and The Wisp (HSG41) in the CEC LDP further increases the need to protect the remaining green space.

The position in the City of Edinburgh LDP is supported by the Edinburgh Bioquarter and South East Wedge Parkland Supplementary Guidance December 2013, and the 2013 Craigmillar Urban Design Framework. These documents set out the vision and planning principles for the greater Craigmillar area, and identify the application sites as parkland and open space. The development sites are on land which rises up to the higher ground along The Wisp: they would be prominent features in the landscape and be contrary to the planned landscape framework for the area.

Transport. The Transport Assessments (TAs) for these applications do not appear to include Midlothian sites in their assessment of cumulative impact (based on paragraph 6.19 in both TAs). This Council notes that the use of a high NRTF growth rate is considered appropriate by the applicant to cover committed development in Midlothian: in view of the scale and close proximity of the Shawfair development Midlothian Council does not consider this adequate.

Midlothian Council would wish to ensure that the adjoining Midlothian developments which form part of the south east wedge are included in a refreshed assessment. The Local Development Plan for Midlothian (adopted in November 2017) has allocated additional land in the Shawfair area at Cauldcoats (MLDP 2017 reference Hs0), Newton Farm (Hs1) and for economic development at Shawfair Park (Ec1). These are further to the original allocations in the Shawfair (2003) Local Plan. The Shawfair new community received planning permission in 2014. Development is underway at a number of sites in the locality, including at Shawfair and Danderhall.

Other recent applications have assessed the cumulative transport impacts on The Wisp, and its junction with the A7. The TA for CEC application 18/00508/AMC identified a requirement for improvement to the existing A7 Old Dalkeith Road/ The Wisp junction. CEC approved application 18/00508/AMC with a condition requiring upgrading to include MOVA control (or agreed alternative) together with carriageway widening and all additional measures shown on plan number TP430/SK/001.

The TA for another application serviced from the Wisp (CEC reference 16/00216/PPP) assessed the A7 Old Dalkeith Road / The Wisp junction, and found that it would be over capacity in future design years without any traffic associated with that development, and that the addition of traffic from the application site would obviously effect the operation of the junction.

Additional traffic flows are a concern to Midlothian Council, where a junction is predicted to be over capacity. In these circumstances further development will add to queue lengths and delay. The Transport Scotland guidance on transport assessment states that the significance of traffic impact depends not only on the percentage increase in traffic but the available capacity. Midlothian Council notes the applicant's reference to Institute of Highways and Transportation guidelines in paragraph 8.2 of the TA, but considers it appropriate and reasonable to carry out assessment of other junctions in the locality of the application site, including the A7/ The Wisp junction.

A TA that fully considers cumulative development in the locality and assesses traffic conditions at potentially over-capacity junctions may indicate a need for further enhancements at the A7 Old Dalkeith Road/ The Wisp junction and other locations including the Millerhill Road/ The Wisp junction. Midlothian Council may wish to make additional comments if further iterations of the TA are submitted.

Traffic queues at the A7/ The Wisp junction raise concerns about air quality at Danderhall. From the EIA assessment methodology (paragraph 7.4), Midlothian Council understands that air quality assessment was undertaken using traffic flow data from the Transport Assessment. In view of Midlothian Council's concerns about cumulative impacts, this Council would wish the air quality assessment to be re-visited in the light of any revised TA, and to include sensitive receptors around the A7/ The Wisp junction.

Conclusion

These applications appear contrary to the recently adopted CEC LDP. Midlothian Council is concerned about their impact on the landscape, and the approved development framework for the wider south east wedge.

Midlothian Council is concerned about the transport impacts of the developments and considers that further assessment is necessary. At the scale of development proposed, it may prove not to be possible to ameliorate traffic impacts adequately. These proposals have no status in the adopted LDP for the area, and it would be appropriate to refuse planning permission if traffic flows cannot be accommodated on the local road network.

If CEC approve the application, Midlothian Council request the use of conditions to require completion of improvements at the A7 Old Dalkeith Road/ The Wisp junction prior to occupation of any dwellings. These should comprise physical improvements and junction control enhancements as identified in the consented application for the Edmonstone policies site.

Midlothian Council - additional response - 30 May 2019

Midlothian Council is concerned to ensure that the road network in the locality of development continues to operate efficiently if the proposed development is added to committed developments. It is particularly important to fully assess proposals such as this, which have not come through the plan-led system and do not benefit from a development plan transport assessment. The recent Scottish Ministers' decision on SDP2 indicates the strong concern of the Scottish Government that interactions between transport and land use planning are taken into account.

The applicant makes points relating to: adequacy of using NRTF growth rates in lieu of assessment of committed development in a neighbouring authority; need for improvements at The Wisp junction/ Old Dalkeith Road in advance of the development; and significance of traffic impact on junctions.

Taking these points in turn:

Midlothian Council is concerned that the NRTF growth rate (given as 1.045% between 2018 and 2021) does not adequately reflect the quantity of growth associated with Midlothian's share of the South East wedge development, which will lead to a near four-fold increase in housing numbers from the part of Midlothian adjacent to the development. The applicant's TA has incorporated assessment of significant committed developments in the CEC area in proximity to the development site, and Midlothian Council wishes this approach extended to the developments in the Shawfair area so that the whole of the south east wedge is accounted for in the TA. The Shawfair new settlement (3423 units) and Danderhall South extensions (351 units) have planning permission and have commenced construction. The 2017 MLDP allocation at Newton Farm has planning permission (622 units). Although not yet consented, the 2003 Shawfair Local Plan allocation at North Danderhall (190 units) and the 2017 MLDP allocation at Cauldcoats (350 units) are committed sites and should be taken into account in assessing future transport impacts.

Midlothian Council considers it reasonable to require the completion of the improvements to The Wisp/Old Dalkeith Road junction prior to occupation of this current application in the event that it is consented. It has not been proven that the junction would operate satisfactorily in an alternative scenario where the contributory developments lapsed and the improvements were not made.

In reference to the significance of traffic growth on junctions, the significance of a traffic impact depends not only on the percentage increase but the available capacity. A 10% increase on a lightly trafficked road may not be significant whereas a 1% increase on a congested road will be. This approach is supported in Transport Scotland's Transport Assessment Guidance.

Scottish Natural Heritage response - 23 April 2019

Summary

The proposed residential development with associated infrastructure is against Plan policy and objectives for this site. We continue to support the Plan policy and objectives which aim to deliver a substantial area of parkland in the South East Wedge. We do note that the proposal could partially contribute to Plan objectives providing information on the detail and delivery of the parkland proposal and the green infrastructure is secured by the Council in the most appropriate manner.

Strategic context

This proposal occupies greenspace proposal area GS4: South East Wedge Parkland, as outlined in the Second Local Development Plan. Supplementary planning guidance for the Bioquarter and South East Wedge Parkland sets out its proposed function as a green network. The Open Space 2021 Edinburgh's Open Space Strategy sets this area out 'to be retained in the greenbelt and to be landscaped to provide multifunctional parkland, woodland and paths linking with parallel developments in Midlothian'. The site also lies within an area defined in the SESplan Proposed Plan as a Strategic Green Network Priority Area.

This intention to take forward the site as the South East Wedge Parkland would secure and enhance a valuable and substantial area of green infrastructure for the City of Edinburgh, benefitting strategic development sites surrounding the site and providing a continuous green corridor to Midlothian. To date, the main north-south active travel route has been constructed through the parkland, some woodland has been planted and proposals to enhance the existing habitat are in preparation.

Appraisal and advice

This is a new application encompassing several changes from previous proposals. It is noted that the extent of development proposed on the parkland has been reduced. Never-the-less there remains adverse impacts as detailed below.

Landscape and visual impacts and parkland creation

The introduction of housing to areas of proposed parkland as set out in the LDP will have adverse impacts on local landscape character and visual amenity, as well as the resulting scale and diversity of uses for the parkland. Reducing the size of the parkland will affect its intended role as a large multi-functional open space serving neighbouring and wider communities in South East Edinburgh, compromising to some extent, the Council's ambitions for the creation of a strategic open space as set out in the various Plans and Strategies for the area.

However it is noted that the current proposals incorporate access linkages into the new parkland from surrounding neighbourhoods, to ensure continued access to the new parkland.

Green infrastructure is proposed including woodland, street trees and SUDs, demonstrating good placemaking principles. However, these principles do not appear to be applied to application 2a to the same degree as 2b. For example, the houses with their backs onto the open space is questioned.

It is noted that housing and avenue planting now provide urban frontage onto the Wisp, reducing visual impacts on this ridgeline.

Funding and delivery of parkland proposals, including long term management and maintenance

The Landscape Design Statement and Planning Statement give indications of the measures that could be in place to secure delivery, management and maintenance of green infrastructure on the development site, and contribution to the further development of, and the management of, the parkland. While this information is helpful in giving some sense of possible funding and long term maintenance and management, we advise that further information and detailed evidence will be needed to ensure that the measures set out are practical, robust and deliverable in terms of their funding and administration. We would advise that, if the Council is minded to approve this application, that further details on these important matters are secured in advance of any consent.

Ecology

We recommend that species enhancement and mitigation measures contained in the Preliminary Ecological Appraisal Appendix 3.1, recommendations and conclusions, are secured and implemented. Many of these measures are good practice and will ensure minimal impacts to any species that may use the site.

Parks and Greenspace response - 29 May 2019

Parks, Greenspace and Cemeteries object to the siting of housing in Little France Park for the following reasons:

- 1. Little France Park (LFP) is a Council maintained public park, having been officially publicly opened by the Convenor of the Transport & Environment Cttee on 28/09/2018.*
- 2. LFP's green space importance to the local community and wider city has been recognised by the Council following its agreement at the Transport & Environment Cttee to execute a protective Minute Of Agreement with Fields in Trust. This is now in process. This will make it necessary that the owner (the Council) seeks permission from Fields in Trust before unsympathetic developments can take place.*
- 3. Significant capital and revenue sums have already been invested in creating park and access infrastructure in LFP. This includes contributions from third-party funders.*
- 4. Parks are important public health solutions in urban communities. Research evidence confirms that nearby parks, gardens, and other green spaces support human health and wellness. Active living opportunities that reduce the likelihood of obesity and chronic diseases (such as diabetes, heart disease and respiratory problems) are particularly improved where people can enjoy walking, cycling, play, and other physical recreation in their local park or green space. Little France Park is situated in a deprived area that has high levels of obesity and ill-health as reflected in the latest Scottish Index of Multiple Deprivation figures.*
- 5. The Council's Open Spaces Strategy, as approved by the Planning Committee in 2016, makes it clear that green spaces that are cared for and well-connected matter for our health, wildlife and economy and that new parks and green spaces are to be created as the city grows, as they help people get to know each other, grow food, play, keep fit, see nature, get around by foot and by bike. Parks will also be improved and made wildlife friendly, helping the city to be ready for changes to our climate. LFP is now being improved and cared for by the Council and partner organisations (including Edinburgh & Lothians Greenspace Trust and Scottish Wildlife Trust) as a "Living Landscape", with management emphasis on physical and mental health, recreation, nature and accessibility to nature, and as a critical green reservoir/corridor within Edinburgh's green space network.*

Location Plan



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Development Management Sub Committee

Wednesday 31 July 2019

Application for Planning Permission 19/01032/FUL At South East Wedge, Old Dalkeith Road, Edinburgh Erection of 199 residential dwellings, public open space and associated infrastructure.

Item number

Report number

Wards

B17 - Portobello/Craigmillar

Summary

The proposal would deliver 199 residential units, of which 25% would be affordable and this would help contribute towards meeting Edinburgh's affordable housing needs.

The application raises a number of issues which will require to be negotiated through a legal agreement if planning permission was granted. These relate to infrastructure issues including education, transport and healthcare. Further information would be required regarding noise, biodiversity, some design elements and cumulative transport impacts.

However, the principle of housing on this site is not supported and the development is contrary to the Edinburgh Local Development Plan (LDP).

The land is allocated as green belt in the LDP and has been identified as a greenspace proposal in order to provide a landscaped, multi-functional parkland, woodland and country park, linking to Midlothian. Although the applicant is proposing to deliver and maintain the remainder of the site as a parkland, the construction of houses would result in the loss of a significant part of the park in perpetuity. This would remove the opportunity to provide a strategic parkland for the benefit of the city as well as the immediately adjoining neighbourhood areas.

The development is also not supported by the Strategic Development Plan (SESPlan) in that it would prejudice the delivery of the green network.

In terms of the landscape, it is acknowledged that the site is not in Council ownership, and that there are a number of urban interventions around the site that impact on the overall landscape setting and character of the site. However, this reinforces the site as an area of strategic importance in providing parkland and cycle/footpath links between the Edinburgh BioQuarter and new housing developments at Greendykes/Craigmillar and forms an important visual link to Craigmillar Castle and beyond. This would be impacted to a significantly detrimental degree if the site was developed.

Furthermore, the design, scale and layout of the proposal does not accord with policies and guidance.

Therefore, on balance, the principle of the development is not supported. Development of this site would prejudice the development of the parkland, which would be detrimental to the future communities in the area. The visual impact on the landscape has been assessed and is not acceptable. This site was assessed during the preparation of the LDP and it was not supported due to its importance as a strategic green space. There are no overriding material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LDEL01, LDES01, LDES02, LDES04, LDES05, LDES06, LDES07, LDES09, LEN09, LEN10, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LTRA02, LTRA03, LTRA08, NSG, NSGD02,
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Report

Application for Planning Permission 19/01032/FUL At South East Wedge, Old Dalkeith Road, Edinburgh Erection of 199 residential dwellings, public open space and associated infrastructure.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The site comprises approximately 6.5 hectares of undeveloped green belt, and lies to the southeast of the city centre. It comprises open grassland and scrubland with informal paths and desire lines traversing the site. There is also the formalised active travel walking/cycle route connecting Little France Drive to The Wisp to the south of the site. The site undulates throughout, sloping from east to west towards the valley at Little France Drive.

The site slopes downwards from east to west and south to north.

The A6106 (The Wisp) is adjacent to the east of the site and forms the boundary with Midlothian Council. The areas of Craigmillar, Greendykes and Niddrie are situated to the north. New residential properties are currently under construction adjacent to the north of the site in the vicinity of Greendykes.

To the south of the site is an industrial yard, adjacent to the Home Farm Enclosure, which is a scheduled monument.

The ruins of the former Edmonstone House are located to the south of the site.

2.2 Site History

8 August 2013 - The Craigmillar Urban Design Framework is approved.

4 November 2016 - Application withdrawn for proposed residential development, community parkland and a primary school on Land at Edmonstone, the Wisp, South East, Edinburgh (application number: 15/05074/FUL).

11 January 2017 - Application withdrawn for the development of an area of existing open space into public parkland, to include new active travel links with lighting, paths, landscaping, habitat creation/enhancement and tree planting (application number: 16/02661/FUL).

19 September 2017 - Application withdrawn for proposed residential development, community parkland and a primary school on land at Edmonstone, the Wisp, South East Edinburgh (application number: 16/05417/PPP).

Main report

3.1 Description Of The Proposal

Planning permission in principle is sought for the erection of 199 residential units, public open space and associated infrastructure.

The site is proposed to be developed as a mix of flats and houses. The flats are four storeys in height and are located at the northern part of the site. The houses are two storeys in height and form the rest of the site.

For the private units, there are 35 detached houses with four bedrooms, 34 semi-detached houses with three bedrooms, 16 detached houses with three bedrooms and 48 cottage flats with two bedrooms.

The applicant has indicated that there are 66 affordable flats, and are a mix of one, two and three bedroom units. They are four storeys in heights with flat roofs. The plans show that the affordable flats are located on the northern part of the site within the six flatted blocks and sit perpendicular to the Greendykes access road.

The houses are laid out fronting the access road and the series of secondary routes through the site. The houses are proposed to be finished in render with a concrete tile roof.

Vehicular access is proposed to be taken from the new Greendykes access, and there is a proposed pedestrian link at the southern part of the site onto The Wisp.

Open space is provided at the entrance to the site and within the SUDS area at the main access road.

Supporting Information

An Environmental Statement was submitted in support of the application. It examined the landscape and visual impact of the proposal, as well as the impact on traffic and transport and ecology. It also covered the following topics:

- Socio-Economic Assessment;
- Transportation and Access Appraisal;
- Noise and Vibration Assessment;
- Air Quality Assessment;
- Tree Survey;
- Archaeology and Cultural Heritage Impact Assessment;
- Ground Conditions and Water Resources Assessment; and
- Cumulative Impact Assessment.

A Transport Assessment was submitted with the application and this examined the cumulative impact assessment of other developments within the Edinburgh Council boundary and Midlothian.

Other supporting documents include:

- Planning Statement;
- Pre-application Consultation Report;
- Design and Access Statement;
- Sustainability Statement; and
- Drainage Report and Engineering Assessment.

These documents are available to view on the Planning and Building Standards Online Service.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1977 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of residential development is acceptable;
- b) the design, scale and layout of the proposed development is acceptable;
- c) there is sufficient amenity for existing neighbours and future occupiers, and the affordable housing provision is acceptable;
- d) the proposal would have acceptable transport impacts;
- e) there are any infrastructure constraints;
- f) the development would have an adverse impact on the landscape, including the historic landscape;
- g) the proposal would have an adverse impact on the biodiversity or ecology of the area;

- h) the proposal would raise drainage, flooding, ground stability or contamination issues;
- i) the proposal would have any detrimental air quality impacts;
- j) the development would have any adverse impact on any archaeological remains or the scheduled ancient monument;
- k) the proposal would meet sustainability criteria; and
- l) the comments raised by third parties have been addressed.

a) The Principle of the Development

Section 25 of the Town and Country Planning (Scotland) Act 1997 states that any determination under the Planning Acts should be made in accordance with the development plan, unless material considerations indicate otherwise. In this case, the development plan comprises the South East Scotland Strategic Development Plan (SESplan) and the adopted Edinburgh Local Development Plan (LDP). Other material considerations include Scottish Planning Policy (SPP) and the Craigmillar Urban Design Framework.

Conformity with SESplan

SESplan was approved in June 2013. The Spatial Strategy sets out locational priorities for development up to 2024 and gives a broad indication of the scale and direction of growth up to 2032. Policy 1A, supported by Figure 1, identifies the Strategic Development Areas (SDAs) where there will be a focus on development and to which new strategic development is to be directed. These locations maximise the potential for development, meeting sustainability and environmental objectives. The site falls within the South East Edinburgh SDA.

Policy 1B (Spatial Strategy Development Principles) sets out the broad principles for LDPs in bringing development forward. Broadly, these principles seek to protect areas with national and local environmental designations and conserve and enhance the natural and built environments.

As noted, the application site is located within the South East Edinburgh SDA. Although this means that the location of the site does not conflict with SESplan's overall spatial strategy, this does not mean that all land within the SDA is required for housing or suitable for housing development in principle. The SDP requires the provision in LDPs of a green belt around Edinburgh for a number of stated purposes, namely to direct planned growth to the most appropriate locations; support regeneration objectives; protect and enhance the quality, character, landscape setting and identity of towns and the city; and protect and give access to open space within and around Edinburgh. Several areas of significance to the Edinburgh Green Belt lie within the South East Edinburgh SDA, and SDP Policy 1A requires LDPs to take account of such environmental constraints. This is assessed further below.

SDP Policy 12 (Green Belts) continues to require that the relevant Local Development Plans define and maintain a green belt around Edinburgh. Paragraph 129 of the SDP further states that in preparing Local Development Plans, authorities should seek to minimise the loss of land from the green belt and effort should be made to minimise the impact on green belt objectives and secure long term boundaries. The policy contains four criteria.

Criterion a) of Policy 12 aims to maintain the identity and character of Edinburgh and Dunfermline and their neighbouring towns, and prevent coalescence, unless otherwise justified by the local development plan settlement strategy. In assessing this proposal against Policy 12, it has the potential to undermine the identity and character of Edinburgh due to its prominent ridge location. It would have an impact on the greenspace leading into Midlothian and prejudice the delivery of the Holyrood to Dalkeith green network as set out in the SESplan Main Issues Report. It would also result in the coalescence of settlements due to the proximity of Danderhall and other local plan allocations in the Proposed Midlothian Local Development Plan.

The development would therefore not meet the first criterion.

Criterion b) states that one of the purposes of the defined Edinburgh Green Belt is to 'direct planned growth to the most appropriate locations and support regeneration'. Since the proposal does not conform in principle to the development plan, this application does not constitute planned growth. The Environmental Report (2013) that supports the LDP assessed part of this site in terms of its suitability for development (identified as South East Wedge Parkland, North). The assessment concluded that through the realisation of the parkland proposals, this site will have an important role in providing open space and path routes connecting the settlements of Little France, Danderhall and Craigmillar. It was therefore not considered appropriate for housing development. In addition, a release of additional greenfield sites would be likely to undermine the redevelopment of brownfield sites, and so would not support regeneration.

