

# Minutes

## The City of Edinburgh Council

Edinburgh, Thursday 17 September 2020

Present:-

### LORD PROVOST

The Right Honourable Frank Ross

### COUNCILLORS

Robert C Aldridge  
Scott Arthur  
Gavin Barrie  
Eleanor Bird  
Chas Booth  
Claire Bridgman  
Mark A Brown  
Graeme Bruce  
Steve Burgess  
Lezley Marion Cameron  
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  
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  
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

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### Decision

To approve the minute of the Council of 25 August 2020 as a correct record.

## 2 Questions

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

### Declaration of Interests

Councillor Young declared a non-financial interest in the above item as the parent of a child who attended the school detailed in Question 19.

## 3 Leader's Report

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

- Covid restrictions for Edinburgh
- Re-opening of Edinburgh Leisure Facilities
- Lothian Buses services
- Re- emphasise to comply with public health guidance
- Operational arrangements and responses to Covid in schools' environment

The following questions/comments were made:

- |                     |   |   |
|---------------------|---|---|
| Councillor Whyte    | - | Tribute to former Councillor Daphne Sleigh                                  |
|                     | - | Disabled parking bay in Pentland Terrace                                    |
| Councillor Main     | - | Spaces for People measures – resident engagement and community consultation |
| Councillor Aldridge | - | Tribute to former Councillor Daphne Sleigh                                  |
|                     | - | East Craigs Low Traffic Neighbourhood proposals                             |
| Councillor Day      | - | Public meeting held in Council owned park                                   |
| Councillor Munn     | - | Tribute to former Councillor Daphne Sleigh                                  |
|                     |   | Leith Walk and Constitution Street – Open for Business Campaign             |

- |                           |   |
|---------------------------|---|
| Councillor Doggart        | - Sports provision to city schools – assurances to coaching staff – allocation of pitch slots   |
| Councillor Staniforth     | - Introduction of Council Policy which breaks international law   |
| Councillor Osler          | - School residential trips – funding for outdoor activity centres   |
| Councillor Munro          | - Covid challenge -funding from Scottish Government   |
| Councillor Kate Campbell  | - Welcome the Scottish Government consultation on short-term lets   |
| Councillor Johnston       | - Concern of alarming burn rate through Council reserves  |
| Councillor Henderson      | - Tribute to former Councillor Daphne Sleigh  |
| Councillor McNeese-Mechan | - Welcome news of accelerated re-opening of key city libraries  |
| Councillor Jim Campbell   | - Spaces for People – safe travel to schools  |
| Councillor Burgess        | - Condolences to family and friends of former Councillor Daphne Sleigh<br><br>- Outdoor centres and outdoor learning projects across Scotland – role of expanded outdoor learning programme |
| Councillor Neil Ross      | - Engagement with businesses in Bruntfield and Morningside areas – reduction in footfall as a result of to spaces for people projects   |
| Councillor Webber         | - Digital learning – aim for every child to have a Council owned device   |
| Councillor Dickie         | - Introduction of the Scottish Government bill to embed Childrens Rights into Scots Law   |

## **4 Appointments to Committees etc**

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On 28 May 2020, the Policy and Sustainability Committee, under interim political management arrangements, appointed members to executive committees, other committees, joint boards and outside bodies, etc for 2020/21. Due to an error in the

membership listed for the Finance and Resources Committee, the Policy and Sustainability Committee appointed Councillor Child to the Finance and Resources Committee.

### **Decision**

To appoint Councillor Watt to the Finance and Resources Committee in place of Councillor Child.

(References – Policy and Sustainability Committee of 28 May 2020 (item 16); report by the Chief Executive, submitted.)

## **5 Education, Children and Families Committee – Appointment of Religious Representative**

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In terms of Section 124 of the Local Government (Scotland) Act 1973 (as amended), the Church of Scotland and the Roman Catholic Church may each nominate one representative to any committee whose purposes included advising the authority on any matter relating to the discharge of its functions as education authority and discharging any of those functions of the authority on its behalf

The Roman Catholic Church representative on the Education, Children and Families Committee had resigned and the Council was required to formally appoint a replacement.

### **Decision**

- 1) To note the resignation of Monsignor Anthony Duffy as the Roman Catholic Church representative on the Education, Children and Families Committee and to record appreciation for his commitment to the work of the Committee during his tenure.
- 2) To note the nomination by the Roman Catholic Church of Ms Margaret Therese Laing and to formally appoint her to the Education, Children and Families Committee with immediate effect.