The proposal does not meet the second criterion.

Criterion c) states that maintaining the landscape setting of Edinburgh is one of the purposes of the green belt. The proposal fails to place sufficient weight upon the importance of the site and its location along a sensitive ridgeline. The development of the site's ridge top location would impact upon the wider landscape setting of the city. The site is visually prominent in views from Craigmillar Castle and throughout the city skyline (including from Queen's Drive) and from the surrounding road network. The current landform visually contains the existing urban edge and provides an undeveloped skyline in eastward views. In views from within the site, parkland forms a foreground element in views towards the city with a near continuous backdrop of Edinburgh's hills.

The impact on the landscape is further assessed in 3.3(f) below.

Criterion d) states that green belts should 'provide opportunities for access to open space and the countryside'. The proposals would remove 6.5 hectares of land which relates visually to the parkland and provides a visual link between Midlothian and the parkland. While the application site is not within the Council's ownership, it is still designated as green belt with the greenspace allocation. There is currently no impediment on entering the land and no discernible distinction between land ownership boundaries.

It is noted that the proposed plans show a network of paths and routes connecting the surrounding residential areas and there is potential for connections to the active travel route through the park. However, the removal of this land from the parkland would prejudice the opportunities for a robust greenspace connection to Midlothian.

Furthermore, the delivery of a strategic area of open space in this location has been a fundamental aim of the LDP (and preceding adopted local plans), as well as the Craigmillar Urban Design Framework, which underwent significant local community consultation. The loss of this area of parkland would remove an opportunity to create strategic open space for residents of Edinburgh and beyond. The scale of the South East Wedge Parkland is identified in the LDP to provide a strategic area of parkland to benefit the whole of the City and Midlothian, and the proposed development would prejudice this delivery.

The site also forms an important part of the Central Scotland Green Network (CSGN), as contained within National Planning Framework 3 (NPF3) and the removal of this area from the parkland would prejudice the delivery of the CSGN in this location.

Therefore, despite its benefits in terms of providing linkages and retaining some areas of open space, the application does not accord with this objective.

The provisions of SDP policy 12 confirms that:

- Despite an increased need for more housing land, the Edinburgh LDP must also designate land as green belt in places where it will help meet green belt objectives.
- This process should not be undermined by approving housing proposals on land identified as green belt in the emerging LDP.

As stated above, granting planning permission on this site would undermine green belt objectives in a number of ways. Overall, the proposal does not comply with SDP Policy 12.

Conformity with the Local Development Plan (LDP)

The site is within the green belt in the adopted LDP. It is also identified as a specific greenspace proposal (GS4).

With regards to the green belt, policy Env 10 (Development in the Green Belt and Countryside) only permits new development for the purposes of agriculture, woodland and forestry, or where a countryside location is essential. Development of this site for housing would not comply with policy Env 10.

The greenspace proposal (GS4) seeks to retain the land around Craigmillar/Greendykes in the green belt, in order to provide a landscaped multi-functional parkland, woodland and country paths, linking to Midlothian. In assessing the proposal against GS4, the applicant has asserted that the ground levels and poor environmental management have previously prevented this area of land from realising its full potential as a parkland. In addition, the site has been subject to large amounts of fly-tipping in the past, which has prevented it from being utilised to its full extent.

However, the parkland has undergone a series of recent improvements and investment, and is now being utilised for its intended purpose by the new population in the surrounding Greendykes housing developments. The representations submitted by surrounding residents demonstrates how the parkland is becoming a valuable asset for the surrounding communities.

In this context, it is important to consider that the wider area is undergoing considerable amounts of regeneration. At Greendykes there are over 1000 homes with planning permission under construction, as well as the development of the BioQuarter and new Royal Hospital for Sick Children. The character and function of the area will intrinsically change as a result of all this development. This will have a consequential impact on the function, use and need of the parkland.

Although the application site is not within Council ownership, and the land which is in Council ownership is still undergoing a transition from unmaintained land to parkland, housing development on this site would remove this land from the green belt in perpetuity. This would prevent the site from realising its full potential in the future as a multi-functional parkland which would benefit the new residents of the adjoining housing areas and the wider city, as well as providing a landscape setting for the city. Due to the other uses along The Wisp, and difficult ground levels between the parkland and The Wisp, development of the land would also prejudice the green link from Holyrood Park to Shawfair and hence prejudice the function of the green belt at this location as it would be severing the green connection from the site to Midlothian.

During the LDP examination process, the Reporter concluded that whilst the planned open space will be substantially reduced by the housing allocations to the north and south of this site, the site forms part of a continuous green wedge running from the wider green belt westwards between Greendykes and the BioQuarter. The Reporter considered that its retention is important in providing open space and recreational routes connecting through these areas, and that development of this site would effectively dislocate the green belt to the west with the wider countryside in Midlothian to the east, to the significant detriment of green belt objectives. This remains true, as development of this site would create an island of development that is not particularly well connected to the housing developments to the north, and would erode this important area of green space.

Furthermore, whilst development at The Wisp results in a consequent change to the green belt to the north, the Reporter stated the circumstances for this site are different given that the objective of open space proposal GS4, South East Wedge Parkland, is described as multifunctional parkland, woodland and country paths linking with parallel developments in Midlothian. The site forms part of the city's green network in the Open Space Strategy and secures a green link through to Midlothian. Development of the sites to the north and south will accentuate the importance of this remaining area in maintaining continuity of this green corridor and its contribution to green belt objectives in terms of recreational access. Consequently, the Reporter concluded that he did not consider the site should be identified for housing and that it should be retained in the greenbelt and as open space.

Therefore, at this stage, the proposal cannot be justified in terms of policy Env 10 and greenspace proposal GS4 on the basis that it is not an appropriate form of development in the green belt and is removing the opportunities for a multi-functional strategic parkland.

Scottish Planning Policy 2014 (SPP)

SPP introduces a presumption in favour of development that contributes to sustainable development. Paragraph 110 of SPP states that the planning system should:

- Identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a five-year supply of effective housing land at all times;
- Enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- Have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

SPP Paragraph 29 lists a number of sustainable development principles which should be used to guide decisions. It states that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

In terms of assessing the proposal against the principles of SPP, the applicant has provided justification as to why this site is suitable for development based on the fact that the adjacent developments have diluted the original setting of the parkland from a remote countryside location to a strategic investment area. The applicant also asserts that the aspirations and proposals for the parkland should be revisited and that it should become a more formal parkland setting, as opposed to a country park-type aspiration. The applicant also states that since the land ownership is not with the Council, the applicant's land will never become integrated into the park unless development potential is realised.

While it is acknowledged that the land is not within the control of the Council, this site has been considered in line with green belt objectives and SPP. The key aim of SPP is to deliver sites in a plan-led manner and as SPP sets out, the aim is to achieve the right development in the right place; it is not to allow development at any cost. The potential economic benefits of developing this site cannot outweigh the environmental cost and irreversible impact on the landscape setting of the city. The land was formerly part of a designed landscape, providing setting for Craigmillar Castle and the views outward from the castle can still be appreciated from an historical viewpoint as the structure of the designed landscape can still be seen.

Housing Land Supply

The applicant has asserted that the Council area currently does not have an adequate five-year housing land supply and that the current local development plan is out of date, and therefore paragraphs 32-35 and 125 of SPP apply.

This is not the case. LDP Policy Hou 1 relates to the location of housing development and consists of two parts. The first part gives priority to housing development in the urban area as defined in the LDP.

The application site lies in the green belt as defined in the LDP and so is not supported by part 1 of Policy Hou 1. Should there be a deficit in the maintenance of the five year housing land supply, the site may be assessed in terms of part 2 of Policy Hou 1.

Policy Hou 1 Housing Development (part 2) states that where a deficit in the maintenance of the five year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:

- a) The development will be in keeping with the character of the settlement and the local area;
- b) The development will not undermine green belt objectives;
- c) Any additional infrastructure required as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time;
- d) The site is effective or capable of becoming effective in the relevant timeframe;
- e) The proposal contributes to the principles of sustainable development.

The latest assessment of the housing land supply in the City of Edinburgh is the 2018 Housing Land Audit and Completions Programme (HLACP), which was reported to Planning Committee on 3 October 2018. The capacity of effective housing land and the anticipated programme of completions within the HLACP were agreed as reasonable with Homes for Scotland.

The HLACP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2018 HLACP demonstrates that there is more than sufficient effective housing land to meet the housing land requirements set by the SDP. The HLACP also demonstrates that the five year completions programme (previously referred to as the five year effective land supply) is above the five year completions target.

There is, therefore, no shortfall in either the supply of effective housing land or the expected delivery of new homes over the next five years. As there is no deficit in the maintenance of the five year land supply, Policy Hou 1 part 2 does not apply. Paragraphs 32-35 of SPP are also not relevant.

The landscaping and landscape setting is examined further below. At this stage, development of the site is not in accordance with the principles of the SDP, LDP or SPP.

Craigmillar Urban Design Framework (Updated 2013) and the BioQuarter and South East Wedge Parkland Supplementary Guidance

The Craigmillar Urban Design Framework (CUDF) sets out a vision and planning principles for development of the Craigmillar area. This application site is within the CUDF and is identified as a being retained as a parkland.

Similarly, the BioQuarter and South East Wedge Parkland Supplementary Guidance contains development principles which relate to the parkland. These detail that the parkland should have a clearly defined landscape structure; maximise biodiversity throughout the design; be a visually stimulating environment which provides a clear transition between the urban area and Edinburgh's rural hinterland; and through its design, walkways and planting, protect views to Craigmillar Castle, Arthur's Seat and Edinburgh Castle.

The proposal to build houses on the parkland does not accord with the CUDF or the Supplementary Guidance.

Conclusion

The principle of residential development is not acceptable on this site. It is therefore important to assess whether there are other material considerations which could indicate acceptability of the proposal. These are examined below.

b) Design, Scale and Layout

In assessing the design, scale and layout of the proposals, there is a framework of design policies contained with the LDP, as well as the requirements of the Craigmillar Urban Design Framework, the BioQuarter and South East Wedge Parkland Supplementary Guidance, the Edinburgh Design Guidance, Designing Streets: A Policy Statement for Scotland and PAN 67 (Housing Quality).

Design

Policy Des 1 (Design Quality and Context) states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design, or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

Similarly, the CUDF states that "The design of new areas should be conceived as a whole rather than as a collection of disparate housing estates and business parks. Dwellings, shops and public and private institutions should be located close to each other, within the same building or block or with easy access between these... The relationship between built form and the public realm allied to landscape character should generate a lively, distinctive character. It is the design of the space between the buildings which helps to give a place its character, and determines whether or not people feel comfortable within that space. There must be careful and considered design of various elements - street type, building type and the treatment of the public realm."

PAN 67 (Housing Quality) states that the design of new housing should reflect a full understanding of its context, in terms of both its physical location and market conditions.

In assessing this proposal against this framework of policies and guidance, the proposed buildings along the edges of the site do not address any of the surrounding streets or parkland in a positive way. Along the northern boundary, this is partly due to the ground levels between the proposed development and the new Greendykes housing to the north. Here, the land falls considerably over a short distance. This means that in long views (as demonstrated in the Landscape and Visual Impact Assessment (LVIA) that accompanied the application), this site is particularly prominent on the ridge. It appears that little consideration has been given to its location sitting higher than the surrounding existing properties at Greendykes, and therefore gives the proposed development the appearance of being disjointed and not relating to surrounding housing. This is particularly clear in relation to the flats along the northern boundary, which will appear incongruous on the skyline and within the streetscape.

The housing along the western boundary does not address The Wisp, and the proposal forms an awkward boundary with this road. Similarly, the proposed housing along the southern and eastern boundaries fails to provide a suitable edge to the park. The proposed houses on the southern boundary do not address the park, while the houses on the eastern boundary are set behind a road. The flats along part of the eastern boundary provide a fragmented urban form.

Across the site, the levels plan shows the extent of the retaining walls, underbuilding and embankments. In some areas, there is a level difference in the finished floor levels of up to 4.5 metres. The underbuilding is also substantial, where there can be up to a metre of underbuilding on the plots. While retaining walls and underbuilding is not uncommon on new housing sites, this proposal presents an engineering solution to the development of the site and takes little cognisance of the unique topography and landscape quality.

In the absence of a detailed landscape plan, it is difficult to assess whether there is any mitigation proposed, or whether the boundary treatments are suitable.

Policy Des 2 (Co-ordinated Development) states that planning permission will be granted for development which will not compromise the effective development of adjacent land, or the comprehensive development and regeneration of a wider area.

In this instance, Midlothian Council has expressed concern at the reduction in green space and narrowing of the corridor which would be caused by the development.

The location of this site is important in strategic terms due to the proximity of the boundary with Midlothian Council (MLC). Immediately across The Wisp are housing allocations within Midlothian for an extension to Danderhall and a new development at Cauldcoats. In addition, the Shawfair development site lies to the east.

The 2002 masterplan for the Shawfair development (which forms part of the outline application for Shawfair, planning application 02/00660/OUT, approved in 2014) contains a landscape framework which considers linkages between Shawfair and the surrounding area. The landscape concept is to provide a strategic green link between Holyrood Park and Dalkeith Park and the overall aspiration for this large green network is to provide safe off-road routes from Midlothian through to Edinburgh and into the City Centre.

While this aspiration could still be achieved through the delivery of a housing proposal if appropriate paths and connections were provided, these are not provided in this proposal. In fact, no green connections are proposed through the site.

The visual impact of this is seen to the greatest extent from viewpoints on the north east of the site. According to the applicant's Landscape and Visual Impact Assessment, views from Queen's Drive and Craigmillar Castle are where the greatest impact on the narrowing of the green link is particularly prevalent. The visual impression of the green space is that of a considerably narrowed area. This would discourage walkers or cyclists from utilising the green link.

In summary, there are significant implications for allowing housing development on this site, including the impact on the potential for good visual and physical connections and the removal of the strategic green link. While the connectivity impacts could be mitigated if paths and networks from the site are connected to Midlothian at appropriate locations, the contextual and visual impact cannot be mitigated and there is no compelling argument to suggest that the narrowed green link is appropriate.

Layout

LDP Policy Des 7 (Layout Design) states that planning permission will be granted for development where it meets a number of criteria relating to issues of the layouts of buildings, streets, footpaths and taking an integrated approach to new streets, and whether the development will encourage walking, cycling and the use of public transport.

There are very few amenities for residents within a 10 minute walking distance. This would suggest that the site is not suitable for a predominantly residential development with the obvious result being high car dependency and a negative impact on infrastructure and air quality.

In addition, the applicant is not proposing footpath links to connect the site to the main Greendykes access road which is served by a bus route. There is also no provision for path connections to the active travel route. Therefore the proposal is contrary to policy Des 7.

In terms of the details of the layout, Designing Streets offers guidance on the importance of creating successful places through good streets design. One example is given as to how street length can have a significant effect on the quality of a place. Acknowledging and framing vistas and landmarks can help bring an identity to a neighbourhood and orientate users. However, long straights can encourage high traffic speeds, which should be mitigated through careful design.

With regards to the proposed layout, there appears to have been little consideration given to how the streets could be used to frame vistas and landmarks. The surrounding landmarks include Arthur's Seat, Craigmillar Castle and the Firth of Forth. Neither the orientation of the buildings, nor the street layout pays cognisance to these features. Similarly, the long stretches of road within the site give priority to the car, and the pedestrian routes are compromised by the driveways that cross the footway. These are not principles which are supported by Designing Streets.

Scale

LDP Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

In assessing whether this scale of development is appropriate, the Craigmillar Urban Design Framework states that the edge of the housing areas facing parklands should be well designed and should take into account the surrounding landscape. The proposal in this case does not appropriately address the park, as the edge is formed by fragmented blocks of flats set behind a road, or houses with their backs to the park or set behind a road. This does not create a strong or attractive urban edge, and the lack of a comprehensive landscape plan makes it difficult to assess how the buildings will sit within the landscape.

With regards to policy Des 4, the scale and proportions of the proposed development do not sit comfortably within the landscape. The areas of parking are dominant across the development, and the scale and massing of the flats are incongruous at this location.

Design Conclusion

The finer details of the design have not been adequately considered. The streets are not legible for pedestrians, the massing of the flats is inappropriate and the layout does not present any innovative ways of addressing pedestrian or cycle movement, or the unique landscape and topography of this site.

c) Amenity and Affordable Housing

The design policies in the LDP are supported by the Edinburgh Design Guidance, which provides more specific advice on site development with regards to providing appropriate levels of amenity. LDP Policy Des 5 (Development Design - Amenity) is relevant for assessing the impact of proposals on amenity for existing and new residents.

Existing Residents

The residents most affected by the proposals are located to the north in the New Greendykes development. However, due to considerable distances between the properties, there would be no impact on privacy or amenity. There would be some loss of immediate outlook as the existing properties sit lower than the floor levels of the proposed properties, however the green buffer would remain, and the height of this would retain an immediate green outlook for existing residents.

However, the proposal to remove an area of parkland, will have an impact on the wider area. The areas around the site are within the most deprived areas in Scotland (the immediately adjoining areas in Craigmillar and Niddrie are in the 10% most deprived communities in Scotland, based on 2016 SIMD deciles). Reducing the parkland would remove the potential for these deprived communities to access a strategic area of countryside parkland.

New Residents

The main impact on new residents will be noise arising from road traffic and nearby hospital operations.

The development is proposed to be situated directly beneath an existing flight path as presently utilised by the emergency helicopters coming to and going from the hospital. The new Royal Hospital for Sick Children (RHSC) includes a new helipad. The new helipad is likely to increase the number of flights over the proposed development albeit two other routes to and from the hospital are available for use by the helicopter pilots.

Therefore in summary, the applicant must submit further detailed assessments in relation to industrial, commercial and general hospital operations, helicopter and road traffic noise with mitigation measures designed and recommended at a further detailed stage, if planning permission was granted.

In relation to community facilities, the applicant has indicated that there is a site commercial/local shop of up to 350 square metres within the site. This would be secured through conditions if planning permission was granted.

The applicant has also indicated that 25% of the total number of dwellings on site will be affordable.

In conclusion, the amenity of existing and future residents is adequate.

d) Transport Impacts

This proposal requires to be assessed against relevant transport policies in the LDP, primarily Tra 8 (Provision of Transport Infrastructure).

This site is not an allocated housing site within the LDP and, therefore, its transport impact on the strategic road network has not been assessed cumulatively. The LDP states that development proposals relating to major housing or other development sites which would generate a significant amount of traffic must demonstrate that individual and cumulative transport impacts can be timeously addressed.

The Roads Authority has advised that the submitted Transport Assessment does not include specific figures for committed development outside the City of Edinburgh Council area. A high NRTF growth rate is used as a proxy instead, but it is unclear whether this adequately reflects the likely traffic impact from development in Midlothian and elsewhere.

Midlothian Council (MLC) has notable concerns regarding the cumulative impact on the transport network arising from this proposal. MLC is concerned to ensure that the road network in the locality of development continues to operate efficiently if the proposed development is added to committed developments. It is particularly important to fully assess proposals such as this, which have not come through the plan-led system and do not benefit from a development plan transport assessment. The recent Scottish Ministers' decision on SDP2 indicates the strong concern of the Scottish Government that interactions between transport and land use planning are taken into account.

The applicant makes points relating to: adequacy of using NRTF growth rates in lieu of assessment of committed development in a neighbouring authority; need for improvements at The Wisp junction/ Old Dalkeith Road in advance of the development; and significance of traffic impact on junctions.

Midlothian Council is concerned that the NRTF growth rate (given as 1.045% between 2018 and 2021) does not adequately reflect the quantity of growth associated with Midlothian's share of the South East Wedge development, which will lead to a near four-fold increase in housing numbers from the part of Midlothian adjacent to the development. The applicant's Transport Assessment has incorporated assessment of significant committed developments in the CEC area in proximity to the development site, and Midlothian Council wishes this approach extended to the developments in the Shawfair area so that the whole of the south east wedge is accounted for in the TA.

The Shawfair new settlement (3423 units) and Danderhall South extensions (351 units) have planning permission and have commenced construction. The 2017 Midlothian Local Development Plan (MLDP) allocation at Newton Farm has planning permission (622 units). Although not yet consented, the 2003 Shawfair Local Plan allocation at North Danderhall (190 units) and the 2017 MLDP allocation at Cauldcoats (350 units) are committed sites and should be taken into account in assessing future transport impacts.

In reference to the significance of traffic growth on junctions, the significance of a traffic impact depends not only on the percentage increase but the available capacity. A 10% increase on a lightly trafficked road may not be significant whereas a 1% increase on a congested road will be. This approach is supported in Transport Scotland's Transport Assessment Guidance.

Transport Scotland also made comments on the proposal. It stated that although it would not propose to advise against the granting of planning permission, Transport Scotland's response is provided on the understanding that the City of Edinburgh Council will make provision (should the application be recommended for approval and if deemed necessary as a consequence of the SESplan Cross Boundary Transport Appraisal) for an agreement with the applicant to make appropriate and proportionate contribution to address cumulative impact on the strategic transport network and for a related action to be incorporated within the Council's Local Development Plan.

Transport Scotland also advised that with regards to LDP Policy Tra 8, the Transport Assessment (TA) does not undertake a cumulative and a cross boundary transport assessment. The assessment has included a number of committed developments in the immediate vicinity to the proposed development (New Greendykes; the new hospital for sick children; Edmonstone Policies & Walled Garden); Edinburgh BioQuarter and Shawfair but does not appear to include allocations in the adopted LDP that have not yet obtained consent. The road network considered only extends as far south as the A7 Old Dalkeith Road/Link Road/Shawfair Park and Ride roundabout and does not go as far south as the A720 Sheriffhall Roundabout.

Transport Scotland notes that the site is not allocated in the LDP and the related policy requires the applicant to do a cumulative, cross boundary transport assessment. Transport Scotland considers that this hasn't been undertaken. However, it is difficult to conclude that this development has an effective role in delivering the cumulative, cross boundary transport assessment referred to in LDP Policy Tra 8, given the fact it contributes only 1.6% of the traffic on the A7 and therefore significantly less than this in terms of overall impact on Sheriffhall.

Transport Conclusion

Overall, the junction of Old Dalkeith Road and The Wisp is currently operating over capacity at present and would be worsened when all the committed developments in the area are fully constructed and operational. The proposed development would have an impact on this junction. Midlothian Council have requested a number of improvements and these could be secured by a legal agreement if planning permission was issued.

e) Infrastructure Constraints

Education

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure actions have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

This site falls within Sub-Area C-2 of the 'Castlebrae Education Contribution Zone'. This site is not supported by the LDP and therefore was not accounted for in the Council's Education Appraisal. Using the pupil generation rates set out in the Appraisal, the development would be expected to generate 44 additional primary school pupils and 28 additional secondary school pupils.

In terms of secondary school provision, the replacement Castlebrae High School will have an expansion strategy so additional capacity could be delivered if this was required. Contributions towards the provision of additional secondary school capacity would therefore be required to mitigate the impact of the proposed development. As per the Council's Supplementary Guidance, this should be £980 per flat (as at Q4 2107) and £6,536 per house (as at Q4 2017).

In terms of primary school provision, the site is within the catchment area of Castleview Primary School. The school's catchment area is undergoing significant change with new housing development progressing quickly. School roll projections indicate that the roll of this school will exceed its current capacity in 2021.

The Council's Action Programme identifies a requirement for a three-class extension to mitigate the impact of housing development proposed by the LDP. This action will not mitigate the impact of this additional development.

In addition to the new housing proposed in the LDP there is significant previously committed development still to be completed in the area. Therefore longer-term projections indicate that the school roll could rise above 630 pupils. This is the normal capacity of a three stream (21 class) school. The Council does not have a primary school bigger than three streams.

Communities and Families cannot therefore support new development over and above what is already committed or proposed in the Local Development Plan in this area at this time as sufficient infrastructure is not already available and it has not been demonstrated that an appropriate solution to delivering additional primary school capacity can be provided at an appropriate time.

If planning permission was to be granted despite an appropriate solution to delivering additional primary school capacity not being identified, the Council would then have to consider if a new primary school was required. In line with the Supplementary Guidance, the development would be required to make a financial contribution that is sufficient to cover the costs of any education infrastructure action that is required because of that new development, including a new primary school.

If planning permission was granted, the contributions would be required under LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) and this would require to be negotiated under the terms of a legal agreement.

Transport

The site does not constitute planned development and therefore is not included within a contribution zone of the approved Developer Contribution and Infrastructure Delivery Supplementary Guidance.

Nevertheless, the Council's Transport Action Programme indicates that any development in this area will require to contribute to transport measures. However, it is unclear whether the additional traffic from this site can be accommodated within the improvement works set out in the Action Programme. Additional information will be required if planning permission was granted, and will be developed in conjunction with Midlothian Council. Potential improvement works include a contribution to the Sheriffhall Transport Contribution Zone; contribution towards the upgrading of the The Wisp/Old Dalkeith Road signals (including MOVA); installation of traffic signals at the northern and southern ends of The Wisp (including The Wisp/Millerhill Road as necessary) and appropriate toucan crossings.

These requirements could be negotiated through a legal agreement if planning permission was granted.

Health Care

The site is within the north east contribution zone for health care. This requires contributions towards a new medical practice at Niddrie/Craigmillar. The cost of this is set out in the approved supplementary guidance and is at a cost of £945 per dwelling.

Conclusion

The educational infrastructure for the site requires a potentially significant financial contribution, as well as transport and health care contributions. If the costs as above can be met fully by the applicant, this is acceptable.

f) Landscape Impact

LDP Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

In assessing this application against Policy Des 4, there is the consideration of the impact of development on the landscape character of the site, and also the impact of the development on the wider landscape setting of the city, as well as the impact of the development at a more local level.

LDP Policy Des 9 (Urban Edge Development) states that planning permission will only be granted for development on sites at the green belt boundary where it conserves and enhances the landscape setting and special character of the city, promotes access to the surrounding countryside, and includes landscape improvement proposals that will strengthen the green belt boundary and contribute to multi-functional green networks by improving amenity and enhanced biodiversity.

Landscape Character

The landscape has the potential to provide many services for the population of Craigmillar and beyond. It is part of a strategic network of green corridors and parks, designed to complement existing and new urban development. Currently, the character of the landscape is semi-rural and whilst development has encroached into the parkland, this section of the parkland remains intact. The semi-rural nature of the character has the potential to provide an open landscape that is characterised by wildlife that is associated with the countryside. This will be damaged by the loss of parkland area. In the future, a large park would allow for recreational activities to be developed for the benefit of local residents and other residents of Edinburgh and the loss of this landscape to development prevents the creation of a semi-rural park.

The applicant has commented that the semi-rural nature of the park is not appropriate in this location and that the character of the park should change to become more of a managed urban parkland. The applicant has stated that it will contribute towards the management and maintenance of the park if planning permission was granted, on the basis of an urban park. However, this is not the Council's aspirations for this land, and as noted in the letters of representation, this semi-rural parkland is already providing a valuable area for the new residents of Greendykes.

In addition, as this large-scale landscape character is part of the setting of the city, the reduction in the parkland would impact on the setting of the city and the remaining setting of Craigmillar Castle.

Therefore, the proposal does not conserve or enhance the landscape setting and special character of the city. It also does not include landscape improvement proposals that will strengthen the green belt boundary, or contribute to multi-functional green networks by improving amenity and enhanced biodiversity, as required as part of LDP Policy Des 9.

Scottish Natural Heritage (SNH) commented on the application. SNH acknowledge that this is a new application encompassing several changes from previous proposals on this site. It is noted that the extent of development proposed on the parkland has been reduced and that there may be scope that the development could partially contribute to Plan objectives providing information on the detail and delivery of the parkland proposal and the green infrastructure is secured by the Council in the most appropriate manner.

Nevertheless, SNH note that there remains adverse impacts. The introduction of housing to areas of proposed parkland as set out in the LDP will have adverse impacts on local landscape character and visual amenity, as well as the resulting scale and diversity of uses for the parkland. Reducing the size of the parkland will affect its intended role as a large multi-functional open space serving neighbouring and wider communities in south east Edinburgh, compromising to some extent, the Council's ambitions for the creation of a strategic open space as set out in the various Plans and Strategies for the area.

LDP policy Des 1: 'Design Quality and Context' states that planning permission will not be granted for '...proposals that would be damaging to the character or appearance of the area around it particularly where this has special importance.'

The proposals would damage the open landscape character that is important as a location for recreation and amenity and is part of the National Planning Framework 3. Part of the landscape character is the experiential aspects of the character.

It is acknowledged that the site is surrounded by urban interventions and encroachment, and views across the site looking west are interrupted by urban developments such as the hospital, BioQuarter and Greendykes. However, from higher viewpoints looking eastwards, there are sweeping views of greenspace and countryside beyond. A development of the extent proposed would have a detrimental impact on these important views and the landscape setting of the City.

The proposal is therefore contrary to policies Des 1 and Des 9.

Visual Amenity

The sweeping views across the landscape from Craigmillar Castle and Hawkhill Wood draw the eye to the green areas beyond. These would be affected by the development on this site, particularly given its placement on the ridge. The undeveloped landscape connection between Craigmillar Castle parkland and the ridge is a strong visual characteristic and the views lead the eye down into the valley and then back up to the ridge. The proposal narrows this green space and it no longer appears as a strategic landscape between developments.

The existing development at Greendykes nestles into the valley bottom and its setting is the landscape that surrounds it.

LDP policy Des 4: 'Development Design: Impact on Setting' states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

The proposals do not have a positive impact on the views and do not enhance the setting of the city. This is noted in the applicant's Landscape and Visual Impact Assessment, which shows that it will not have a positive impact on the landscape character. This is due to the fact that as, for a large part of the site, the open landscape is lost and replaced with an urban character that is not suitable for this area of landscape due to its function as potential parkland and part of the setting of the city and the role it plays in providing strategic green infrastructure.

The proposal is therefore contrary to policy Des 4.

Future Potential of the Site to Deliver Parkland

The LDP Action Programme, adopted in December 2016, identified specific funding towards the delivery of the parkland. It states that the delivery of an 86 hectare multi functional parkland, woodland and country paths will be carried out by the Council in collaboration with the Edinburgh and Lothians Greenspace Trust and would link in to parallel developments in Midlothian.

LDP Policy Des 2: 'Co-ordinated Development' states that planning permission will not be granted for development which might compromise the effective development of adjacent land or the comprehensive development and regeneration of a wider area as provided for in a masterplan or development brief approved by the Council.

The Craigmillar Urban Design Framework showed this area for the future development of parkland to provide recreation and a setting for the designed development of Greendykes, the BioQuarter and the City. There is no open space provision within the New Greendykes development as it was envisaged that the open space for this development would be provided by the parkland. It was never envisaged that this would be lost.

While it is acknowledged that the majority of parkland is proposed to be retained as part of the proposals, the key location of this site is strategic in providing connections through to Midlothian. It would remove the potential to provide useable open space on the site for the benefit of New Greendykes or the strategic parkland as envisaged in the Craigmillar Urban Design Framework, nor the multi-functional parkland/woodland, linking with parallel developments in Midlothian, as stated in Greenspace Proposal (GS 4) of the LDP.

The proposal is therefore contrary to policy Des 2.

Historic Landscape

The Council's 2013 Craigmillar Urban Design Framework recognises the significance of the historic landscapes occupying this site, identifying them as an area of valuable open space and parkland. This is the last piece of landscape setting that was part of the original setting for Craigmillar Castle.

As noted previously, there are a number of urban interventions that are prevalent in various views across the site towards the castle. However, the sweeping nature of the remaining landscape forms an appropriate visual link to the castle and the urban developments around the castle reinforces the need to retain a substantial landscape setting.

Policy Env 7 (Historic Gardens and Designed Landscapes) states that development will not be permitted if it has a detrimental impact upon views to and from the site.

Historic Environment Scotland (HES) commented on the application in relation to the scheduled monument adjacent to the site. Although HES did not object to the proposed development in principle, it held some concerns regarding the applicant's overall methodology of measuring the impact of the development on the scheduled monument.

HES made no comment regarding the impact on views from Craigmillar Castle. Previous comments received from HES in relation to development on this site also do not consider that the proposal would challenge the castle for dominance within its setting or disrupt the key relationship between the castle and its policies. While acknowledging that there will be an impact on setting, HES does not consider that this impact will raise issues of national significance.

Landscape Conclusion

It is acknowledged that the landscape has been eroded by urban developments surrounding the site. However, this reinforces the strategic importance of the parkland in delivering an appropriate landscape setting for these urban developments and the wider city.

The proposal does not demonstrate how it can comfortably sit in this important landscape and therefore cannot be supported.

g) Biodiversity and Ecology

Policy Des 3 (Development Design) and the Edinburgh Design Guidance (Chapter 3) aim to identify opportunities, through development, to enhance local biodiversity.

Little France Park is a key strategic location in Edinburgh's habitat network. The park is a link between the rural setting in adjacent Midlothian and a habitat node along a green corridor to important sites such as Duddingston Loch SSSI (1.5 kilometres to the north-west), Bawsinch and the wider Holyrood Park. It is also well linked with three adjacent smaller Local Nature Conservation Sites - Edmonstone, Hawkhill Wood and the green corridor of Niddrie Burn. This green wedge creates a crucial link in the wider habitat network in Edinburgh and has been identified as a priority area by the Edinburgh Living Landscape, the Local Development Plan (GS4) and North East Open Space Action Plan.

The Scottish Wildlife Trust (SWT) made representations regarding the impact of the development on the opportunities for the continued delivery of Little France Park. SWT stated that with the arrival of the new buildings at the BioQuarter and a range of other new developments, Little France Park provides a valuable green asset to new and existing communities. The Edinburgh Living Landscape partners (including the City of Edinburgh Council) have been working to create Edinburgh's biggest new park in a generation. Transport Scotland awarded £662,000 to the Edinburgh and Lothian Greenspace Trust to deliver two phase of a new high-quality walking and cycling network through the park. This was supported with additional funding from City of Edinburgh Council, EDI, Scottish Enterprise and NHS Lothian. The park is now well used by local people as an active travel route, and as a place to relax and a place to enjoy wildlife watching. Further investment is planned and there is currently a £174,000 application to the Scottish Natural Heritage Biodiversity Challenge Fund to address habitat loss in a fragmented urban environment.

The Edinburgh Biodiversity Action Plan 2019-2021 sets out a vision with Edinburgh as the Natural Capital of Scotland: "To make Edinburgh a greener city with more opportunities for wildlife, enabling people to engage with nature." A management framework commissioned by the Edinburgh and Lothian Greenspace Trust in 2019 identified that the diversity of natural habitats and size of the park make it ecologically valuable in the urban context.

The site benefits from a wide range of plant species that supports a number of wildlife habitats, foraging and commuting. While the impact of development on these habitats can be alleviated to some degree by appropriate mitigation (such as replacement habitats and appropriate landscaping), the remaining parkland would not provide the same level of biodiversity that is currently supported on the site.

Within the context of the development of other greenfield sites, and subsequent loss of biodiversity and habitats across the city, development on this site would further erode the City's biodiverse landscape. On a site that is not allocated for development, and where there is no justification for housing development, the loss of biodiversity and habitats is unacceptable and the development is therefore contrary to policy Des 3 (Development Design).

h) Drainage, Flooding, Ground Stability and Contamination

Drainage and Flooding

A Flood Risk Assessment (FRA) was submitted as part of this planning application.

Review of the SEPA Flood Map indicates that the site lies outwith the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at low risk of flooding. SEPA holds no records of flooding at this location. A Flood Risk Assessment (FRA) has been provided in support of this application and covers a wider site extending west to Pringle Drive. SEPA agrees that the site is sufficiently elevated above the Niddrie and Magdalene Burns that it is unlikely at flood risk from these watercourses. However, the site lies on sloping ground and the FRA notes that a flood risk from higher ground to the south of the site may exist. It is proposed to capture any runoff from the south and route it round the site to the existing drainage to the north constructed as part of the adjacent development which in turn conveys runoff to the Magdalene Burn.

Ground levels are elevated above the drainage channel for the site to the north and finished floor levels appear to be elevated above ground levels which should reduce any risk of surface water flooding. SEPA recommends that ground levels slope away from properties to ensure no water can pond against property.

SEPA notes that the upstream catchment is small at approximately 0.05 square kilometres and the existing site is steep so will provide limited attenuation, but SEPA would recommend that any surface water to the south is attenuated prior to discharge to the existing drainage network.

Therefore, at this stage, it can be concluded that issues of flood risk have been addressed, although further details would be required in future applications in relation to ground levels and SUDS, if permission was granted.

Contamination

The Environmental Statement submitted with the application contained information regarding ground conditions. It found that the site is underlain by strata that has been extensively worked in the past.

Environmental Assessment recommends that a condition is attached to any consent to ensure that contaminated land is fully addressed.

Ground Stability

The application site falls within the defined Development High Risk Area. Therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth. Records also indicate that thick coal seams outcropped across the site and the presence of one recorded mine entry within, or within 20 metres of the planning boundary.

The Coal Authority notes the supporting information from Mason Evans (April 2018), the content of which confirms that as a result of preliminary site investigations shallow coal mine workings have been identified, which pose a risk to ground stability and which will require stabilising.

On account of the above, The Coal Authority has no objection to this planning application, subject to a condition to ensure the remediation of the shallow coal mine workings.

i) Air Quality

LDP Policy Env 22 requires that new development will not have a significant adverse effects on air quality.

Due to the size and density of the development, Environmental Protection would require a detailed air quality impact assessment before full comments can be made on the application. However, it should be noted that Environmental Protection have serious concerns with the principle of the proposed development on allocated greenspace. This greenspace is in a location which has significant levels of development committed in the area, including in the neighbouring local authority. Environmental Protection has also highlighted the potential impacts the works on the Sherrifhall Roundabout will have on traffic flows on The Wisp. The levels of traffic will likely increase and lead to congestion on the Wisp. The site is not well linked to public transport or high-quality pedestrian/cycling routes for commuting.

The proposal for 310 car parking spaces is excessive for a development of 199 residential units, and Environmental Protection would also request confirmation that this parking number includes all driveways and proposed double/single garages. Environmental Protection have stated that the applicant should address the local air quality impacts this proposal will have, and to justify the development of greenspace with such a car-centric development.

Environmental Protection recommends the application is refused on adverse impact this proposal will have on local air quality.

j) Archaeological Impacts and Impact on Scheduled Monument

In terms of archaeology, LDP Policies Env 8 (Protection of Important Remains) and Env 9 (Development of Sites of Archaeological Significance) are relevant, as well as the 2013 Craigmillar Urban Design Framework. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Archaeological evidence shows that the area has been occupied since the prehistoric period, with the nationally important Home Farm Enclosure (Ref 6038) located immediately to the south west on Edmonstone ridge plus the site of Woolmet Iron Age Fort located to the south on the opposite side of the Wisp. Roman occupation is possible with Roman finds discovered nearby in from Hawkhill Wood.

The Council's 2013 Craigmillar Urban Design Framework identifies this site as forming part of an area of valuable open space and parkland in part due to its surviving post-medieval landscape.

Further details would be required in order to understand how the proposals would impact upon archaeological remains and what level of mitigation would be appropriate. This could be dealt with as a condition of planning permission if it was granted.

k) Sustainability

The applicant has completed the Sustainability Statement form, indicating the measures taken to contribute towards sustainability. The applicant has indicated that there will be gas saver-type boilers and roof-mounted photo voltaic panels on the flats, as well as ground source heat pumps for the houses.

However, the applicant has not committed to using an alternative to uPVC on the windows. The applicant has also stated that the site is located in a sustainable location that will assist in the delivery of improvements to the park. As noted above, the proposed site layout does not discourage the use of cars and it is not the Council's strategy to develop this area as it offers a valuable resource for surrounding properties and the wider city.

Although the materials could potentially be a matter for conditions if planning permission was granted, the principle of development on this site is not sustainable.

I) Representations

Material Objections

- Not in accordance with green belt policy;
- There is no need for additional houses;
- Removal of the park would be detrimental to the community;
- Lack of services and amenities to support the development;
- Loss of green space and wildlife habitat;
- Impact on traffic and congestion;
- The retail unit is unnecessary;
- Too many blocks of affordable housing in one area; and
- The heights of the blocks are inappropriate.

Support Comments

- Development would help the local economy and would help tidy the area.

General Comments

- There should be connections to the new active travel route to the site.

The Danderhall Community Council made comments with regards to the loss of greenbelt and parkland, traffic impact, the damage to the appreciation of Edinburgh's setting and the effect on landscape character and visual amenity both external to and internally within the Little France Park and along The Wisp. The consenting of such a proposal would give rise to the fundamental erosion of the City of Edinburgh's credibility in promoting the South East Wedge Parkland within the South East Scotland Plan's Strategic Green Network Priority Area.

Conclusion

The proposal would deliver 199 residential units, of which 25% would be affordable and this would help contribute towards meeting Edinburgh's affordable housing needs.