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

## **6 Edinburgh Integration Joint Board – Contract Living Wage Uplift - referral from the Finance and Resources Committee**

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The Finance and Resources Committee had referred a report which provided an update on the Edinburgh Integration Joint Board's (EIJB) proposed approach to implementation of contract uplifts for 2020/21 including proposals relating to the national agreement on Fair Work and the Living Wage in Adult Social Care to the

City of Edinburgh Council as any shortfall in funding could result in a call on Council resources of up to the £3.4m estimated cost.

### **Motion**

To note the report by the Finance and Resources Committee and that any shortfall in funding could result in a call on Council resources of up to the £3.4m estimated cost.

- moved by Councillor Munn, seconded by Councillor Doran

### **Amendment 1**

- 1) To note the report by the Finance and Resources Committee and that any shortfall in funding could result in a call on Council resources of up to the £3.4m estimated cost.
- 2) Notes the direction the Council was given by the EIJB.
- 3) Further notes that, with a residual projected in year funding gap of £12.2m and reserves reduced to approximately £100m with a level of £60m deemed critical, the call for funding from the Council to meet the uplift is unaffordable.
- 4) Therefore requests that the Convenor of the Finance and Resources Committee write to the Cabinet Secretary for Health and Sport to request additional resources to fund the contract living wage uplift.
- 5) Additionally requests that the Convenor of Finance and Resources Committee write to the Chair of the Edinburgh Integration Joint Board to understand where that Board wishes the Council to cut social care spending to meet the additional expenditure in the event that 2.3 fails to provide any financial benefit to the council

- moved by Councillor Hutchison, seconded by Councillor Doggart

### **Amendment 2**

- 1) To note the report by the Finance and Resources Committee and that any shortfall in funding could result in a call on Council resources of up to the £3.4m estimated cost
- 2) Recognises the vital work carried out at all times by frontline care staff but especially so over the last 6 months, and the Living Wage Uplift for carer workers across Scotland and funding commitment announced by the Scottish Government.
- 3) Notes that the additional £3.4m to fully fund the Living Wage Uplift has been included in the EIJB mobilisation plan and instructs the Council Leader to

write to the Cabinet Secretary for Finance to urge her to ensure that the Scottish Government provides that additional £3.4m.

- moved by Councillor Main, seconded by Councillor Corbett

In accordance with Standing Order 22(12), Amendment 2 was accepted as an addendum to the motion.

### **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	41 votes
For Amendment 1	-	17 votes

(For the motion (as adjusted): The Lord Provost, Councillors Aldridge, Arthur, Barrie, Bird, Booth, Bridgman, Burgess, Cameron, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gloyer, Gordon, Henderson, Howie, Key, Lang, Macinnes, Main, McNeese-Mechan, McVey, Miller, Munn, Munro, Osler, Perry, Rae, Neil Ross, Staniforth, Watt, Wilson, Work and Young.

For Amendment 1: Councillors Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Rose, Rust, Smith, Webber and Whyte.)

### **Decision**

To approve the following adjusted motion by Councillor Munn:

- 1) To note the report by the Finance and Resources Committee and that any shortfall in funding could result in a call on Council resources of up to the £3.4m estimated cost
- 2) To recognise the vital work carried out at all times by frontline care staff but especially so over the last 6 months, and the Living Wage Uplift for carer workers across Scotland and funding commitment announced by the Scottish Government.
- 3) To note that the additional £3.4m to fully fund the Living Wage Uplift had been included in the EIJB mobilisation plan and instruct the Council Leader to write to the Cabinet Secretary for Finance to urge her to ensure that the Scottish Government provide that additional £3.4m.

(References – Finance and Resources Committee of 27 August 2020 (item 7); referral from the Finance and Resources Committee, submitted.)

## **7 Empty Kitchens Full Hearts – Provision of Food Security – Motion by Councillor Barrie**

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The following motion by Councillor Barrie was submitted in terms of Standing Order 17:

“Council notes the outstanding efforts of community organisations such as Spartans Academy, Bridgend Farm, Scran Academy, Empty Kitchens, Full Hearts and many others who provided a food provision delivery service across the city to those facing more challenges than most due to issues associated with the COVID 19 pandemic and particularly the effects of lockdown.