The application raises a number of issues which will require to be negotiated through a legal agreement if planning permission was granted. These relate to infrastructure issues including education, transport and healthcare. Further information would be required regarding noise, biodiversity, some design elements and cumulative transport impacts.

However, the principle of housing on this site is not supported and the development is contrary to the Edinburgh Local Development Plan (LDP).

The land is allocated as green belt in the LDP and has been identified as a greenspace proposal in order to provide a landscaped, multi-functional parkland, woodland and country park, linking to Midlothian. Although the applicant is proposing to deliver and maintain the remainder of the site as a parkland, the construction of houses would result in the loss of a significant part of the park in perpetuity. This would remove the opportunity to provide a strategic parkland for the benefit of the city as well as the immediately adjoining neighbourhood areas.

The development is also not supported by the Strategic Development Plan (SESPlan) in that it would prejudice the delivery of the green network.

In terms of the landscape, it is acknowledged that the site is not in Council ownership, and that there are a number of urban interventions around the site that impact on the overall landscape setting and character of the site. However, this reinforces the site as an area of strategic importance in providing parkland and cycle/footpath links between the Edinburgh BioQuarter and new housing developments at Greendykes/Craigmillar and forms an important visual link to Craigmillar Castle and beyond. This would be impacted to a significantly detrimental degree if the site was developed.

Furthermore, the design, scale and layout of the proposal does not accord with policies and guidance.

Therefore, on balance, the principle of the development is not supported. Development of this site would prejudice the development of the parkland, which would be detrimental to the future communities in the area. The visual impact on the landscape has been assessed and is not acceptable. This site was assessed during the preparation of the LDP and it was not supported due to its importance as a strategic green space. There are no overriding material considerations which outweigh this conclusion.

It is recommended that planning permission is refused subject to referral to Council.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to SDP Policy 12, Edinburgh Local Development Plan Policies Env 10 and Hou 1 as there are no compelling reasons to override the strong policy presumption against development in the Green Belt.

2. The proposal is contrary to policy Des 2 of the Edinburgh Local Development Plan as it would compromise the comprehensive development and regeneration of the wider area, specifically the South East Wedge Parkland, as provided for in the Local Development Plan and the Craigmillar Urban Design Framework.
3. The proposals are contrary to Greenspace Proposal GS4 of the Edinburgh Local Development Plan which states that the land around Craigmillar/Greendykes is retained in the green belt and will be landscaped to provide multi-functional parkland, woodland and country paths, linking with parallel developments in Midlothian. This proposal would not support GS4 and would prejudice the delivery of the parkland.
4. The proposal is contrary to Edinburgh Local Development Plan Policies Des 1, Des 3, Des 4 and Des 9 as the development will not have a positive impact on its setting, the wider landscape and views.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

A Proposal of Application Notice was submitted and registered on 1 February 2018. Copies of the Notice were also issued to:

- Craigmillar Community Council;
- Gilmerton and Inch Community Council;
- Danderhall and District Community Council;
- Craigmillar Neighbourhood Alliance;
- Portobello and Craigmillar Neighbourhood Partnership;

- Liberton and Gilmerton Neighbourhood Partnership;
- Ward Councillors, including Midlothian Council; and
- Local MSPs.

Public events were held on 27 February and 21 March 2018.

Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards online services.

A pre-application report on the proposals was presented to the Committee on 7 March 2018. The Committee noted the key issues in the report.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 29 March 2019 and 47 letters of representations were received. This comprised 45 letters of objection, one letter of support and one general comment.

A full assessment of the representations can be found in the main report in the Assessment section.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The site is within the green belt and is in an area designated for a greenspace proposal (GS4).

Date registered

1 March 2019

Drawing numbers/Scheme

01-22,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer

E-mail:lesley.carus@edinburgh.gov.uk Tel:0131 529 3770

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Application for Planning Permission 19/01032/FUL At South East Wedge, Old Dalkeith Road, Edinburgh Erection of 199 residential dwellings, public open space and associated infrastructure.

Consultations

Environmental Protection - 19 March 2019

The site is to be developed to include up to 199 residential dwellings, with 310 associated parking spaces and landscaping. The site is currently undeveloped land with existing residential properties located to the north with other residential units to the north under construction. To the south of the proposed development site there is a builder's yard. The site is bounded to the east by The Wisp. To the west is open green space with the Royal Infirmary located just beyond. The applicant should note that the proposed level of development exceeds the level set out in the Local Development Plan (LDP) and associated Transport Appraisal. It is understood that this land is classified as Greenspace in the LDP

With regards some of the neighbouring committed development, on the north side of Wisp 2a there is currently a large residential development of some 1200 houses known as New Greendykes under construction. Planning permission has also been granted for residential development of the Edmonstone Policies, Edmiston House, Walled Garden and Eight Acre Field, with potential for a combined total of over 800 houses. It is also noted that upgrades to the Sherrifhall Roundabout have begun which will likely result in increased traffic along The Wisp in the future.

Environmental Protection raise concerns regarding this development including the impacts the development may have on local air quality, noise impacts on future residents, and contaminated land. The applicant has not addressed all these areas and has only submitted a contaminated land supporting document. Nothing has been submitted regarding noise and local air quality impacts.

Local Air Quality

Due to the size and density of the development Environmental Protection would require a detailed air quality impact assessment before we could even consider supporting such an application. However, it should be noted that Environmental Protection have serious concerns with the proposed development on LDP allocated Greenspace. This Greenspace is in a location which has significant levels of development committed in the area, including in the neighbouring local authority. Environmental Protection have also highlighted the potential impacts the works on the Sherrifhall Roundabout will have on traffic flows on The Wisp. The levels of traffic will likely increase and lead to congestion on the Wisp. The site is not well linked to public transport or high-quality pedestrian/cycling routes for commuting. The applicant's proposal for 310 car parking

spaces is excessive for a development of 199 residential units, we would also request confirmation that this parking number includes all driveways and proposed double/single garages. The applicant has not submitted an air quality impact. Such an assessment would be required to address the local air quality impacts this proposal will have and to justify the development of Greenspace with such a car centric development.

Local Air Quality is a material planning consideration. Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration for the following situations where development is proposed inside or adjacent to an Air Quality Management Area (AQMA):

- Large scale proposals.*
- If they are to be occupied by sensitive groups such as the elderly or young children.*
- If there is the potential for cumulative effects.*

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken.

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh LPD. The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

Environmental Protection recommends the application is refused on adverse impact this proposal will have on local air quality.

Noise

The application is juxtaposing The Wisp which is a considerable source of transport noise that affects the development site. The applicant should have assessed the noise impacts and how it affects the proposed development site. It should also consider the potential for increased traffic and noise on Then Wisp due to committed development and Sherrifhall Roundabout works. Environmental Protection requires a noise impact assessment that demonstrates that satisfactory outdoor and internal noise levels can be achieved. It's likely an acoustic barrier will be required to protect garden areas proposed along The Wisp. Furthermore, upgraded glazing for the same affected proposed residential properties will be required. A noise impact assessment would also need to address the potential for noise from the neighbouring builders yard located to the south of the proposed development. The Royal Infirmary development has almost been completed and once operational there will be an increase in helicopter movements. The application site is in an area that may be affected by increased helicopter movements. Helicopter noise is impossible to mitigate with regards impacts on outdoor areas such as gardens.

As the applicant has not submitted a noise impact assessment it is not possible to support this application based on the submitted information. There are no noise mitigation measures proposed. Therefore, Environmental Protection recommend the application is refused due to the potential noise impacts transport and the builders yard may have on the proposed residential development.

Contaminated Land

The applicant has submitted a Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

Environmental Protection have concerns with the overall level of car parking, development of Greenspace, cumulative levels of development and the related adverse impact this shall have on local air quality. The poor standard of amenity proposed for the future occupant with regards noise. Based on the current submissions Environmental Protection recommend refusal based on the potential adverse impacts the development may have on local air quality and noise impacts.

Historic Environment Scotland - 15 April 2019

Thank you for your consultation which we received on 14 March 2019. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations and for our historic environment remit as set out under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We do not object to the proposed development. We note that in our scoping response, dated 21 August 2018, we identified the potential for impacts on Home farm scheduled monument (SM 6038). As the development boundary has now been altered, we are content that such impacts are unlikely.

From the details provided it appears that any impacts on the setting of historic environment assets covered by our interests will not be significant. We therefore have no further advice to offer on specific impacts. However, we do have some comments on the assessment provided.

We note that table 9.1 of the assessment states that impacts of a moderate adverse magnitude should be avoided where possible, and those of a major adverse magnitude should be avoided. We do not see how it is possible to make statements of this nature without taking into account the sensitivity of the asset affected, which is key in considering the significance of effect. This criteria appears to effectively skip a step in the assessment process.

We welcome the fact that reference is made to our Managing Change guidance note on Setting. However, we do not consider the methodology to be in line with this guidance.

The assessment is structured around three types of value - intrinsic, contextual and associative. These appear to be based on the scheduling criteria used to determine national importance. As such, these categories may not apply as clearly to other asset types, such as gardens and designed landscapes.

Laying out the assessment in this way does not lead to a simple and clear conclusion on levels of impact. This is particularly the case as all of these value types may contribute to the setting of a historic asset. There is therefore no clear overall narrative supporting the conclusions on impacts on setting.

We are content that none of the predicted impacts will be significant for our interests. However, we recommend that these comments are taken into account when considering the weight to be given to the conclusions of the assessment.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object.

Our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Ruth Cameron, who can be contacted by phone on 0131 668 8657 or by email on Ruth.Cameron@hes.scot.

SEPA - 10 April 2019

We have no objection to this planning application, but please note the advice provided below.

Flood Risk

We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

Review of the SEPA Flood Map indicates that the site lies outwith the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at low risk of flooding. We hold no records of flooding at this location.

A Flood Risk Assessment (FRA) has been provided in support of this application and covers a wider site extending west to Pringle Drive. We agree that the site is sufficiently elevated above the Niddrie and Magdalene Burns that it is unlikely at flood risk from these watercourses. However, the site lies on sloping ground and the FRA notes that a flood risk from higher ground to the south of the site may exist. It is proposed to capture any runoff from the south and route it round the site to the existing drainage to the north constructed as part of the adjacent development which in turn conveys runoff to the Magdalene Burn.

Ground levels are elevated above the drainage channel for the site to the north and finished floor levels appear to be elevated above ground levels which should reduce any risk of surface water flooding. We would recommend that ground levels slope away from properties to ensure no water can pond against property.

We note that the upstream catchment is small at approximately 0.05km² and the existing site is steep so will provide limited attenuation, but we would recommend that any surface water to the south is attenuated prior to discharge to the existing drainage network.

Given the site lies outwith the flood map and we hold no additional information on flood risk we have no objection to the application. Surface water management is primarily a matter for the Local Authority, and Scottish Water, to consider and they should ensure measures are put in place to ensure there is no increase in runoff to existing development.

Caveats & Additional Information for Applicant

The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1).

Groundwater

(Ref 1: Wisp 2 - Environmental Impact Assessment Report, Waterman, March 2019)

We have no objection to this proposed development on the grounds of impacts to groundwater. We note that in section 10.107 (Ref 1) that once ground investigations are completed remedial works may be required to stabilise former mine workings. It is stated that this 'would most likely take the form of grouting up any former workings identified.' As such, please see below SEPA's standard advice on grouting.

We recommend that if stabilisation works are identified as being required to facilitate the development then an appropriate risk assessment for the proposed stabilisation of mine workings with pulverised fuel ash (PFA) grout is produced prior to this activity being undertaken on site.

The pouring of grout below the water table is a controlled activity under General Binding Rule (GBR) 16 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). GBR 16 includes a requirement that no material coming into contact with groundwater shall cause pollution of the water environment. SEPA considers that an assessment should be undertaken to assess whether the use of PFA grout will meet the requirements of GBR 16. If the activity causes pollution, SEPA may take enforcement action in accordance with these regulations.

SEPA recommends, therefore, that the assessment is undertaken in line with the guidance document: Stabilising mine workings with PFA grouts. Environmental code of practice. 2nd Edition, BRE Report 509.

In general, a detailed review of the assessment by SEPA is not considered necessary and the document should primarily serve the developer, to ensure no pollution occurs as a result of the activity. If the preliminary and simple risk assessments identify that the site is higher risk and conceptually complex, then a complex risk assessment is required. At this stage it may be prudent for the developer to highlight this to SEPA through additional consultation.

Additional Information

Further details relating to CAR requirements can be found on SEPA's website at; http://www.sepa.org.uk/water/water_regulation/regimes.aspx

Consultation with The Coal Authority is recommended.

Key points to note in relation to the water environment when undertaking mine workings grouting:

An adequate hydrogeological conceptual model is required (e.g. an assessment of ground conditions, depth to groundwater, likely flow of groundwater, depth/size of old mines workings etc). Ideally, the conceptual model would be backed up with site specific ground investigation and monitoring data.

It is recommended that the applicant/agent carries out an appropriate water features survey to identify what there is in the surrounding area that might be affected by the grout.

Note that potential hazards and impacts may not necessarily be confined to the proposed development site. Applicants should consider and mitigate as necessary risks both within and outwith the development site.

It should be noted that even if mine waters are currently low (i.e. below workings to be grouted), groundwater levels might, in the future, rebound into the grouted zone if mine water pumping were to cease. SEPA would recommend that both scenarios are considered.

If the excavation works require dewatering, the applicant may be required to demonstrate that this will not adversely affect the hydrogeological regime. Any adverse effects will depend on the size and duration of the excavation works.

Regulatory advice for the applicant

Regulatory requirements

Management of surplus soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- is more than 4 hectares,*
- is in excess of 5km, or*
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees.*

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in the local SEPA office at:

Silvan House, SEPA 3rd Floor, 231 Corstorphine Road, Edinburgh EH12 7AT.

Tel: 0131 449 7296.

Parks and Greenspace - 29 May 2019

Parks, Greenspace and Cemeteries object to the siting of housing in Little France Park for the following reasons:

- 1. Little France Park (LFP) is a Council maintained public park, having been officially publicly opened by the Convenor of the Transport & Environment Cttee on 28/09/2018.*
- 2. LFP's green space importance to the local community and wider city has been recognised by the Council following its agreement at the Transport & Environment Cttee to execute a protective Minute Of Agreement with Fields in Trust. This is now in process. This will make it necessary that the owner (the Council) seeks permission from Fields in Trust before unsympathetic developments can take place.*
- 3. Significant capital and revenue sums have already been invested in creating park and access infrastructure in LFP. This includes contributions from third-party funders.*
- 4. Parks are important public health solutions in urban communities. Research evidence confirms that nearby parks, gardens, and other green spaces support human health and wellness. Active living opportunities that reduce the likelihood of obesity and chronic diseases (such as diabetes, heart disease and respiratory problems) are particularly improved where people can enjoy walking, cycling, play, and other physical recreation in their local park or green space. Little France Park is situated in a deprived area that has high levels of obesity and ill-health as reflected in the latest Scottish Index of Multiple Deprivation figures.*
- 5. The Council's Open Spaces Strategy, as approved by the Planning Committee in 2016, makes it clear that green spaces that are cared for and well-connected matter for our health, wildlife and economy and that new parks and green spaces are to be created as the city grows, as they help people get to know each other, grow food, play, keep fit, see nature, get around by foot and by bike. Parks will also be improved and made wildlife friendly, helping the city to be ready for changes to our climate. LFP is now being improved and cared for by the Council and partner organisations (including Edinburgh & Lothians Greenspace Trust and Scottish Wildlife Trust) as a "Living Landscape", with management emphasis on physical and mental health, recreation, nature and accessibility to nature, and as a critical green reservoir/corridor within Edinburgh's green space network.*

Location Plan



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City of Edinburgh Council

10am, Thursday 22 August 2019

Treasury Management: Annual Report 2018/19 – referral from the Finance and Resources Committee

Executive/routine
Wards
Council Commitments

1. For Decision/Action

- 1.1 The Council is asked to approve the Treasury Management Annual Report 2018/19 which was noted by the Finance and Resources Committee on 15 August 2019.

Andrew Kerr

Chief Executive

Contact: Veronica MacMillan, Committee Services

Email: veronica.macmillan@edinburgh.gov.uk | Tel: 0131 529 4283

Referral Report

Treasury Management: Annual Report 2018/19 – referral from the Finance and Resources Committee

2. Terms of Referral

- 2.1 The Council has adopted the CIPFA Code of Practice on Treasury Management in the Public Sector, and under the code, an Annual Report on Treasury Management must be submitted to the Council after the end of each financial year. A separate mid-term report will also be produced during the financial year.
- 2.2 In line with the intended strategy reported in March 2018, the Council continued to fund its borrowing requirement from the reduction of its investment balances. The only borrowing completed during the financial year was £140k in interest free loans from SALIX and just over £2.7m from Public Works Loan Board (PWLB) to match the capital advances for the loans to the Edinburgh Living Mid-Market Rent LLP.
- 2.3 To mitigate some of the interest rate risk to which the Council was exposed, the Council also transacted a forward starting loan during 2018/19. The £60m committed market borrowing was a forward starting loan with Personal and Business Banking (PBB) which was agreed in August 2018 with the monies to be drawn down in October 2020.
- 2.4 The Finance and Resources Committee agreed:
- 2.4.1 To note the Annual Report on Treasury Management for 2018/19.
 - 2.4.2 To agree that a report would be brought back to the Finance and Resources Committee following the conclusion of discussions with RBS and Natwest in relation to Lender Option Borrower Option Loans (LOBOS).
 - 2.4.3 To refer the report to Council for approval and subsequent referral by Council to the Governance, Risk and Best Value Committee for scrutiny.

3. Background Reading/ External References

Minute of the Finance and Resources Committee of 15 August 2019.

4. Appendices

Appendix 1 – report by the Executive Director of Resources

Finance and Resources Committee

10:00am, Thursday, 15th August 2019

Treasury Management: Annual Report 2018/19

Executive/routine
Wards
Council Commitments

1. Recommendations

1.1 It is recommended that the Committee:

- Notes the Annual Report on Treasury Management for 2018/19; and,
- Refers the report to Council for approval and subsequent referral by Council to the Governance, Risk and Best Value Committee for their scrutiny.

Stephen S. Moir

Executive Director of Resources

Contact: Innes Edwards, Principal Treasury and Banking Manager,
Finance Division, Resources Directorate

E-mail: innes.edwards@edinburgh.gov.uk | Tel: 0131 469 6291

Treasury Management: Annual Report 2018/19

2. Executive Summary

- 2.1 The purpose of this report is to give an update on Treasury Management activity in 2018/19. In line with the intended strategy reported in March 2018, the Council continued to fund its borrowing requirement from the reduction of its investment balances. The only borrowing completed during the financial year was £140k in interest free loans from SALIX and just over £2.7m from PWLB to match the capital advances for the loans to the Edinburgh Living Mid-Market Rent LLP. To mitigate some of the interest rate risk to which the Council is exposed, the Council also transacted a forward starting loan during 2018/19. The £60m committed market borrowing is a forward starting loan with PBB which was agreed in August 2018 with the monies to be drawn down in October 2020.

3. Background

- 3.1 The Council has adopted the CIPFA Code of Practice on Treasury Management in the Public Sector, and under the code, an Annual Report on Treasury Management must be submitted to the Council after the end of each financial year. A separate mid-term report will also be produced during the financial year.

4. Main report

- 4.1 The key points in this report are that:
- For the fifth year in a row, the Council's capital repayments were greater than its new capital expenditure funded by borrowing, so the Council's underlying need to borrow for a capital purpose reduced by £27.1m during the year;
 - Just under £50m PWLB matured during the year helping to reduce overall borrowing costs to the Council. There was £2.7m borrowed from the PWLB in January and £140k interest free loan from Salix at financial year end. Appendix 4 shows a list of the Council's debt;

- The Council continued its successful medium-term strategy of funding capital expenditure from a reduction in temporary investments and at the end of the financial year the Council's external borrowing was £157m under its Capital Financing Requirement; and
- the average interest rate on the Cash Fund for the year was 0.71%, continuing to outperform the benchmark, which was 0.51% for the year.

Prudential Indicators

4.2 Treasury Management is undertaken with regard to the CIPFA Code of Practice for Treasury Management in the Public Services and CIPFA's Prudential Code. Appendix 1 contains Prudential Indicators showing a breakdown of the actual out-turn of 2018/19.

Borrowing Overview

4.3 Appendix 2 shows details of the Council's borrowing for 2018/19 including an economic commentary for the year from the Council's treasury advisors, Arling close.

4.4 The Council continued to fund capital expenditure from temporary investments only borrowing £140k of interest free funds and £2.7m from the PWLB for Edinburgh Living. The Council also agreed forward borrowing of £60m from PBB to help reduce interest rate risk on a large future borrowing requirement.

Investment Out-turn

4.5 Appendix 3 shows the Investment Out-turn for 2018/19. Investment continues to be made via the Cash Fund arrangement.

4.6 The Council's money is invested via the Treasury Cash Fund. The Cash Fund encompasses a number of organisations, including Lothian Pension Fund. Interest is accrued on a monthly basis and performance is evaluated against a benchmark, which is 7-day LIBID.

4.7 The average interest rate on the fund for the year was 0.71%. This continued to show significant outperformance against the benchmark which was 0.51% for the year. Appendix 3 shows details of investment performance alongside historical investment balances.

Conclusions

4.8 The Strategy set in March 2018 regarding borrowing was fully implemented and achieved significant savings for the Council.

4.9 £60m forward borrowing was completed to manage the interest rate risk on a future project.

4.10 The investment return for 2018/19 continued to show out-performance against the Fund's benchmark, although low in absolute terms, while maintaining the security of the investments.

5. Next Steps

- 5.1 The Treasury team will continue to operate its Treasury Cash Fund with the aim of out-performing its benchmark of 7-day London Interbank Bid Rate (LIBID) and manage the Council's debt portfolio to minimise the cost to the Council while mitigating risk.

6. Financial impact

- 6.1 The Treasury Cash Fund has generated significant additional income for the Council.

7. Stakeholder/Community Impact

- 7.1 There are no adverse stakeholder/community impacts arising from this report.

8. Background reading/external references

- 8.1 None

9. Appendices

Appendix 1: Prudential Indicators

Appendix 2: Borrowing Overview

Appendix 3: Investment Out-turn 2018/19

Appendix 4: Outstanding debt 31st March 2019

Appendix 1

Prudential Indicators

(a) Prudential Indicator 1 - Estimate of Capital Expenditure

This gives a breakdown of the actual capital expenditure incurred during 2018/19.

	2017/18	2018/19	2018/19	2018/19
	Actual	Original	Revised	Actual
	£'000	£'000	£'000	£'000
General Services				
Council Wide / Corporate Projects	364	0	0	26
Lending	6,470	45,078	45,078	23,152
Communities and Families	35,989	54,597	40,572	28,431
Edinburgh Integrated Joint Board	496	2,727	2,727	138
Place	85,267	110,084	110,084	109,572
Resources	3,503	16,221	16,221	2,652
Resources - Asset Management Works	10,990	17,575	17,575	21,770
Trams	2,383	0	0	0
General Slippage across programme	0	0	-11,613	0
Total General Services Capital Expenditure	145,462	242,282	220,644	185,741
Housing Revenue Account	72,816	80,934	80,934	80,962
Total	218,278	327,216	301,578	266,703

Table 1 – Capital Expenditure 2018/19

The capital programme is re-phased annually once the unaudited out-turn of the previous year is known. The original estimates above reflect the budget position as reported in the Treasury Strategy in March 2018, with the revised figures representing the projected position reported to the Finance and Resources Committee in August 2018 following the re-phasing of the programme.

The following table shows how the £266.7m of capital expenditure incurred in 2018/19 was funded:

	Gen Services	HRA	CEC Total	Police	Fire	Total
	£'000	£'000	£'000	£'000	£'000	£'000
Net Cap Adv (01/04/18)	990,703	381,070	1,371,773	12,440	319	1,384,532
Gross Cap Ex	185,741	80,962	266,713	0	0	266,713
Cap Income	-148,392	-64,462	-212,864	0	0	-212,864
Net Cap Ex	37,349	16,500	53,849	0	0	53,849
Capital Repaid	-60,790	-20,115	-80,905	-1,256	-319	-82,480
Net Cap Adv (01/04/19)	967,262	377,455	1,344,717	11,184	0	1,355,901

Table 2 – Source of Funding for Capital Expenditure 2018/19

The CEC Total column shows expenditure of £266.7m being partly funded by capital grants and capital receipts, leaving only £53.9m to be funded by borrowing. However, the Council repaid principal of £80.9m for previous capital advances, giving a net reduction in the need to borrow of £27.1m. In addition, previous capital advances of £1.6m were repaid on behalf of the former Police and Fire joint boards, giving a total reduction in the need to borrow of £28.7m.

(b) Indicator 2 - Ratio of Financing Costs to Net Revenue Stream

This gives an indication of the cost of the Council's debt relative to its income.

	2017/18 Actual %	2018/19 Estimate %	2018/19 Revised %	2018/19 Actual %
General Services	11.63	11.38	11.44	11.38
Housing Revenue Account	37.88	39.64	38.69	39.98

Table 3 – Ratio of Financing Costs to Net Revenue Stream

(c) Indicator 3 - Capital Financing Requirement (CFR)

This shows the Council underlying need to borrow / take on other forms of Capital funding.

	2017/18 Actual £'000	2018/19 Original £'000	2018/19 Revised £'000	2018/19 Actual £'000
General Services (incl. finance leases)	1,128,518	1,123,368	1,111,679	1,079,328
Edinburgh Living LLP	0	12,870	12,870	2,734
NHT LLPs	66,725	98,933	98,933	87,143
Housing Revenue Account	380,621	377,505	375,833	377,454
Total	1,575,864	1,612,676	1,599,315	1,546,659

Table 4 – Capital Financing Requirement

In preparing Tables 4 and 5, all finance lease liabilities have been included for both current and prior year figures as required by the new Borrowing Regulations in Scotland, rather than other long term liabilities as defined by CIPFA's Prudential Code.

	2017/18	2018/19
	Actual	Actual
	£'000	£'000
General Services Capital Advances	991,154	967,261
HRA Capital Advances	380,621	377,454
Total CEC Borrowing CFR	1,371,775	1,344,716
Other Finance Lease Liabilities	204,089	201,944
Total CEC Debt CFR	1,575,864	1,546,659

Table 5 – Split of CEC Capital Financing Requirement

The Council operated within both the Authorised Limit and the Operational Boundary at all times during the year and there were no breaches of the Council's Treasury Management Policy.

Appendix 2

Borrowing Overview

The Council's treasury advisor, Arlingclose, has provided the following economic review of the year:

After spiking at over \$85/barrel in October 2018, oil prices fell back sharply by the end of the year, declining to just over \$50 in late December before steadily climbing toward \$70 in April 2019. UK Consumer Price Inflation (CPI) for February 2019 was up 1.9% year/year, just above the consensus forecast but broadly in line with the Bank of England's February Inflation Report. The most recent labour market data for the three months to January 2019 showed the unemployment rate fell to a new low 3.9% while the employment rate of 76.1% was the highest on record. The 3-month average annual growth rate for pay excluding bonuses was 3.4% as wages continue to rise steadily and provide some upward pressure on general inflation. Once adjusted for inflation, real wages were up 1.4%.

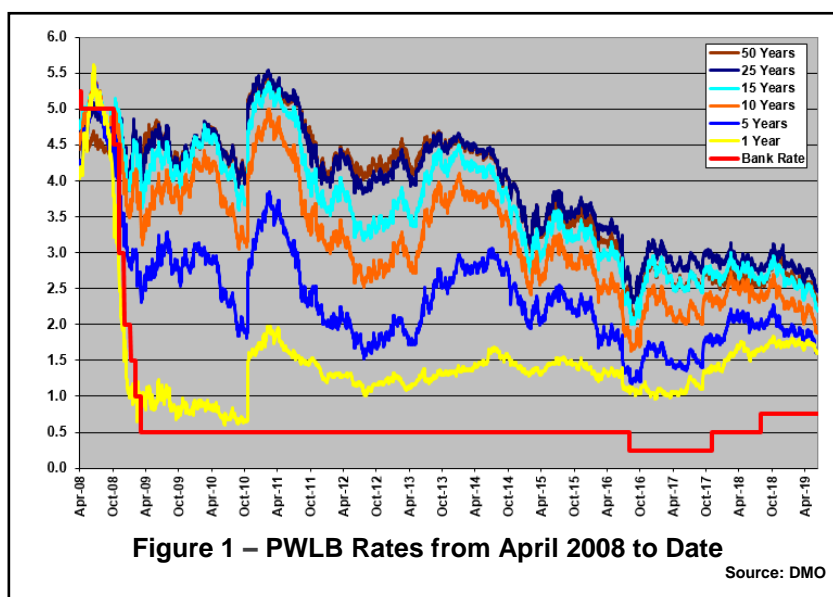
After rising to 0.6% in the third calendar quarter from 0.4% in the second, fourth quarter economic growth slowed to 0.2% as weaker expansion in production, construction and services dragged on overall activity. Annual GDP growth at 1.4% continues to remain below trend. Following the Bank of England's decision to increase Bank Rate to 0.75% in August, no changes to monetary policy have been made since.

The US Federal Reserve continued its tightening bias throughout 2018, pushing rates to the 2.25%-2.50% range in December. However, a recent softening in US data caused the Fed to signal a pause in hiking interest rates at the last Federal Open Market Committee (FOMC) meeting in March.

With the 29th March 2019, the original EU 'exit day' now been and gone, having failed to pass a number of meaningful votes in Parliament, including the rejection of Theresa May's deal for the third time, MPs voted by a majority of one (313 to 312) to force the prime minister to ask for an extension to the Brexit process beyond 12th April in order to avoid a no-deal scenario. Recent talks between the Conservative and Labour parties to try to reach common ground on a deal which may pass a vote by MPs have yet to yield any positive results. The EU must grant any extension and its leaders have been clear that the terms of the deal are not up for further negotiation. The ongoing uncertainty continues to weigh on sterling and UK markets.

While the domestic focus has been on Brexit's potential impact on the UK economy, globally the first quarter of 2019 has been overshadowed by a gathering level of broader based economic uncertainty. The US continues to be set on a path of protectionist trade policies and tensions with China in particular, but with the potential for this to spill over into wider trade relationships, most notably with EU. The EU itself appeared to be show signs of a rapid slowdown in economic growth with the major engines of its economy, Germany and France, both suffering misfires from downturns in manufacturing alongside continued domestic/populist unrest in France. The International Monetary Fund downgraded its forecasts for global economic growth in 2019 and beyond as a consequence.

Figure 1 below shows PWLB borrowing rates since 2008. This clearly shows a decrease in borrowing rates mainly due to the uncertainty surrounding Brexit.



The strategy for 2018/19 approved in March 2018 was to continue to fund capital expenditure by reducing cash deposits with the only borrowing completed a small amount interest free and from the PWLB to mitigate interest rate risk when lending to Edinburgh Living. However, as detailed in Table 5, the total underlying need to borrow fell by £27m during the year. Table 6 below summarises the outstanding debt portfolio during the year.

Type of Loan	Balance	Borrowing	Borrowing	Balance
	01.04.2018	Raised	Repaid	31.03.2019
	£m	£m	£m	£m
PWLB - fixed	969.114	2.734	-49.656	922.192
Salix Finance Ltd	1.532	0.140	-0.304	1.368
Market	274.900	0.000	0.000	274.900
	<u>1,245.546</u>	<u>2.874</u>	<u>-49.960</u>	<u>1,198.460</u>
Capital Advances	<u>1,384.534</u>			<u>1,355.901</u>
Under-borrowed	<u>138.988</u>	Under-borrowed		<u>157.441</u>

Table 6 – Outstanding Debt Portfolio 2018/19

£49.656m of PWLB debt matured during the year. However, the only replacement borrowing taken out during the year was £2.734m from the PWLB and £140k in interest free loans from SALIX. Therefore, the Council's borrowing fell by just over £47m over the year. This does not include the agreed forward borrowing of £60m due to be drawn down in October 2020.

2018/19 was the fifth year in a row that the repayment of previous capital advances were greater than new capital advances funding by borrowing, reducing the Council's underlying need to borrow. This, and the under-borrowing strategy to not replace maturing debt, has

meant that over the last five years the Council's external debt has fallen by £236m. Figure 2 below shows the Council's total borrowing and cost of the borrowing.

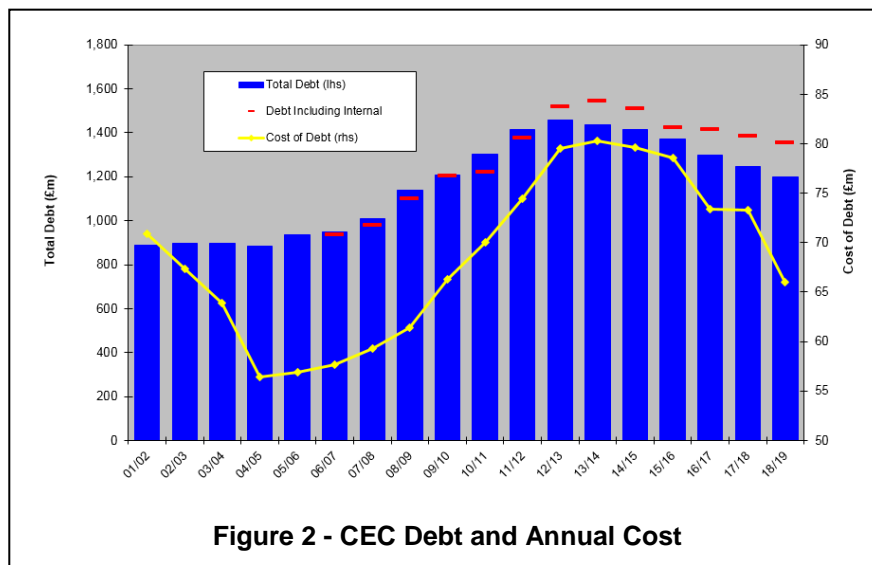


Figure 2 - CEC Debt and Annual Cost

The total interest cost in servicing the Council's debt in 2018/19 was £63m, over £15m lower than it was 5 years ago.

For a number of reasons, in recent years it has become less attractive for banks to continue to hold local authority LOBO loans. In 2016 Barclays unilaterally waived the optionality in their loans, turning them into long term fixed rate loans. During 2018/19 one holder of loan authority LOBO loans put their entire portfolio up for sale. The Council bid to buy back the £5m loan we had from them with the intention of re-financing it with the PWLB showing a modest long term saving. However, even at that level the Council's bid was unsuccessful and the loan is now held by a pension fund.

We are also aware that a number of Councils have repaid or restructured their LOBO loans with RBS. We have been in dialogue with RBS on the options which might be available to the Council in relation to the Inverse LOBO loans for a number of months. The terms which have been offered to the Council are potentially better than in the original contract but are still onerous given current market conditions. A number of potential outcomes have been put forward with different financial and accounting implications. The discussions are on-going to evaluate which, if any, of these outcomes represent the best long-term value to the Council.

We will continue to evaluate options for restructuring the Council's market loans as and when opportunities arise.

Appendix 3

Investment Out-turn 2018/19

The Council's money is invested via the Treasury Cash Fund. The Cash Fund encompasses a number of organisations, including Lothian Pension Fund. Interest is accrued on a monthly basis and performance is evaluated against a benchmark, which is 7-day LIBID.

The Bank of England's Monetary Policy Committee (MPC) increased Bank Rate by 0.25% in August 2018 to 0.75% with no changes being made since. The MPC had been expected to raise rates in May but held due to weak economic data. The Bank was confident that the dip was temporary and moved to increase rates in August. The move was questioned due to Brexit uncertainty however the Banks governor, Mark Carney, said that monetary policy could be adjusted if necessary.

Figure 3 below shows the investment performance since April 2011.

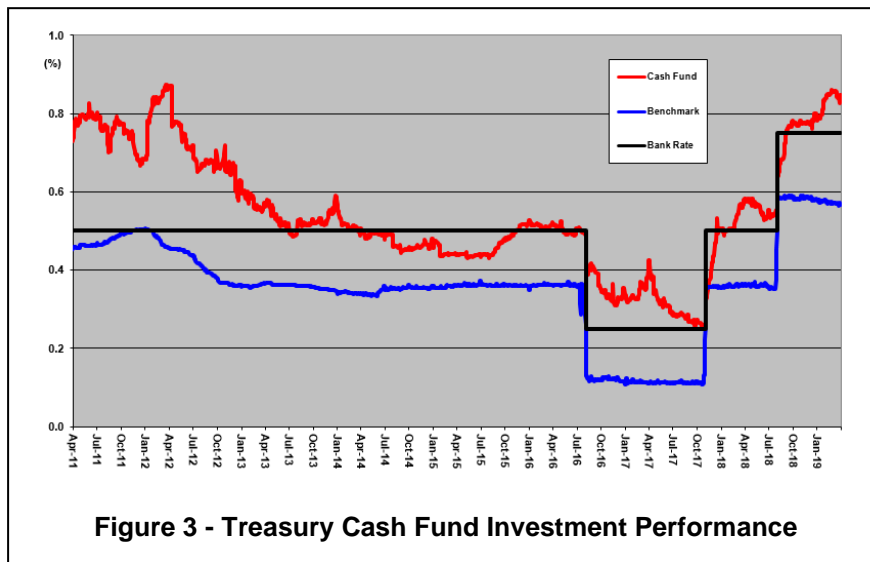
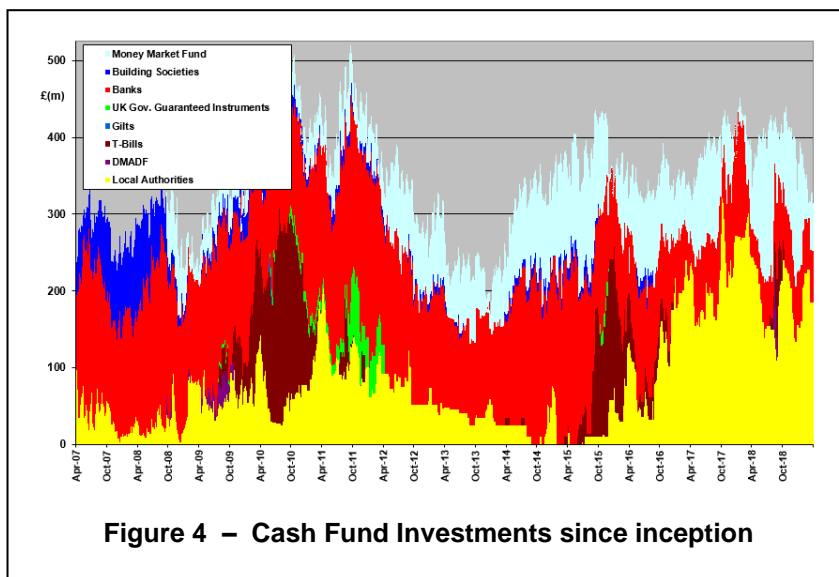


Figure 3 - Treasury Cash Fund Investment Performance

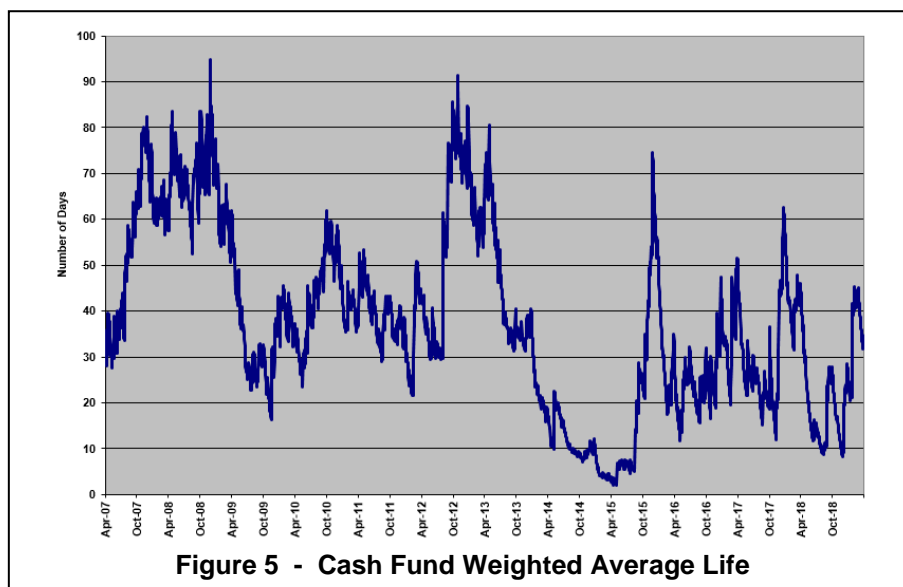
The average interest rate on the Cash Fund for the year was 0.71%, which continued to outperform the benchmark, which was 0.51% for the year. The fund generated income of just over £1.5m for the financial year to CEC.