Council recognises that with the gradual lifting of lockdown many of the food delivery operations have wound down and are returning to their core operations.

Council further notes that Empty Kitchens, Full Hearts, wholly dependent on food donations from many sources and entirely staffed by volunteers is intent on continuing to rescue food that would normally go to waste and carry on delivering daily food packs to circa 500 citizens in need. In addition, they will continue to provide food to circa 100 walk-in guests daily.

Currently based in Leith Theatre, Empty Kitchens, Full Hearts (EKFH) is a group of community volunteers, many from a hospitality background who, amid great uncertainty in their industry, set concerns for their own future aside to focus on helping to improve the lives of others. This voluntary team is comprised of professional chefs who are supported by teams of packers, drivers and administrative staff who ensure that meals are delivered to doorsteps every day of the week.

They have a mantra of not turning anyone away and rejecting the humiliating practice of means testing and in August alone produced and distributed fifty thousand meals.

Since lockdown began, they have distributed over 160,000 meals totally free of charge with only £3,000 from Edinburgh Council and some donations from different housing associations, the vast majority of their funding so far has been from inside the very communities that they feed.

Council recognises that when it is appropriate, The Lord Provost has plans to recognise the wonderful efforts of the wider voluntary community appropriately but seeks that he visits Empty Kitchens Full Hearts to meet their founder, Lewis McLachlan and the team; to recognise and support their ongoing efforts to provide food security for families and individuals across the City and beyond.”

- moved by Councillor Barrie, seconded by Councillor Osler

## **Decision**

To approve the motion by Councillor Barrie.

## **8 Milan Urban Food Policy Pact - Motion by Councillor Staniforth**

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The following motion by Councillor Staniforth was submitted in terms of Standing Order 17:

“Council;

Notes that the Milan Urban Food Policy Pact is an international pact among cities to develop sustainable food system that are inclusive, resilient, safe and diverse.

Notes that 210 cities, including Brighton and Glasgow, have signed up to the pact.

Notes that a city’s sustainable food policy requires working with the regions around the city to implement and that therefore the City Region Deal provides a unique opportunity to progress the aims of the Milan Urban Food Policy Pact.

Resolves that formally signing up to the pact be brought forward as part of the upcoming review of the city’s international strategy.

Resolves that the aims of the Milan Urban Food Policy Pact should be integrated into the City Region Deal and sustainable food systems that are inclusive, resilient, safe and diverse should be an aim of development linked to the deal.”

## **Motion**

To approve the motion by Councillor Staniforth.

- moved by Councillor Staniforth seconded by Councillor Corbett

## **Amendment 1**

1) To delete paragraph 3 of the motion by Councillor Staniforth and replace with:

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

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

2) To delete paragraph 5 of the motion and replace with:

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

3) To add to the motion the following paragraph 6:

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

- moved by Councillor Gordon, seconded by Councillor

### **Amendment 2**

To delete from paragraph 3 of the motion by Councillor Staniforth onward and replace with:

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

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

- moved by Councillor Mowat, seconded by Councillor Mitchell

In accordance with Standing Order 22(12), Paragraphs 1 and 6 of Amendment 1 were accepted as an addendum to the motion.

### **Voting**

The voting was as follows:

For the Motion (as adusted)	-	9 votes
For Amendment 1	-	32 votes
For Amendment 2	-	17 votes

(For the Motion (as adjusted): Councillors Booth, Burgess, Mary Campbell, Corbett, Howie, Main, Miller, Rae and Staniforth

For Amendment 1: The Lord Provost, Councillors Aldridge, Arthur, Barrie, Bird, Bridgman, Cameron, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton,

Gardiner, Gloyer, Gordon, Henderson, Key, Lang, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Osler, Perry, Neil Ross, Watt, Wilson, Work and Young.

For Amendment 2: Councillors Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Rose, Rust, Smith, Webber and Whyte.)

## **Decision**

To approve Amendment 1 by Councillor Gordon as follows:

- 1) To note that the Milan Urban Food Policy Pact was an international pact among cities to develop sustainable food system that were inclusive, resilient, safe and diverse.
- 2) To note that 210 cities, including Brighton and Glasgow, had signed up to the pact.
- 3) To note that the Milan Urban Food Policy pact mirrored Edinburgh Sustainable Food City plan. To further note that Edinburgh was a Sustainable Food City Bronze recipient and as it moved towards Silver and Gold awards this would surpass the policy pact.

Edinburgh's plans picked up the need for a shared regional dimension but noted the City Deal committee would not be the right format for this.

- 4) To resolve that formally signing up to the pact be brought forward as part of the upcoming review of the city's international strategy.
- 5) To agree that this be integrated into next update report due to committee on Edinburgh Food Plan.
- 6) To recognise the joint work already underway in areas of food insecurity with partners such as the Poverty Commission, Edible Edinburgh Partnership and its many members and is encourages the Government to enshrine the right to food for all citizens when the Good Food Nation Bill was recommenced.

## 9 Quiet Route from Greenbank to the Meadows - Motion by Councillor Neil Ross

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The following motion by Councillor Neil Ross was submitted in terms of Standing Order 17:

“Council

Notes the proposal for a Quiet Route from Greenbank to the Meadows involving six road closures in Morningside.

Notes the proposal has been made without notifying any residents living on or near the proposed route or permitting residents the opportunity to express their views on the proposals, either positive or negative, by way of public consultation.

Notes the proposal claims to tackle rat-running traffic but does not address speeding traffic on Hermitage Drive or Midmar Drive.

Notes the proposal includes two options for Braid Road, either to remain closed or to re-open for southbound traffic only.

Notes that the Council is proposing to implement the scheme by means of a Temporary Traffic Regulation Order despite the fact that there is no evidence that local residents and users of the route have any difficulties meeting the social distancing rules on this route.

Notes that the Council’s Commonplace online ideas tool collected twice as much support for protected cycle lanes on Whitehouse Loan than for closing that road to motor vehicles.

Notes the condition of the road surface on the proposed route, apart from Whitehouse Loan, is generally poor, especially on Canaan Lane, Cluny Drive, Braidburn Terrace and at the Braid Avenue/Cluny Gardens crossroads.

Believes that the level of danger of the transmission of Covid-19 infection between cyclists and other road users on the proposed route is so low that it does not justify using the Council’s emergency powers to implement this scheme.

Believes that local residents should be allowed to express their views on traffic management and road use proposals in their communities and that their views should be taken into account before a decision is made on whether to implement such proposals.

Therefore proposes that the implementation of the Greenbank to Meadows Quiet Route using a temporary traffic regulation order should be paused and instructs officers to hold an informal public consultation in the next three months with residents

living on or near the proposed route and the school communities of James Gillespie's High School and Primary School and NHS Lothian to identify levels of local support for

- 1) the existing proposals for a Greenbank to Meadows Quiet Route; and
- 2) an alternative proposal for the same route, not involving road closures, to
  - i) install segregated cycle lanes on Whitehouse Loan from Astley Ainslie to the schools; and
  - ii) prioritise future road re-surfacing of Braidburn Terrace, the Braid Avenue/Cluny Gardens crossroads and the relevant sections of Canaan Lane and Cluny Drive that are part of the route; and
  - iii) introduce traffic calming measures along the length of Hermitage Drive and Midmar Drive; and
  - iv) re-open Braid Road and use the time available before re-opening to re-surface the sections that are in poor condition and to install appropriate traffic calming measures, such as raising the road surface at road intersections and installing a pedestrian and cycle crossing near the entrance to the Hermitage and a chicane at the corner below the hotel.
- 3) to gather any other practical suggestions from local residents with regard to this route that can be managed within existing budgets; and
- 4) to draw up a report to the Transport and Environment Committee to present the results of the informal public consultation for consideration and further action."

### **Motion**

To approve the motion by Councillor Neil Ross.

- moved by Councillor Neil Ross, seconded by Councillor Lang

### **Amendment 1**

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

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

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

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

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

- moved by Councillor Macinnes, seconded by Councillor Doran

### **Amendment 2**

Council

Amends paragraph 12 of the motion by Councillor Neil Ross 12 to read:

Instructs officers to hold an informal public consultation in the next three months with residents living on or near the proposed route, relevant school communities in Wards 8 and Ward 10 including James Gillespie's High School and Primary School and NHS Lothian to identify levels of local support for

Deletes paragraph 2 (iv) of the motion and replaces with:

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

- moved by Councillor Cook, seconded by Councillor Webber

### **Amendment 3**

Council:

Notes the Spaces for People briefing to Local Councillors on 1st September 'Greenbank to Meadows Quiet Route' in line with the process agreed at Policy and

Sustainability Committee on 14th May for consultation and implementation of emergency measures under COVID-19

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

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

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

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

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

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

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

- moved by Councillor Main, seconded by Councillor Miller

In accordance with Standing Order 22(12), Amendment 2 was accepted as an addendum to the motion.