The emphasis remained on security during the financial year with the return of the principal sum being the main concern. With the Strategy being around the security of the investments, Cash Fund money invested with banking institutions was held on instant access call and a 31 day notice account with a highly credit rated institution and a large percentage of the fund was held with other Local Authorities on short term fixed deposits

and notice accounts. Figure 4 below shows the distribution of the Cash Fund investments since April 2007.



As can be seen in Figure 5 below the weighted average life (WAL) at the end of the financial year was 32 days. The WAL at the time of the increase in UK Bank Rate in August was under 10 days which meant the fund could react quickly to take advantage of the increase in interest rates.



Appendix 4

Outstanding Debt 31st March 2019

PWLB PROFILE	START DATE	MATURITY DATE	PRINCIPAL OUTSTANDING £	INTEREST RATE %	ANNUAL INTEREST £
M	30/03/2009	30/03/2019	5,000,000.00	3.46	173,000.00*
M	21/04/2009	21/04/2019	10,000,000.00	3.4	340,000.00
M	23/04/2009	23/04/2019	5,000,000.00	3.38	169,000.00
A	12/11/2008	12/11/2019	548,774.19	3.96	27,006.62
M	23/03/1994	15/11/2019	5,000,000.00	8	400,000.00
M	07/12/1994	15/11/2019	10,000,000.00	8.625	862,500.00
A	01/12/2008	01/12/2019	541,108.45	3.65	24,555.73
M	01/12/2009	01/12/2019	5,000,000.00	3.77	188,500.00
M	14/12/2009	14/12/2019	10,000,000.00	3.91	391,000.00
M	15/02/1995	25/03/2020	5,000,000.00	8.625	431,250.00
M	21/04/2009	21/04/2020	10,000,000.00	3.54	354,000.00
M	12/05/2009	12/05/2020	10,000,000.00	3.96	396,000.00
M	21/10/1994	15/05/2020	5,000,000.00	8.625	431,250.00
M	07/12/1994	15/05/2020	5,000,000.00	8.625	431,250.00
M	21/11/2011	21/05/2020	15,000,000.00	2.94	441,000.00
M	16/08/1995	03/08/2020	2,997,451.21	8.375	251,036.54
M	09/12/1994	15/11/2020	5,000,000.00	8.625	431,250.00
A	10/05/2010	10/05/2021	1,288,737.50	3.09	43,624.27
M	21/10/1994	15/05/2021	10,000,000.00	8.625	862,500.00
M	10/03/1995	15/05/2021	11,900,000.00	8.75	1,041,250.00
M	12/06/1995	15/05/2021	10,000,000.00	8	800,000.00
M	02/06/2010	02/06/2021	5,000,000.00	3.89	194,500.00
M	16/08/1994	03/08/2021	2,997,451.21	8.5	254,783.35
M	28/04/1994	25/09/2021	5,000,000.00	8.125	406,250.00
M	23/04/2009	23/04/2022	5,000,000.00	3.76	188,000.00
M	12/06/1995	15/05/2022	10,200,000.00	8	816,000.00
M	14/06/2010	14/06/2022	10,000,000.00	3.95	395,000.00
M	31/03/1995	25/09/2022	6,206,000.00	8.625	535,267.50
M	16/02/1995	03/02/2023	2,997,451.21	8.625	258,530.17
M	24/04/1995	25/03/2023	10,000,000.00	8.5	850,000.00
M	05/12/1995	15/05/2023	5,200,000.00	8	416,000.00
M	20/09/1993	14/09/2023	2,997,451.21	7.875	236,049.28
M	20/09/1993	14/09/2023	584,502.98	7.875	46,029.61
M	08/05/1996	25/09/2023	10,000,000.00	8.375	837,500.00
M	13/10/2009	13/10/2023	5,000,000.00	3.87	193,500.00
M	05/12/1995	15/11/2023	10,000,000.00	8	800,000.00
M	10/05/2010	10/05/2024	10,000,000.00	4.32	432,000.00
M	28/09/1995	28/09/2024	2,895,506.10	8.25	238,879.25
M	14/05/2012	14/11/2024	10,000,000.00	3.36	336,000.00
A	14/12/2009	14/12/2024	4,660,747.41	3.66	189,384.93

M	17/10/1996	25/03/2025	10,000,000.00	7.875	787,500.00
M	10/05/2010	10/05/2025	5,000,000.00	4.37	218,500.00
M	16/11/2012	16/05/2025	20,000,000.00	2.88	576,000.00
M	13/02/1997	18/05/2025	10,000,000.00	7.375	737,500.00
M	20/02/1997	15/11/2025	20,000,000.00	7.375	1,475,000.00
A	01/12/2009	01/12/2025	7,633,241.52	3.64	286,494.83
M	21/12/1995	21/12/2025	2,397,960.97	7.875	188,839.43
M	21/05/1997	15/05/2026	10,000,000.00	7.125	712,500.00
M	28/05/1997	15/05/2026	10,000,000.00	7.25	725,000.00
M	29/08/1997	15/11/2026	5,000,000.00	7	350,000.00
M	24/06/1997	15/11/2026	5,328,077.00	7.125	379,625.49
M	07/08/1997	15/11/2026	15,000,000.00	6.875	1,031,250.00
M	13/10/1997	25/03/2027	10,000,000.00	6.375	637,500.00
M	22/10/1997	25/03/2027	5,000,000.00	6.5	325,000.00
M	13/11/1997	15/05/2027	3,649,966.00	6.5	237,247.79
M	17/11/1997	15/05/2027	5,000,000.00	6.5	325,000.00
M	13/12/2012	13/06/2027	20,000,000.00	3.18	636,000.00
M	12/03/1998	15/11/2027	8,677,693.00	5.875	509,814.46
M	06/09/2010	06/09/2028	10,000,000.00	3.85	385,000.00
M	14/07/2011	14/07/2029	10,000,000.00	4.9	490,000.00
E	14/07/1950	03/03/2030	2,780.49	3	89.10
M	14/07/2011	14/07/2030	10,000,000.00	4.93	493,000.00
E	15/06/1951	15/05/2031	2,929.45	3	89.64
M	06/09/2010	06/09/2031	20,000,000.00	3.95	790,000.00
M	15/12/2011	15/06/2032	10,000,000.00	3.98	398,000.00
M	15/09/2011	15/09/2036	10,000,000.00	4.47	447,000.00
M	22/09/2011	22/09/2036	10,000,000.00	4.49	449,000.00
M	10/12/2007	10/12/2037	10,000,000.00	4.49	449,000.00
M	08/09/2011	08/09/2038	10,000,000.00	4.67	467,000.00
M	15/09/2011	15/09/2039	10,000,000.00	4.52	452,000.00
M	06/10/2011	06/10/2043	20,000,000.00	4.35	870,000.00
M	09/08/2011	09/02/2046	20,000,000.00	4.8	960,000.00
M	23/01/2006	23/07/2046	10,000,000.00	3.7	370,000.00
M	23/01/2006	23/07/2046	10,000,000.00	3.7	370,000.00
M	19/05/2006	19/11/2046	10,000,000.00	4.25	425,000.00
M	07/01/2008	07/01/2048	5,000,000.00	4.4	220,000.00
M	27/01/2006	27/07/2051	1,250,000.00	3.7	46,250.00
M	16/01/2007	16/07/2052	40,000,000.00	4.25	1,700,000.00
M	30/01/2007	30/07/2052	10,000,000.00	4.35	435,000.00
M	13/02/2007	13/08/2052	20,000,000.00	4.35	870,000.00
M	20/02/2007	20/08/2052	70,000,000.00	4.35	3,045,000.00
M	22/02/2007	22/08/2052	50,000,000.00	4.35	2,175,000.00
M	08/03/2007	08/09/2052	5,000,000.00	4.25	212,500.00
M	30/05/2007	30/11/2052	10,000,000.00	4.6	460,000.00
M	11/06/2007	11/12/2052	15,000,000.00	4.7	705,000.00
M	12/06/2007	12/12/2052	25,000,000.00	4.75	1,187,500.00
M	05/07/2007	05/01/2053	12,000,000.00	4.8	576,000.00

M	25/07/2007	25/01/2053	5,000,000.00	4.65	232,500.00
M	10/08/2007	10/02/2053	5,000,000.00	4.55	227,500.00
M	24/08/2007	24/02/2053	7,500,000.00	4.5	337,500.00
M	13/09/2007	13/03/2053	5,000,000.00	4.5	225,000.00
M	12/10/2007	12/04/2053	5,000,000.00	4.6	230,000.00
M	05/11/2007	05/05/2057	5,000,000.00	4.6	230,000.00
M	15/08/2008	15/02/2058	5,000,000.00	4.39	219,500.00
A	25/01/2019	25/01/2059	2,734,495.00	2.65	72,464.12
M	02/12/2011	02/12/2061	5,000,000.00	3.98	199,000.00
			922,192,324.90		

* Repaid 01/04/19 due to 30/03/19 falling on a Saturday

NON LOBO PROFILE	START DATE	MATURITY DATE	PRINCIPAL OUTSTANDING £	INTEREST RATE %	ANNUAL INTEREST £
M	30/06/2005	30/06/2065	5,000,000.00	4.4	220,000.00
M	07/07/2005	07/07/2065	5,000,000.00	4.4	220,000.00
M	21/12/2005	21/12/2065	5,000,000.00	4.99	249,500.00
M	28/12/2005	24/12/2065	12,500,000.00	4.99	623,750.00
M	14/03/2006	15/03/2066	15,000,000.00	5	750,000.00
M	18/08/2006	18/08/2066	10,000,000.00	5.25	525,000.00
M	01/02/2008	01/02/2078	10,000,000.00	3.95	395,000.00
			62,500,000.00		

LOBO PROFILE	START DATE	MATURITY DATE	PRINCIPAL OUTSTANDING £	INTEREST RATE %	ANNUAL INTEREST £
M	12/11/1998	13/11/2028	3,000,000.00	4.75	142,500.00
M	15/12/2003	15/12/2053	10,000,000.00	5.25	525,000.00
M	18/02/2004	18/02/2054	10,000,000.00	4.54	454,000.00
M	28/04/2005	28/04/2055	12,900,000.00	4.75	612,750.00
M	25/02/2011	25/02/2060	15,000,000.00	7.576	1,124,393.84
M	25/02/2011	25/02/2060	10,000,000.00	7.576	749,595.89
M	26/02/2010	26/02/2060	5,000,000.00	7.517	370,177.81
M	26/02/2010	26/02/2060	10,000,000.00	7.517	740,355.62
M	01/07/2005	01/07/2065	10,000,000.00	3.86	386,000.00
M	24/08/2005	24/08/2065	5,000,000.00	4.4	220,000.00
M	07/09/2005	07/09/2065	10,000,000.00	4.99	499,000.00
M	13/09/2005	14/09/2065	5,000,000.00	3.95	197,500.00
M	03/10/2005	05/10/2065	5,000,000.00	4.375	218,750.00
M	23/12/2005	23/12/2065	10,000,000.00	4.75	475,000.00
M	06/03/2006	04/03/2066	5,000,000.00	4.625	231,250.00
M	17/03/2006	17/03/2066	10,000,000.00	5.25	525,000.00
M	03/04/2006	01/04/2066	10,000,000.00	4.875	487,500.00
M	03/04/2006	01/04/2066	10,000,000.00	4.875	487,500.00
M	03/04/2006	01/04/2066	10,000,000.00	4.875	487,500.00
M	07/04/2006	07/04/2066	10,000,000.00	4.75	475,000.00
M	05/06/2006	07/06/2066	20,000,000.00	5.25	1,050,000.00
M	05/06/2006	07/06/2066	16,500,000.00	5.25	866,250.00
			212,400,000.00		

SPECIAL FIXED/ VAR	START DATE	MATURITY DATE	PRINCIPAL OUTSTANDING £	INTEREST RATE %	ANNUAL INTEREST £
F	07/01/2015	01/09/2021	197,392.85	0	0.00
F	31/03/2015	01/04/2023	811,303.83	0	0.00
F	22/09/2015	01/10/2023	219,799.70	0	0.00
F	29/03/2019	01/04/2029	139,978.53	0	0.00
			1,368,474.91		

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City of Edinburgh Council

10am, Thursday 22 August 2019

Revenue Monitoring 2019/20 – Period Three Report – referral from the Finance and Resources Committee

Executive/routine
Wards
Council Commitments

1. For Decision/Action

- 1.1 The Council is asked to ratify the decision of the Finance and Resources Committee of 15 August 2019 to earmark a further £1m from the Council's Priorities Fund as an additional contribution to the 2019/20 budget, pending the development of sustainable measures to address the associated savings requirement on a recurrent basis.

Andrew Kerr

Chief Executive

Contact: Veronica MacMillan, Committee Services

Email: veronica.macmillan@edinburgh.gov.uk | Tel: 0131 529 4283

Referral Report

Revenue Monitoring 2019/20 – Period Three Report – referral from the Finance and Resources Committee

2. Terms of Referral

- 2.1 On 23 May 2019, members of the Committee considered an update on the Council's revenue budget framework, with a specific emphasis on the projected position for 2019/20. The report noted the significant progress made in developing implementation plans for the directorate-specific savings approved as part of the current year's budget, as well as identification of a range of measures to contribute towards both the 1.55% cross-Council efficiencies target and addressing residual pressures identified by service areas. An update was also provided on steps undertaken towards balancing the Edinburgh Integration Joint Board's budget for 2019/20.
- 2.2 In view of the trend of reducing savings delivery apparent in recent years, however, a risk contingency was applied in estimating the actual level of savings that would subsequently be delivered during the year. When combined with residual unmitigated service pressures and additional efficiency-related measures that were required to be identified, the report pointed to a residual gap of some £13.7m. This position assumed approval and subsequent delivery by the Edinburgh Integration Joint Board of measures sufficient to result in a balanced position for 2019/20.
- 2.3 Given the recommendations contained within the report to ratify use of sums from the Spend to Save and Council Priorities Funds, as part of the report's onward consideration by Council on 30 May, members agreed that options to address the residual gap highlighted would be brought to the Finance and Resources Committee's meeting on 15 August 2019.
- 2.4 At the meeting of Council on 27 June 2019, in considering a motion from Cllr Whyte on implementation of a Council-wide 1.55% efficiencies requirement in 2019/20, Members additionally agreed that a specific list of proposals that addressed the requirement in full would be brought back to the Finance and Resources Committee on 15 August 2019.

- 2.5 The Finance and Resources Committee agreed:
- 2.5.1 To note the current implementation status for those savings measures approved as part of the 2019/20.
 - 2.5.2 To note the progress in developing specific actions to address residual directorate pressures.
 - 2.5.3 To note the proposed measures set out in Appendix 5 of the report, by which it was planned the in-year efficiencies requirement approved by Council in February 2019 would be met.
 - 2.5.4 To agree, subject to confirmation of the 2018/19 outturn and ratification by Council on 22 August 2019, to earmark a further £1m from the Council's Priorities Fund as an additional contribution to the 2019/20 budget, pending the development of sustainable measures to address the associated savings requirement on a recurring basis.
 - 2.5.5 To note the continuing assumption that the Edinburgh Integration Joint Board would maintain overall expenditure within the levels of funding delegated to it by the Council and NHS Lothian.
 - 2.5.6 To note the requirement to identify and implement further mitigating measures such that a balanced year-end position was achieved and, in due course, to re-establish the stability of the budget framework.
 - 2.5.7 To note the balanced projected position on the Housing Revenue Account (HRA) after making a £2.228m planned contribution towards housing investment.

3. Background Reading/ External References

Minute of the Finance and Resources Committee of 15 August 2019.

4. Appendices

Appendix 1 – report by the Executive Director of Resources

Finance and Resources Committee

10.00am, Thursday, 15 August 2019

Revenue Monitoring 2019/20 – Period three report

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 Members of the Finance and Resources Committee are asked to:
 - 1.1.1 note the current implementation status for those savings measures approved as part of the 2019/20 revenue budget;
 - 1.1.2 note progress in developing specific actions to address residual directorate pressures;
 - 1.1.3 note the proposed measures set out in Appendix 3, by which it is planned the in-year efficiencies requirement approved by Council in February 2019 will be met;
 - 1.1.4 agree, subject to confirmation of the 2018/19 outturn and ratification by Council on 22 August 2019, earmarking a further £1m from the Council Priorities Fund as an additional contribution to the 2019/20 budget, pending development of sustainable measures to address the associated savings requirement on a recurring basis;
 - 1.1.5 note the continuing assumption that the Edinburgh Integration Joint Board (EIJB) will maintain overall expenditure within the levels of funding delegated to it by the Council and NHS Lothian;
 - 1.1.6 note the requirement to identify and implement further mitigating measures such that a balanced year-end position may be achieved and, in due course, to re-establish the stability of the budget framework; and
 - 1.1.7 note the balanced projected position on the Housing Revenue Account (HRA) after making a £2.228m planned contribution towards housing investment.

Stephen S. Moir
Executive Director of Resources

Contact: Hugh Dunn, Head of Finance
E-mail: hugh.dunn@edinburgh.gov.uk | Tel: 0131 469 3150

Revenue Monitoring 2019/20 – Period three report

2. Executive Summary

- 2.1 Following consideration of an initial progress report on 23 May 2019, this report provides an update on the period three revenue monitoring position for the Council and progress with the identification and implementation of required savings measures sufficient to achieve a balanced year-end position in 2019/20 and, in due course, to re-establish the stability of the budget framework.

3. Background

- 3.1 On 23 May 2019, members of the Committee considered an update on the Council's revenue budget framework, with a specific emphasis on the projected position for 2019/20. The report noted the significant progress made in developing implementation plans for the directorate-specific savings approved as part of the current year's budget, as well as identification of a range of measures to contribute towards both the 1.55% cross-Council efficiencies target and addressing residual pressures identified by service areas. An update was also provided on steps undertaken towards balancing the EIJB's budget for 2019/20.
- 3.2 In view of the trend of reducing savings delivery apparent in recent years, however, a risk contingency was applied in estimating the actual level of savings that will subsequently be delivered during the year. When combined with residual unmitigated service pressures and additional efficiency-related measures requiring to be identified, the report pointed to a residual gap of some £13.7m. This position assumed approval and subsequent delivery by the EIJB of measures sufficient to result in a balanced position for 2019/20.
- 3.3 Given the recommendations contained within the report to ratify use of sums from the Spend to Save and Council Priorities Funds, as part of the report's onward consideration by Council on 30 May, members agreed that options to address the residual gap highlighted would be brought to the Finance and Resources Committee's meeting on 15 August 2019.
- 3.4 At the meeting of Council on 27 June 2019, in considering a motion from Cllr Whyte on implementation of a Council-wide 1.55% efficiencies requirement in 2019/20,

members additionally agreed that a specific list of proposals addressing the requirement in full would be brought back to this meeting.

4. Main report

4.1 Since the Committee's last meeting, Executive Directors and the Chief Officer of the Edinburgh Integration Joint Board (EIJB), along with their management teams, have continued to work towards delivery of the four main objectives set out in the report to the Finance and Resources Committee on 7 March, namely:

- (i) Development of robust implementation plans for the specific savings actions totalling £29.2m¹ which were approved for delivery in 2019/20;
- (ii) Development of detailed and specific proposals to address the £9.5m efficiency savings target which was also approved as part of the 2019/20 budget;
- (iii) Identification of mitigating actions to address estimated combined residual pressures of £8.8m across the Communities and Families, Place and Resources Directorates; and
- (iv) Agreement, through the EIJB, of specific plans to address its estimated budget gap in 2019/20.

4.2 Addressing each of the above areas in full is required to allow the Council to plan, with reasonable confidence, to maintain expenditure within approved levels in 2019/20. In acknowledging that there is a degree of delivery risk for each aspect, however, elected members, the Chief Executive and Executive Directors, including the Chief Officer of the EIJB, will need to consider a range of measures to bring the current year's position back into balance. Further difficult choices will therefore be required in both this and subsequent years to secure financial sustainability.

Development of savings implementation plans – specific savings

4.3 Progress in developing implementation plans for all specific savings approved for delivery in 2019/20 continues to be regularly reviewed by the Corporate Leadership Team (CLT) Change Board. Additional project management support has also been allocated from the non-recurring £1m approved by Council in October 2018 to assist delivery of the more challenging approved savings measures. A progress update with regard to recruitment, associated costs and key milestones and deliverables for each of the workstreams supported by this additional investment is provided in Appendix 1.

4.4 Review of these implementation plans continues to show positive progress, with 93% of savings by value currently assessed, on the basis of confirmed or planned actions, as green or amber as set out in Appendix 2. This assessment shows, in

¹ Of the £29.8m of specific savings approved for delivery in 2019/20, £0.6m relates to areas that form part of wider savings plans or actions to mitigate pressures. As such, these savings are incorporated in determining the updated net residual pressures position considered as part of (iii) above.

particular, strong progress against those savings measures expected to be delivered, or relevant actions put in place, during the first three months of the year. Work is continuing both to explore the specific actions required to allow amber savings to be assessed as green and prioritise development of detailed plans for those approved measures currently assessed as red.