In accordance with Standing Order 22(12), Amendment 3 was accepted as an addendum to Amendment 1.

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	25 votes
For Amendment 1 (as adjusted)	-	32 votes

(For the Motion (as adjusted): Councillors Aldridge, Barrie, Bridgman, Brown, Bruce, Jim Campbell, Cook, Daggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, McLellan, Mitchell, Mowat, Osler, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.

For Amendment 1 (as adjusted): The Lord Provost, Councillors Bird, Booth, Burgess, Cameron, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Henderson, Howie, Key, Macinnes, Main, McNeese-Mechan, McVey, Miller, Munn, Munro, Perry, Rae, Staniforth, Watt, Wilson and Work.

Abstentions: Councillor Arthur.)

## **Decision**

To approve the following adjusted Amendment 1 by Councillor Macinnes;

- 1) To note that a proposal for a Quiet Route between Greenbank Crossroads and the Meadows, designed to establish a network of safe quiet streets using modal filters and to provide a safe cycleway from Fairmilehead to the city centre, would come forward to the Transport and Environment Committee on 12 November 2020.
- 2) To note that some of this proposal built on suggestions from local community group 'Blackford Safer Streets'.
- 3) To note that stakeholder engagement had not yet begun ahead of the report on 12 November 2020.
- 4) To recognise that there was considerable concern circulating in communities about the consultation process for Spaces for People projects already agreed to by this Council. To note that the agreed process included a feedback mechanism for each project on issues raised by stakeholders, including community councils and elected ward members, as well as the stated intention to amend schemes post-implementation if appropriate ('try and modify' method).
- 5) To request a meeting among all relevant ward councillors and transport spokespersons, convened by the Transport Convener, before 3 October 2020

to allow questions to be raised and for a comprehensive briefing on these proposals to be provided, including clarification on community consultation

- 6) To note the Spaces for People briefing to Local Councillors on 1 September 2020 'Greenbank to Meadows Quiet Route' in line with the process agreed at the Policy and Sustainability Committee on 14 May 2020 for consultation and implementation of emergency measures under COVID-19.
- 7) To welcome the opportunity to create a quiet cycling route serving South Edinburgh, linking to South Morningside, St Peter's, and James Gillespie's' Primary Schools, Boroughmuir and Gillespie's' High Schools and Watsons College and Heriots, as well as local greenspaces and the city centre routes.
- 8) To welcome the opportunity to create a low traffic neighbourhood for Braid, Braidburn and Cluny areas, which had suffered from excessive speeding vehicles and rat runs for many years, and a quiet route.
- 9) To welcome the recommended safety measures on Whitehouse Loan, in line with and supporting forward thinking James Gillespie's' Primary School Parent Council Blackford Safe Routes project, supported by the school and by Sustrans.
- 10) To note that any proposals would be considered alongside the review on Braid Road and welcome the officers' recommendation to carry out road resurfacing and maintenance prior to implementation of any scheme.
- 12) To welcome the opportunity and time for local Councillors to discuss the quiet route proposals with officers and with stakeholders, including community groups, schools and residents and hold any informal consultations and feed in suggestions and comments to officers before a clear proposal was agreed and brought forward, before the formal process started.
- 13) To note the Braidburn Terrace, Braid Crescent and Braidburn Terrace at the Hermitage long-term proposal to improve road safety, which had already had informal consultation over several years, formal TRO consultations and was overwhelmingly supported by local residents, was to be implemented this financial year, including new traffic signals on Comiston Road, toucan crossing at the Hermitage, road closures and street redesign.
- 14) To therefore request that Councillors engage constructively with all stakeholders, to ensure that there was ongoing engagement with all residents on the Spaces for People programme, building support for active travel; to ensure that the scheme was transparent and had public validity and to ensure the best outcome for all local communities who could benefit from the introduction of the quiet route.

## 10 Community Councils - Motion by Councillor Rae

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The following motion by Councillor Rae was submitted in terms of Standing Order 17:

“Council recognises the invaluable contribution made to local democracy and our communities by our Community Councils and the ongoing influence they have had on the functioning of the city during the Coronavirus crisis.