- 4.5 After successive years' efficiencies, the measures required to deliver the 2019/20 savings programme are correspondingly more challenging and there will almost inevitably be a degree of slippage in the year.
- 4.6 Although the financial risk is to an extent mitigated by the explicit incorporation of a specific contingency (discussed later in this report), effective deployment of the £1m additional project management resource and on-going review of wider savings delivery (and specifically the need for any remedial action) will be crucial to maintaining expenditure within budgeted levels.

Council-wide efficiencies target

- 4.7 The update to the Committee's meeting on 23 May 2019 noted that gross actions totalling £8.578m had, as of that time, been identified. This total includes the approved drawdown of £0.786m from the Council Priorities Fund which recognised the challenging nature of the 1.55% efficiency savings target.
- 4.8 Work within directorates has continued to identify potential measures to address the balance of this requirement. Appendix 3 provides an updated list of proposed measures totalling £9.5m, with the additional measures primarily identified within the Place Directorate. This revised list therefore addresses, in full, the motion agreed by Council on 27 June by setting out the measures by which it is planned that the 1.55% cross-Council efficiencies target be met. Members of the Committee are asked to note this updated list.
- 4.9 Finance has undertaken a readiness assessment of the delivery of the efficiency measures listed in Appendix 3. While some 64% of the measures concerned are currently assessed as green or amber, the analysis highlights a particular need for implementation across a number of cross-Council workstreams. As with the specific savings above, the implications of this assessment for the overall risk contingency are considered in Paragraph 4.23 below.

Residual pressures

- 4.10 Reporting during 2018/19 highlighted the need to address residual Directorate pressures on a sustainable basis through the identification and implementation of appropriate mitigating actions. The update to the Committee's previous meeting on 23 May 2019 intimated gross pressures across the Communities and Families, Place and Resources Directorates of £18.247m.
- 4.11 The report to that meeting also indicated that financial planning would be further informed by in-depth analysis of the 2018/19 outturn. This analysis has highlighted an increase in gross pressures of £1.3m, mainly comprising additional school-related required demographic provision outlined in the following paragraphs.

Communities and Families

- 4.12 In-year monitoring reports have consistently highlighted the impact of rising rolls upon required staffing levels within schools. Actual pupil roll numbers for 2018/19 and projected rolls for 2019/20 indicate a combined overall requirement for 25 additional primary classes since the 2017/18 academic year. Over the same period, the secondary school pupil roll has increased by over 1,000.
- 4.13 The Council's long-term financial plan has, for many years, recognised the cost impacts of these additional pupil numbers on teaching and other staffing requirements. In view of both wider corporate affordability and a desire to incentivise innovative means of meeting this demand, however, a 70% weighting has been applied to the level of corresponding corporate provision included within the budget framework. It has not, however, in recent years been possible to deliver savings in the way, or to the extent, envisaged, with the result that the year-on-year pressure in this area is increasing.
- 4.14 Given this, a review has been undertaken across the wider financial framework of inflation-linked provisions and monies received for education-related commitments and cost pressures relative to planning assumptions to determine whether capacity exists to acknowledge the full estimated cost of the pupil number increase. Following this review, it is proposed to reallocate £2m of these sums to Communities and Families in 2019/20, broadly addressing the current level of demographic pressure.

Further actions

- 4.15 As with the other workstreams noted in Paragraph 4.1, work is continuing to identify further actions to reduce this level of residual pressure. Appendix 4 sets out the composition of both the gross pressures and associated mitigating actions totalling £19.0m. This analysis assumes that the proposal in respect of demographic funding noted above is agreed.
- 4.16 As noted in the Committee's May update, £8m of corporate savings measures were included in the approved 2019/20 budget and, as a result, in contrast to previous years, the ability to mitigate residual service pressures through this route is more limited. A maximum further £3m of such corporate savings has therefore been reflected within the £19.0m of actions available to offset some of these residual pressures included in Appendix 4, resulting in a requirement to identify and deliver a further £0.540m of savings to address the requirement in full. It should be noted that use of savings from loan charges to offset pressures will result in the loss of opportunity to use this money to fund infrastructure.
- 4.17 As with the other savings measures, Finance has undertaken an updated readiness assessment based on plans in place and risks and dependencies to delivery. This analysis indicates that 87% of savings by value are assessed as either green or amber.
- 4.18 The report to the Committee's previous meeting noted that discussions were continuing with regard to mitigating the impact of an increase in employer's superannuation contribution rates following a review of actuarial assumptions for teaching staff by the UK Treasury. While it was anticipated, at the time of budget-

setting, that these changes would be largely offset by the receipt of Barnett Consequentials that would, in turn, be passed to Local Government by the Scottish Government, the approved budget nonetheless includes provision of £1.5m, being the estimated full-year effect of the unfunded element of around 21%.

- 4.19 Since the Committee's last meeting, confirmation has been received from the Scottish Government that offsetting funding, albeit at this stage only a one-off basis, will be provided in line with the assumed funded proportion above. Following the HM Treasury confirmation that implementation of this increase will be delayed until September 2019, however, a one-off saving of £0.5m is available in the current year to offset pressures and is included in the figures above.

Edinburgh Integration Joint Board (EIJB)

- 4.20 The report to the Committee's meeting on 23 May noted that, assuming both subsequent release of the £2.5m additional contribution held within the Council Priorities Fund and the proposed use of EIJB reserves, the residual EIJB budget gap for 2019/20 was £7.15m.
- 4.21 A further financial update was considered by the EIJB on 21 June 2019. Taking into account the Board's decision at that time not to make a one-off contribution from carried-forward investment monies received in respect of nationally-funded initiatives, the in-year gap remains at £7.15m. Discussions on the use of reserves and other mitigating measures between the partners are continuing.
- 4.22 This gap, in turn, assumes full delivery in 2019/20 of the Partnership's approved savings programme of £11.941m. The RAG status of these measures was reported to the EIJB's Savings Governance Board on 19 July. This analysis indicates that some 71% of savings by value are currently assessed as green or amber. Delivery of the savings programme, identification of measures to meet the gap and management of demand/budget pressures will therefore be critical in ensuring a balanced outturn position in 2019/20. It is proposed that management of the EIJB budget in 2019/20 and future years is based fully on the arrangements set out within the Integration Scheme i.e. that expenditure will be maintained within the levels of funding delegated to it by the Council and NHS Lothian.

Overall projected position for 2019/20

4.23 While, as noted in earlier sections of the report, the current assessment is for the majority of savings to be delivered in full, given the trends observed in recent years, it is prudent to incorporate delivery risk contingencies based both on past years' experience and the specific Finance assessments. At this stage, assuming implementation of all the actions included in Appendices 3 and 4, there is therefore a residual gap, after applying this risk contingency, of £11.416m, representing only a modest improvement relative to the position reported to the Committee's meeting on 23 May 2019. This position also continues to assume approval and subsequent delivery by the EIJB of measures sufficient to result in a balanced position in 2019/20.

Savings Category	Target	Identified	"Weighted" savings identified after application of risk contingency	Gap
	£m	£m	£m	£m
Approved Savings – specific measures	29.173	29.173	24.797 ²	4.376
Approved Savings - 1.55% Efficiencies	9.500	9.500	6.000	3.500
Residual pressures	19.574	19.034	16.034	3.540
Total	58.247	57.707	46.831	11.416

4.24 The net reduction of £2.3m in the residual gap since that reported to the Committee's meeting on 23 May 2019 primarily reflects a combination of:

- (i) upward revisions to the delivery risk contingencies for the efficiencies (particularly the Council-wide lean and income maximisation) workstreams and residual pressure mitigation measures, together totalling £2m;
- (ii) further demographic-related pressures of £1.4m within Communities and Families, based on updated analysis of the 2018 and anticipated 2019 pupil intakes, offset by the provision of £2m of additional funding (i.e. a net *reduction* of £0.6m);
- (iii) reduction in residual pressures and/or additional mitigations identified within the Communities and Families (£1m) and Place (£2.3m) Directorates; and
- (iv) a £0.5m one-off saving relative to the level of 2019/20 budget framework provision following confirmation of the Scottish Government funding

² Assumes actual level of delivery of 85% based on a weighted assessment of currently-assessed green, amber and red savings.

allocation in respect of the increase in employer teachers' superannuation contributions effective from September 2019.

Further measures required to achieve financial balance

- 4.25 In view of both the level of assumed corporate savings (£8m within the approved budget and a further £3m identified in respect of service pressures mitigation) and available timescales for implementation of further measures, focussed action is required to address this residual gap. While discussions around flexibilities in loans fund advances are continuing, these will not provide sustainable savings approaching the level required over the medium-term and any such rescheduling will additionally require to form part of a wider strategy agreed with the Council's external auditor.

Council Priorities Fund

- 4.26 At the meeting of Council on 30 May 2019, members approved the release of up to £5m from the Council Priorities Fund pending development of sustainable measures to address the wider savings requirement on a recurring basis.
- 4.27 The revenue budget outturn report elsewhere on today's agenda indicates a provisional 2018/19 in-year underspend of £1.582m, with this sum set aside in the Council Priorities Fund. Subject to the outcome of the audit process, it is proposed that £1m of this sum be made available to supplement the £5m noted above.
- 4.28 If subsequently applied in full, as shown in Appendix 5, this would reduce the remaining savings requirement in 2019/20 to £5.416m. More fundamentally, however, it does not obviate the need for more difficult choices and prioritisation if financial sustainability is to be maintained during the period of the framework. In addition, use of one-off savings measures to balance the current budget will only increase future funding gaps and the level of savings required.

Development of additional actions

- 4.29 Given the currently unbalanced nature of the budget framework, Executive Directors and the Chief Officer of the EIJB are required to continue to examine all opportunities to control and contain expenditure within budgeted levels in 2019/20. A progress update on both this and any available flexibilities around loans fund rescheduling will be provided as part of a further report to be considered by the Committee on 10 October 2019.

Housing Revenue Account (HRA)

- 4.30 At month three, the HRA is forecasting a balanced position. As set out in the approved budget, it is expected that a £2.228m contribution to housing investment will be able to be made from in-year rentals received. This contribution is, however, dependent on the mitigation of key risks.
- 4.31 There remain significant budget pressures relating to housing repairs and maintenance. Work is underway through the Housing Service Improvement Plan to increase productivity and reduce sub-contractor spend through the introduction of the Total Mobile technology solution. There is also a risk to rental income with the

continued roll-out of Universal Credit; a contingency has therefore been put in place to manage this and will be regularly assessed throughout the year. These key risk areas will continue to be monitored closely and reported to the Housing, Homelessness and Fair Work Committee and Policy and Sustainability Committee as appropriate.

Trends in expenditure

- 4.32 At the Committee's meeting on 23 May 2019, members asked that further details be provided of in-year expenditure trends to consider whether instances of higher-than-average procurement-related expenditure in the early months of the financial year might influence initial full-year spend projections.
- 4.33 At a high level, the outturn report for 2018/19 elsewhere on today's agenda shows little variation between in-year service area projections and actual full-year expenditure, attesting to the broad accuracy of the monitoring process. In addition, however, a detailed analysis has been undertaken of relevant spend over the period from January to June 2019 inclusive to determine if any discernible trends are apparent. The results of this analysis are shown in Appendix 6.
- 4.34 Procurement-related expenditure has been analysed based on the payment date and, due to most payments being made in arrears, mainly relates to the previous month. As a result, for example, April data relates to March expenditure. Due to the requirement to complete the financial statements on an accruals basis, material amounts will have been accrued back to the 2018/19 financial year.
- 4.35 Within the data recorded for April, there are a number of one-off or significant payments, including £6.7m of funding for Edinburgh Leisure, the £7.3m Committee approved for the advance payment against the Council's ICT contract and £1.5m to the Scottish Qualifications Authority for examination fees.
- 4.36 Within the data recorded for May, there are £4m of grant payments for mainly cultural organisations, where 70% of the funding is made available to these organisations at the beginning of the year. Additionally, the payments section was managing a backlog of Health and Social Care invoices in April and May.
- 4.37 Based on a high-level analysis of the data, there is therefore no evidence of a spike in departmental revenue expenditure at the start of the financial year.
- 4.38 Capital expenditure shows a significant increase in expenditure at year end, which is in line with previous financial years. This is due to the requirement to ensure that capital expenditure on projects is certified towards the end of March for asset recording purposes.

5. Next Steps

- 5.1 As noted above, consideration of further measures to bring expenditure back within approved levels is continuing and a further update will be provided to the Committee on 10 October 2019.

6. Financial impact

- 6.1 The report acutely emphasises the importance of proactive management of pressures and delivery of approved savings. In view of the continuing significant projected in-year savings shortfall, however, urgent measures will require to be implemented during the year if the integrity of the framework is to be maintained.

7. Stakeholder/Community Impact

- 7.1 There is no direct relevance to the report's contents. In considering measures to secure the Council's wider financial sustainability, however, members may wish to consider both activities' respective contributions to the key outcomes of the Change Strategy and public engagement feedback on the Council's relative priorities.

8. Background reading/external references

- 8.1 [Finance Update](#), Edinburgh Integration Joint Board, 24 May 2019
- 8.2 [2019/20 Financial Plan](#), Edinburgh Integration Joint Board, 29 March 2019
- 8.3 [Performance Report](#), Edinburgh Integration Joint Board, 29 March 2019
- 8.4 [Revenue Budget Framework 2019/23 – Progress Update](#), Finance and Resources Committee, 7 March 2019
- 8.5 [Coalition Budget Motion](#), City of Edinburgh Council, 21 February 2019
- 8.6 [Feedback on the Change Strategy and Budget Proposals, 2018 and 2019](#), The City of Edinburgh Council, 21 February 2019
- 8.7 [Council Change Strategy: Planning for Change and Delivering Services 2019-2023](#), Finance and Resources Committee, 1 February 2019
- 8.8 [Council Change Strategy – Risks and Reserves 2019-2023](#), Finance and Resources Committee, 1 February 2019
- 8.9 [Revenue Budget Framework 2019/24 – progress update](#), Finance and Resources Committee, 23 May 2019
- 8.10 [Finance Update](#), Edinburgh Integration Joint Board, 21 June 2019

9. Appendices

Appendix 1 – Additional programme management support progress update

Appendix 2 - 2019/20 approved savings – current Finance RAG assessment

Appendix 3 – Efficiencies workstream, 2019/20 – actions identified to date and associated RAG assessment

Appendix 4 – Gross pressures and associated mitigations (with RAG assessments), 2019/20

Appendix 5 – 2019/20 Revenue Budget – Projected Expenditure Analysis

Appendix 6 – Procurement-related spend, January to June 2019

Project	FTE Allocated	FTE Recruited	Business Case Opportunity	Next Milestone
"Your Total Reward" Page 509	3 FTE	3 FTE in place	<p>Your Total Reward will review current Local Government Employee pay, terms and conditions and benefits. The project will meet our commitment to consolidate the Living Wage into base pay by 2021 and will seek to progress positively base pay and financial wellbeing for our lowest-paid employees. The project will also restore the pay differential for Grades 1, 2 and 3.</p> <p>The change proposals will remove complexity around pay/terms and conditions and drive a better organisational culture by introducing a simplified reward framework that promotes the right behaviours and supports effective service design/delivery. If approved in totality, the proposals will further reduce our gender pay gap by 1%, improve our Employee Value Proposition and align our pay and benefit terms and conditions to the wider market.</p>	<p>Initial senior stakeholder meetings have commenced with service area-specific data.</p> <p>Senior management feedback will be reviewed and considered in next CLT update.</p> <p>Consultation to commence Autumn 2019.</p>
Operational Efficiencies Programme	1 FTE	1 FTE in place	<p>CLT are reviewing opportunities for £9.5m efficiencies. The Project Manager is in place and developing the framework and tools to support the Programme.</p> <p>To date £6.5m of opportunities are underpinned by a detailed Implementation Plans, with further planning and controls being implemented in the other areas.</p>	<p>Regular reporting to CLT in place.</p> <p>Work ongoing to establish implementation plans for the remaining savings.</p>
Lean and Automation	9 FTE	Team of four internal staff have been recruited, all with Lean experience within CEC	<p>Part of the Efficiencies Programme.</p> <p>The Business Case approved in March 2019 outlined an opportunity for £1.25m in 2019/20.</p>	<p>The board is in place, with Heads of Service now meeting fortnightly to confirm opportunities and agree savings.</p> <p>9 FTE consists of 4 x Lean Experts (all recruited internally); 2 x digital analysts to develop online forms; 2 x new intelligent automation officers and 1 x business change officer to ensure changes delivered are sustainable.</p> <p>The initial pipeline of opportunities has been developed for CLT review.</p>

£1m additional programme management support update (continued)

Project	FTE Allocated	FTE Recruited	Business Case Opportunity	Next Milestone
Depots and Yards	2 FTE	1 FTE in place Additional PM to start on 15 July	The Business Case approved in March 2019 outlined an opportunity for £0.5m savings in 2020/21.	Business Case on Cultural Storage is currently undergoing financial scrutiny. This is an enabler to the Depot Strategy and Cultural Venue Review.
Asset Management: Service Design	3 FTE	1 FTE in place Offers issued for the remaining 2 FTE	The Business Case approved in March 2019 outlined an opportunity to deliver savings of £0.25m in 2019/20, with a total target of £2.45m through to 2021/22.	To date £0.093m has been secured towards the £0.250m target in 2019/20 Service Design Community engagement exercises in Gracemount and Trinity. A progress report is included elsewhere on today's agenda.
Fleet Review	1 FTE	1 FTE in place	The Business Case approved in March 2019 identified £1.5m of potential savings.	Full Business Case and Project Initiation Document to be produced for Change Board review Autumn 2019.