Council also recognise the challenges they have faced in adopting a fully digital approach to meetings, in terms of both technology and costs, when their budgets are often limited.

Council therefore agrees to support our Community Councils going forward to sustain such meetings, and in the future to achieve the goal of the Association of Edinburgh Community Council for meetings post-Covid to be in a ‘blended’ format and offer the option of on-line and in-person participation, thus increasing costs.

Council recognise that Community Councils, as autonomous bodies, should be able to adopt their preferred platform for hosting, therefore will offer a small grant to cover basic costs of a hosting platform. Council also recognise that some Community Councils prefer the user-friendly and flexible option of Zoom, therefore Councillors should be given access to this app to allow them to attend Community Council meetings run on this format.”

### **Motion**

To approve the motion by Councillor Rae.

- moved by Councillor Rae, seconded by Councillor Burgess

### **Amendment 1**

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

- moved by Councillor Day, seconded by Councillor Gordon

## **Amendment 2**

Council:

Agrees paragraph 1 of the motion by Councillor Rae as set out below:

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

Agrees paragraph 2 of the motion.

Deletes paragraphs 3 and 4 of the motion and replaces with:

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

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

- moved by Councillor Jim Campbell, seconded by Councillor Mowat

In accordance with Standing Order 22(12), Amendment 1 was accepted in full and the last paragraph of Amendment 2 was accepted as addendums to the motion.

## **Decision**

To approve the following adjusted motion by Councillor Rae:

- 1) To recognise the invaluable contribution made to local democracy and our communities by our Community Councils and the ongoing influence they had had on the functioning of the city during the Coronavirus crisis.
- 2) To also recognise the challenges they had faced in adopting a fully digital approach to meetings, in terms of both technology and costs, when their budgets were often limited.
- 3) To therefore agree to support our Community Councils going forward to sustain such meetings, and in the future to achieve the goal of the Association of Edinburgh Community Council for meetings post-Covid to be in a 'blended'

format and offer the option of on-line and in-person participation, thus increasing costs.

- 4) To recognise that Community Councils, as autonomous bodies, should be able to adopt their own platform for hosting, therefore to agree to offer a small grant if required, to cover basic costs of a hosting platform if required - noting the Council was current piloting free options with some Community Councils with a few to rolling out a solution.
- 5) To further agree to provide a report on funding for Community Councils detailing awards of grant for 2019/20 and 2020/21 with explanations of any alterations in the grants awarded and how support for Community Councils and other statutory voluntary bodies will be provided going forward including what advice will be given about meetings in person and online. Report should also explore joining remote meetings by phone.

## **11 Objectivity in Media Releases - Motion by Councillor Rose**

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The following motion by Councillor Rose was submitted in terms of Standing Order 17:

“Council:

- 1) Note that under the policy on advertising and sponsorship agreed in August 2019, the Council “will always adhere to the terms of any current legislation and relevant nationally recognised industry codes.”
- 2) Notes that this includes the Advertising Standards’ Authority’s Committee of Advertising Practice code
- 3) Notes that Section 3, paragraph 3.3 of the CAP code states:
  - Marketing communications must not mislead the consumer by omitting material information. They must not mislead by hiding material information or presenting it in an unclear, unintelligible, ambiguous or untimely manner.
  - Material information is information that the consumer needs to make informed decisions in relation to a product. Whether the omission or presentation of material information is likely to mislead the consumer depends on the context, the medium and, if the medium of the marketing communication is constrained by time or space, the measures that the marketer takes to make that information available to the consumer by other means”

- 4) Further notes the Council's policies do not specify its own marketing and public relations communications.
- 5) Recognises that Council communications personnel strive to achieve the highest standards of balance and accuracy at all times and are politically neutral.
- 6) Instructs the Chief Executive to bring back to Council in two cycles a set of guidelines to assist staff in ensuring all council public relations and marketing material is fair, balanced and accurate and can be substantiated by evidence."