Change Strategy: Approved Budget Proposals 2019/20 - delivery assessment

Ref	Proposal	Department	2019/20 approved saving	2019/20 approved saving		
				Green	Amber	Red
CP.17	Enabling Educational Efficiencies – Third Party Grants (2018/19 additional spend)	C&F	0.250	0.250		
CP.45	Invest in Revenue Collection Officers	C&F	0.175	0.175		
CP.46	Invest to reduce temporary accommodation voids rates	C&F	0.090		0.090	
CP.47	Adoption of Scottish Government Framework for electricity and gas	C&F	0.030		0.030	
CP.56	NHS commissioned services	C&F	0.100	0.100		
CP.59	Carers' Act Funding	C&F	0.075	0.075		
CP.65	Efficiencies in the delivery of accommodated children's services	C&F	0.510	0.405	0.105	
CP.68	Library service - reduce book fund	C&F	0.200	0.200		
CP.69	ASN adaptations to mainstream schools	C&F	0.100	0.100		
CP.72	Heritage language	C&F	0.042	0.042		
CP.83	Support for Learning Management	C&F	0.200	0.200		
CP.90	Police funding	C&F	0.522	0.522		
Total C&F			2.294	2.069	0.225	0.000
CP.04 (i)	Edinburgh Leisure (Year 1 - Pay uplift)	C&F	0.350	0.350		
Total CE - Ed L			0.350	0.350	0.000	0.000
CP.33	Funding the Edinburgh Partnership and Third Sector Interface	CE	0.040	0.040		
CP.89	Reduce capacity in Strategy and Communications	CE	0.200	0.200		
Total CE			0.240	0.240	0.000	0.000
CP.08	Asset Management Strategy and Service Reprovisioning	Resources	0.250	0.091		0.159
CP.21	ICT Solutions Organisational Review	Resources	0.450	0.450		
CP.27	ICT/CGI Partnership Arrangements	Resources	0.050	0.050		
CP.28	Print and Mail Strategy	Resources	0.090		0.090	
CP.38	Emergency Service Provision for Edinburgh Shared Repairs Service	Resources	0.218	0.218		
CP.39	Investment portfolio rationalisation	Resources	0.415		0.415	
CP.40	Non Domestic Rates Appeals	Resources	0.800		0.800	
CP.42	Additional advertising income	Resources	0.470	0.070	0.400	
CP.44	Increasing Income from Castle Terrace Car Park	Resources	0.500	0.500		
CP.61	Business support services review	Resources	1.000	1.000		
CP.62	Property and FM: Management and Investment Estate Savings	Resources	0.515	0.515		
CP.63	Reduction in Executive Director of Resources budget	Resources	0.126	0.126		
CP.77	Upfront Payments	Resources	0.200		0.200	
CP.79	Property Maintenance Programme (2018/19 additional spend)	Resources	0.850	0.850		
CP.87	Corporate Learning and Development – Budget Reduction	Resources	0.250	0.250		
CP.88	Monitoring Officer (MO) – Budget Reduction	Resources	0.107	0.107		
CP.91	ICT Partnership – Contract Optimisation	Resources	1.200	1.200		
Total Resources			7.491	5.427	1.905	0.159
CP.01(ii)	Improved Approach to Street and Environmental Enforcement	Place	0.750		0.500	0.250
CP.05	Tourism and Marketing Reform	Place	0.300	0.300		
CP.06	Localities Phase Two	Place	0.300		0.150	0.150
CP.14	Area-Based Regeneration	Place	0.250		0.125	0.125
CP.13	Parking Action Plan Phase 2	Place	0.369		0.070	0.300
CP.23	Fleet Review	Place	0.500		0.500	
CP.25 (2)	Commercialism and Income Maximisation - Full Cost Recovery	Place	0.200		0.180	0.020
CP.25 (3)	Commercialism and Income Maximisation - Statutory Consents	Place	0.825	0.577	0.127	0.122
CP.25 (4)	Commercialism and Income Maximisation - Pre-planning Applications	Place	0.100	0.100		
CP.25 (5i)	Commercialism and Income Maximisation - Culture	Place	0.150	0.150		
CP.25 (5ii)	Commercialism and Income Maximisation - Parks and Greenspaces	Place	0.150	0.020		0.130
CP.32	Joint Procurement of Waste Contracts	Place	0.325		0.163	0.163
CP.49	Re-provision of public conveniences	Place	0.250		0.250	
CP.50	Clean and Green (2018/19 additional spend)	Place	0.250	0.250		
CP.51	Roads (Additional funding) (2018/19 additional spend)	Place	0.250	0.250		
CP.78	Capitalisation of Road Maintenance Budget	Place	0.500	0.500		
CP.81	Transport Reform	Place	0.500		0.500	
CP.82	Economic Development	Place	1.200		1.200	
CP.85	New Ways of Working - Public Safety and Business Continuity	Place	0.130		0.130	
Total Place			7.299	2.147	3.894	1.259
CP.15	Council Tax	Corporate	3.000	3.000		
CP.15	Loans charges	Corporate	5.000	5.000		
CP.19	Workforce Modernisation and Change Management	Corporate	0.500			0.500
CP.26	Contract Optimisation	Corporate	0.100	0.100		
CP.84	EDI	Corporate	1.047	1.047		
Total			9.647	9.147	0.000	0.500
Total newly-approved saving (excluding efficiencies)			27.321	19.380	6.024	1.918
Previously-approved savings for delivery in 2019/20:						
Parking - increase charges by average of 4.5% per annum over four years		Place	0.800	0.400	0.400	
Cultural grants		Place	0.052	0.052		
Discretionary income		C&F	0.096	0.096		
Discretionary income		HSC	0.013	0.013		
Discretionary income		Place	0.824	0.618	0.100	0.106
Discretionary income		Resources	0.067	0.067		
Council-wide total			1.000	0.794	0.100	0.106
Total approved savings for delivery in 2019/20 (excluding efficiencies)			29.173	20.626	6.524	2.024

Efficiencies workstream, 2019/20 - identified savings measures

Action	Description of Action	2019/20 £000	Green	Amber	Red
	Approved Budget Savings 2019-20: Operational Efficiencies at 1.55% of Net Expenditure	9,500			
Management Savings (C&F)	Communities and Families will review managerial structures and will produce a revised senior management structure. The part year savings for 2019/20 are estimated at £0.64m.	640	406	234	
Workforce Control (C&F)	Communities and Families will apply targeted vacancy control taking account of service needs and priorities. Essential child protection services and schools budgets will be exempt from additional vacancy controls.	700		700	
Workforce Control (C&F)	Family & Household Support and Quality Assurance have a number of existing vacancies. These vacancies will be frozen pending a wider review of the service which will also re-structure management posts.	350	350		
Workforce Control - Reduction in Agency and Overtime (Place)	Enhanced workforce controls will be implemented in Place to reduce overtime and agency spend. Recognising instances where permanent staff are not used for operational and economic reasons due to seasonal or irregular service patterns, an overall 5% reduction has been assumed. For illustration, this represents the equivalent of 16 FTE at grade 5.	900		450	450
Reduction in Discretionary Expenditure (Place)	Development and implementation of proposals to reduce further discretionary expenditure across the Place directorate, including staff travel.	650	180	235	235
Place Development - Efficiencies	Development and implementation of a range of measures to manage identified pressures and risks. It is anticipated that the material aspects of this workstream will come from process improvements and through a review of third party contract arrangements.	730	250	250	230
Place Management - Efficiencies	Development and implementation of a range of efficiency measures.	530		265	265
Workforce Control (Resources)	A 1.55% efficiencies savings target has been allocated to Finance (£78,000), HR (£59,000) and Legal and Risk (£25,000). The saving is anticipated to be achieved as follows: Finance-employee turnover; HR-full year effect of 2018/19 Organisational Review; Legal and Risk-review of recharge rates and time recording processes.	162	162		
Workforce Control (Chief Executive)	Proportionate share of Council-wide workforce control target	46	46		
Customer and Digital Services - Efficiencies	Implementation of a range of savings measures across Business Support, Customer and Digital Services, including employee turnover savings; employee savings achieved through changes in service delivery; review of existing contracts; channel shift savings; and review of income from external customers.	656	389	100	167
Operational Efficiencies - Lean Business Processes	Development and implementation of a pipeline of Lean reviews to simplify business processes, eliminate waste and develop lean and efficient processes, ensuring that we are making best use of our existing technologies; enabling development of a culture of continuous improvement and improving the quality and consistency of service.	1,250		350	900
Operational Efficiencies - Intelligent Automation	Development and implementation of a pipeline of reviews to automate high volume, low value repetitive business transactions to release savings, increase capacity, improve processing quality and accuracy, and enhance management information.	500		300	200
Operational Efficiencies - Income Generation	Development and implementation of proposals to generate additional income.	1,000			1,000
Operational Efficiencies - Reduction in Senior Management	Review and reconfiguration of senior management structures across the Council to reduce costs.	500	199	301	
Operational Efficiencies - Procurement	This workstream will develop a range of contract management efficiencies through robust grants and contract management, with a focus on the top Council suppliers, in terms of influenceable spend; and, implement a revised approach to requisitions / purchases, to enable a targeted constructive challenge of spend.	100		100	
Council Priorities Fund	This represents the drawdown of the balance set aside in the Council Priorities Fund which recognised the challenging nature of the £9.5m (1.55%) efficiencies savings target for 2019/20.	786	786		
	Operational Efficiencies - Gross Actions	9,500	2,768	3,285	3,447
Operational and Other Efficiencies - Savings Delivery Risk Adjustment	Interim risk adjustment applied against efficiencies workstream savings targets pending development of detailed savings implementation plans.	-3,500			
	Operational Efficiencies - Net Actions	6,000			
	Operational Efficiencies - Remaining Gap	3,500			

Gross pressures and associated mitigations, 2019/20

Pressure	Description of Budget Pressure	2019/20 £000
Home to School Transport	Expenditure on home to school transport increased from £5.5m in 16/17 to £7.4m in 18/19. In addition, approved savings of £0.4m in 2018/19 have not yet been delivered. The majority of the additional expenditure relates to children with additional support needs and there has been a significant increase in children receiving individual or high cost shared transport.	2,700
Homelessness	The shortage of suitable temporary accommodation is leading to the service having to place individuals in bed and breakfast accommodation. This is the most costly provision as the proportionate level of housing benefit the Council receives for B&B is low in comparison to other accommodation types.	1,400
Community Access to Schools	The budget for community access to secondary schools assumes a net surplus of £1.3m but at present is achieving £0.25m. Additional PPP and facilities management charges introduced in recent years have affected the net surplus being delivered.	1,050
Schools - Demography	Demography funding provided in recent years has been insufficient to meet the full impact of rising school rolls on the cost of the budget allocations determined through the Scheme of Devolved School Management.	2,363
Schools - Non Devolved Costs	Non-devolved costs for maternity cover, grounds maintenance and other central costs are in excess of available budgets.	900
Residual Pressures 2018/19 - Waste and Cleansing	Waste and Cleansing services have experienced underlying pressures including additional employee costs and higher than anticipated Landfill Tax expenditure. Measures, including the implementation of Millerhill operations and additional contract management efficiencies, are in place to address these underlying deficits through the Waste Improvement Plan and wider budget realignment.	2,935
Residual Pressures 2018/19 - Deferred Delivery of Approved Savings (Place)	Management action will be required in 2019/20 to deliver the full impact of savings approved by Council in February 2018 including: Economic Development review (£0.3m); Fleet savings (£0.2m); Roundabout and Verge advertising (£0.2m); and Garden Waste collection (£0.5m).	1,200
Residual Pressures 2018/19 (Place)	There are a range of underlying net budget pressures across Place Directorate including a shortfall in Pay and Display parking income; additional expenditure in Parks and Greenspace; and increasing legal fees relating to planning appeals.	847
Staff Increments 2019/20 (Place)	The estimated impact of staff increments in 2019/20 is £1.2m. Budget management measures including vacancy control and removal of discretionary spend budgets have been applied in 2018/19 and it will be significantly more challenging for managers to meet this cost than has previously been the case.	1,200
Transport Review 2019/20	There were a number of vacancies within the Transport service during 2018/19. The proposed structure within the current Roads and Transport organisational review represents an increase on current staffing. Further work will be undertaken to ensure that the final organisational structure is affordable and sustainable.	1,200
Parking Income 2019/20	In 2018/19, there was a marked change in parking behaviours which resulted in reduced pay and display income. A further provision of £0.45m is assumed against parking income in 2019/20 and this will be closely monitored on an ongoing basis.	450
Place - One-Off Mitigations in 2018-19	This pressure represents the reversal of a range of one-off measures which were applied in 2018-19.	1,606
Property and Facilities Management	This pressure includes residual savings of £0.903m to be achieved from the Asset Management Strategy which was approved by Act of Council 2016 and Property and Facilities Management employee turnover savings of £0.539m approved by Act of Council 2018.	1,723
	Gross Pressures	19,574

Action	Description of Mitigating Action	2019/20 £000	Green	Amber	Red
Homelessness - Reduction in use of Bed and Breakfast	A range of actions to reduce the use of Bed and Breakfast including 60 additional Private Sector Leasing properties (with lease premiums payable in order to attract landlords to the scheme), and 18 additional HRA properties being made available for temporary accommodation from the end of 2018/19.	1,000			1,000
Homelessness - Additional Housing Benefit	Increased income from a reduction in Housing Benefit clawbacks, resulting from a change in the mix of temporary accommodation types and the conversion of B&B properties to Shared Accommodation with access to cooking and cleaning facilities.	600	600		
Home to School Transport	Implementation of a range of actions to seek to reduce the pressure including: A more equitable home to school transport policy; a review of individual and high cost packages to identify alternative options; a new framework agreement for external transport hire; and a Transport Allocation Panel to assess all requests for individual transport.	700	400	300	
Community Access to Schools	A number of actions are being considered to seek to reduce the pressure including: transfer of the management of primary and special school lets and non-sports lets to Edinburgh Leisure; a revised opening hours model to reduce additional PPP and facilities management costs; and harmonisation of prices with Edinburgh Leisure.	600	250	350	
Early Years	Maintenance of existing staffing vacancies pending reconfiguration of the organisational structure to realign staffing responsibilities to fulfil the requirements of Early Learning and Childcare Expansion.	750	750		
Additional Income (C&F)	Fees and charges were increased by 5% on average and it is anticipated that this will deliver additional income above the level of budgeted increase.	120	120		
Service Containment of Increment Costs (Place)	Development and implementation of a range of savings measures across service areas to offset the cost of staff increments in 2019/20.	1,200	300	400	500
Localities and Communities Investment Funding	The Council's budget for 2018/19 approved an allocation of £0.25m to support investment in Communities and Localities with decisions on investment approved through Locality Committees. Due to the timing of approval and the lead in time required to deliver projects, it is estimated that expenditure incurred in 2019/20 will be £0.12m.	130	130		
Operational Efficiencies - Senior Management Review (Place)	Review of senior management arrangements within Place Management.	100		50	50
Realise Full Year Impact of Previously Approved Savings (Place)	Not all 2018-19 savings were realised in full. Management action will be undertaken to deliver the full impact of the Economic Development review (£0.3m); Fleet savings (£0.2m); Roundabout and Verge advertising (£0.2m); and Garden Waste collection.	1,200	1,000	200	
Implement Service Reforms (Place)	Development and implementation of service reforms to be implemented in year. Potential areas for change include reforms to Council Transport Companies; and implementation of cashless parking to reduce cash handling costs.	200		100	100
Reduction in Budget Pressures (Place)	Development and implementation of proposals to challenge and reduce the impact of identified cost pressures. This will include detailed analysis of the reduction in Pay and Display parking income which emerged in 2018-19 to consider potential action to mitigate the effect.	1,000	250	750	
Value for Money Audits (Place)	The proposal will build on case studies from other Local Authorities where VFM audits have been undertaken in terms of frequency of service operations, associated costs and citizen satisfaction. Association for Public Service Excellence (APSE) reports and recommendations will be evaluated for adoption of best practice.	300		150	150
Contract Efficiencies (Place)	Further contract management efficiencies will be negotiated and implemented in Place Management. The proposal will not impact on front line service delivery.	600		200	400
Millerhill Operations (Place)	The full year benefit of Millerhill operations will be realised in 2019-20.	1,800	1,800		
Transport Review (Place)	Review has reduced pressure through refinement of structure and a review of permissible capitalisation of costs in respect of creation of Council transport assets.	1,200	700	250	250
Planning Appeals (Place)	Policy to be agreed and applied to minimise cost to Council of defending cases.	300	150	150	
Pentland Hills Operations (Place)	The proposal relates to a review of operating arrangements including consideration of the allocation of operating costs between funding partners.	100		50	50
Property and Facilities Management	Pressures within the Division are forecast to be partly mitigated by a one-off saving of £1.134m in the budget for rates for the Council's operational properties. The anticipated reduction in rates liabilities is dependent upon the outcome of property rating revaluation appeals and therefore carries risk until revised rates revaluations are confirmed. Confirmation is anticipated in early October 2019.	1,134		1,134	

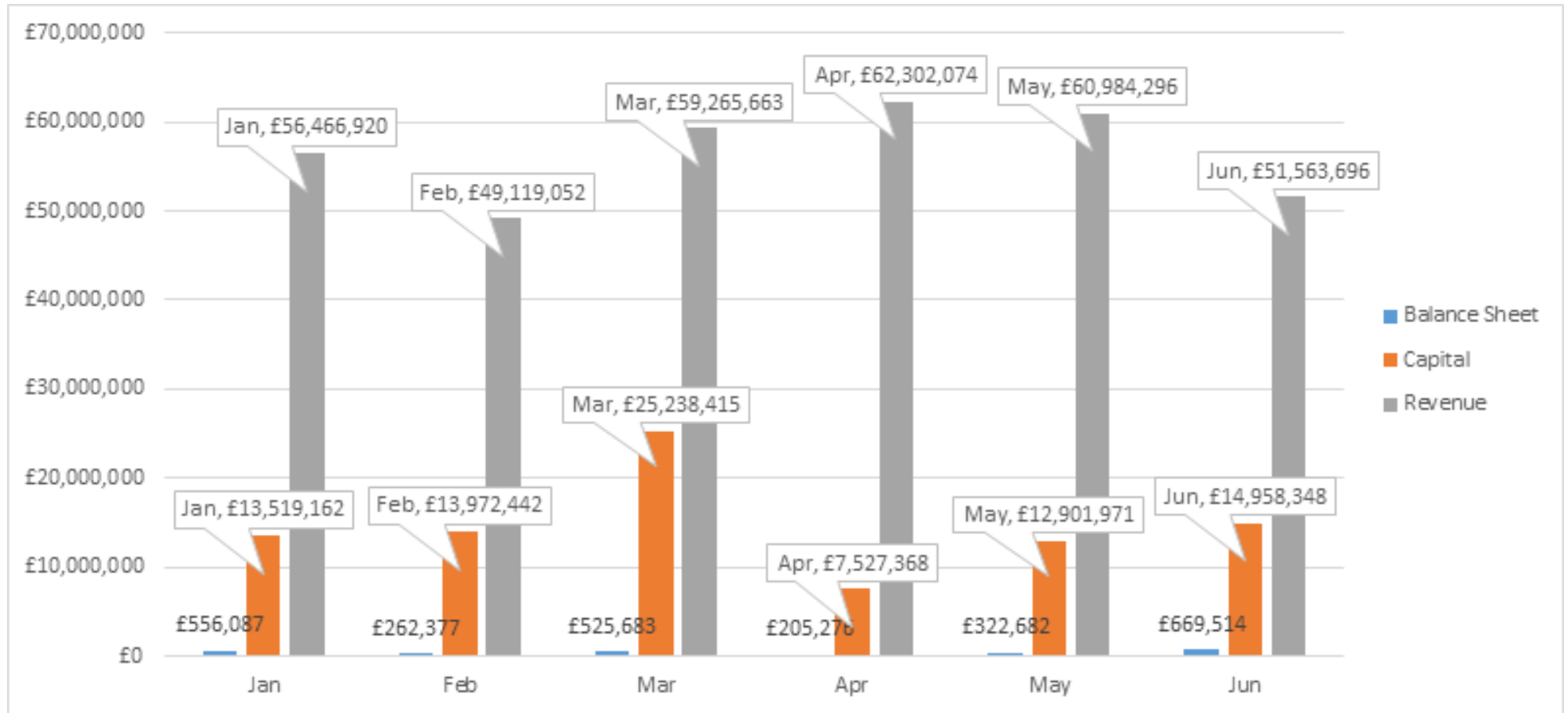
Action	Description of Mitigating Action	2019/20			
		£000			
Re-Profile of Expenditure	Carry forward of Property and Facilities Management earmarked balance from 2018/19 to mitigate the 2019/20 budget pressure.	500	500		
Schools - Demography	In light of the pressures noted above, it is proposed that £2m of corporate funding relating to currently-uncommitted inflation-related allowances and wider education-related commitments and pressures be reallocated to address demographic-related pressures within the Communities and Families Directorate.	2,000	2,000		
Corporate Budgets	Corporate budgets will be reviewed on an ongoing basis to seek to secure additional savings of up to £3m through a range of measures, including proactive treasury management to increase investment income and maximisation of Council Tax income through continuation of improvements in collection rates and ongoing review of the council tax base, discounts and exemptions.	3,000	3,000		
Teachers' pensions	While available only on a one-off basis, confirmation has now been received from the Scottish Government on the level of mitigating funding to be made available following changes to the teachers' superannuation contribution rate effective from September 2019. Given the later-than-anticipated implementation, there is expected to be an in-year saving of £0.5m relative to the level of provision contained within the budget framework.	500	500		
	Mitigation of Budget Pressures - Total Actions	19,034	12,450	4,084	2,500
Residual pressures - mitigations	Interim risk adjustment applied against mitigating actions pending development of detailed savings implementation plans.	-3,000			
Budget Pressures - Remaining Gap		3,540			

2019/20 Revenue Budget - Projected Expenditure Analysis
Period 3

	£m	£m
Projected service outturns (favourable)/unfavourable, prior to application of risk contingency		4.926
Comprising:		
Chief Executive's Service	0.000	
Communities and Families (less proposed reallocation of inflationary provision/other education-related funding to offset school-related demographic pressures)	4.750	(2.000)
Place Resources	1.236	
	0.940	
Health and Social Care*	0.000	
Non service-specific variances (favourable)/unfavourable		(4.286)
Comprising:		
Other inflationary-related uplifts	(1.000)	
Teachers' pensions - in-year saving due to revised implementation date for increase in employer's superannuation rate	(0.500)	
Investment income	(1.000)	
Approved contributions from reserves		
Council Priorities Fund - efficiencies workstream	(0.786)	
Sources of funding		
Council Tax	(1.000)	
Net overall projection prior to application of risk adjustments		0.640
Risk adjustments		10.776
Comprising:		
Approved Savings - £29.173m at 15%		4.376
Efficiencies (including Council-wide savings)		3.400
Residual pressure mitigation		3.000
Risk-adjusted projected outturn prior to reserves funding		11.416
Additional contributions from reserves:		
Council Priorities Fund (including £1m in respect of provisional 2018/19 underspend)	(6.000)	
Projected outturn		5.416

* - position shown for Health and Social Care assumes identification, and subsequent delivery, of sufficient measures to result in a balanced overall position for 2019/20.

Procurement-related spend, January to June 2019



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by virtue of paragraph(s) 12 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

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