### **Motion**

- 1) To note that under the policy on advertising and sponsorship agreed in August 2019, the Council "will always adhere to the terms of any current legislation and relevant nationally recognised industry codes."
- 2) To note that this includes the Local Government Act 1986: Local Authority Publicity Code of Practice.
- 3) To further note the Council's policies do not specify its own marketing and public relations communications.
- 4) To recognise that Council communications personnel strive to achieve the highest standards of balance and accuracy at all times and are politically neutral.
- 5) To instruct the Chief Executive to bring back to Council in two cycles a set of guidelines to assist staff in ensuring all council public relations and marketing material is fair, balanced and accurate and can be substantiated by evidence

- moved by Councillor Rose, seconded by Councillor Whyte

### **Amendment 1**

- 1) To recognise that Council communications personnel strived to achieve the highest standards of balance and accuracy at all times and were politically neutral.
- 2) To note that the guidance highlighted by Councillor Rose in his motion is not relevant.
- 3) To note that the Local Government Act 1986 is the correct piece of legislation and that Section 2 prohibits Councils from publishing material that appears to be designed to affect support for a political party. Section 4 of the Act also

requires the Council to take cognisance of the Government's Code of Practice for publicity.

- 4) To note that the Code states that Local Authorities need to tell the public about the services which they provide and that making the public aware of the services available is an essential part of providing these services.
- 5) To note that it is necessary for Council to publicise accurate information and highlight decisions and policy changes – both proposed and agreed.
- 6) To notes that if elected members have concerns that the Council is not following this legislation or Code of Practice then they should inform the Chief Executive so he can investigate.
- 7) To note that the Chief Executive has not been informed of any potential breaches by Councillor Rose.

- moved by Councillor McVey, seconded by Councillor Day

### **Amendment 2**

To take no action on the matter.

- moved by Councillor Lang, seconded by Councillor Aldridge

### **Voting**

In terms of Standing Order 24(4), the Lord Provost ruled that a first vote be taken for or against the motion for no action

### **First Vote**

The voting was as follows:

For the motion for no action	-	8 votes
Against the motion for no action	-	49 votes

(For the motion for continuation: Councillors Aldridge, Barrie, Bridgman, Gloyer, Lang, Osler, Neil Ross and Young.

Against the motion for continuation: The Lord Provost, Councillors Arthur, Bird, Booth, Brown, Bruce, Burgess, Cameron, Jim Campbell, Kate Campbell, Mary Campbell, Child, Cook, Corbett, Day, Dickie, Dixon, Doggart, Doran, Douglas, Fullerton, Gardiner, Gordon, Henderson, Howie, Johnston, Key, Laidlaw, Macinnes, Main, McLellan, McNeese-Mechan, McVey, Miller, Mitchell, Mowat, Munn, Munro, Perry, Rae, Rose, Rust, Smith, Staniforth, Watt, Webber, Whyte, Wilson and Work.)

As the vote for no action was lost, a second vote between the motion by Councillor Rose and Amendment 1 by Councillor McVey was then taken.

### **Second Vote**

The voting was as follows:

For the Motion	-	17 votes
For Amendment 1	-	35 votes

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

For Amendment 1: The Lord Provost, Councillors Arthur, Barrie, Bird, Booth, Bridgman, Burgess, Cameron, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Henderson, Howie, Key, Macinnes, Main, McNeese-Mechan, McVey, Miller, Munn, Munro, Perry, Rae, Staniforth, Watt, Wilson and Work.

Abstentions: Councillors Aldridge, Gloyer, Lang, Osler, Neil Ross and Young.)

### **Decision**

To approve Amendment 1 by Councillor McVey.

### **Declaration of Interests**

Councillor McLellan declared a non-financial interest in the above item as a member of the Advertising Standards Authority and the Advertising Board of Finance.

## **12 Sewage Discharges - Motion by Councillor Laidlaw**

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The following motion by Councillor Laidlaw was submitted in terms of Standing Order 17:

“Council:

- 1) Notes concern at reports of recent discharges into the Water of Leith and the Water of Leith Basin, which could have included raw sewage.
- 2) Notes that in addition to having a potentially negative impact on local wildlife this also affects the quality of life of residents and the attractiveness of hospitality businesses operating on the Shore.

- 3) Understands that landowners have a responsibility to maintain the cleanliness of any watercourses running through their land. Further understands that the Scottish Environmental Protection Agency (SEPA), as the regulator of Scottish Water, is responsible for investigating any unlicensed discharges of sewage, and requests that members of the public report any such discharges via the SEPA website without delay.
- 4) Notes that Scottish Water is aware of the need to make significant investments in its Combined Sewer Overflows along the Water of Leith to address the issue of sewage discharge. Further notes that work is due to start imminently, having been delayed by the Scottish Government's ban on construction in response to the Coronavirus pandemic, and is anticipated to take around two years to complete.
- 5) Instructs the Council Leader to write to Scottish Water and Roseanna Cunningham MSP, Cabinet Secretary for Environment, Climate Change and Land Reform, requesting an acceleration in the capital programme to mitigate risks of unlicensed discharges along the Water of Leith and in the Water of Leith Basin with the aim of completing this programme by the original deadline or sooner

### **Motion**

To approve the motion by Councillor Laidlaw

- moved by Councillor Laidlaw, seconded by Councillor Bruce

### **Amendment 1**

To delete all of the motion by Councillor Laidlaw and replace with:

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

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

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

- moved by Councillor McVey, seconded by Councillor Day

## **Amendment 2**

Delete all of the motion by Councillor Laidlaw and replace with:

Council

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

- 8) Notes that discharges from CSOs can be exacerbated if inappropriate items such as nappies, wet wipes and cooking fat are put into the sewage system, notes that Midlothian has recently experienced a number of high-profile sewage discharges into the South Esk River which led to Scottish Water conducting an extensive campaign called "What Not To Flush" advising that only the three Ps (pee, poo, toilet paper) should be flushed;
- 9) Notes that discharges from CSOs are also more likely if those CSOs have not been inspected regularly and maintained properly;
- 10) Notes that data from the Forth Rivers Trust suggests there are currently 65 CSOs licensed by SEPA on the Water of Leith, and an additional 32 CSOs on 14 other smaller watercourses in the City of Edinburgh Council area, but that number does not include unlicensed CSOs or storm water overflows;
- 11) Notes that Scottish Water is working to remove the unauthorised sewer feeding into the Water of Leith basin, and to connect it to the sewage network, and also notes that work to repair the rotating screen at the Keddie Gardens CSO is imminent;
- 12) Notes that CSOs which are discharging during dry weather can be reported to Scottish Water on 08000 778778 or online at [scottishwater.co.uk](http://scottishwater.co.uk), and also to SEPA on 0800 807060 or online at [sepa.org.uk](http://sepa.org.uk)
- 13) Agrees therefore that the council leader will write to Scottish Water to:
  - a) request a timetable for connecting the unauthorised sewer at the Water of Leith basin to the sewage network and repairing the rotating screen at the Keddie Gardens CSO;
  - b) request an inspection and maintenance schedule for all CSOs within the City of Edinburgh council area;
  - c) request that Scottish Water consider a targeted public information campaign in the Edinburgh area similar to the previous "What Not to Flush" campaign;
  - d) request that Scottish Water consider the use of sewer depth monitors and rain gauges at blackspots such as the Water of Leith basin, to help identify blockages early before they result in significant impact;
  - e) request that Scottish Water review the performance of the network in the area around the Water of Leith Basin in light of recent incidents and add relevant sewers to their cleaning programme;

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

- moved by Councillor Booth, seconded by Councillor Corbett

## **Decision**

To approve the following composite motion by Councillor Laidlaw

Council

- 1) To note concern at reports of recent discharges into the Water of Leith, and specifically into the Water of Leith Basin, which had included raw sewage;
- 2) To note that in addition to having a potentially negative impact on local wildlife this also affected the quality of life of residents and the attractiveness of hospitality businesses operating on the Shore.
- 3) To note that during the period of heavy rain that accompanied the large electrical storm in August, the sewerage system in the Shore area of Leith discharged raw sewage into the watercourse and basins of the Water of Leith and recognise the negative impacts on the local community of this event.
- 4) To note ongoing engagement between relevant agencies and stakeholders including the Council and SEPA with Scottish Water over this issue, and note that Scottish Water had been diligent in attending and carrying out works to identify the cause of the discharge and remedy the situation. To further note Scottish Water were reviewing the sewerage network in the area and across the Edinburgh, as a means of identifying areas that required investment to ensure that the system could cope and avoid blockages that could lead to discharges of this kind.
- 5) To note that this included the discharge of human waste and physical debris such as wet wipes, condoms and sanitary products, threatening the marine environment and harming aquatic life, potentially impacting the health of river users and adding plastic pollution to the river and the Firth of Forth.
- 6) To note that these recent discharges had largely come from Combined Sewer Overflows (CSOs), though at least one case appeared to be due to an unauthorised sewage connection into the Water of Leith.
- 7) To thank the volunteers from the Friends of the Water of Leith Basin, and diver Shane, who had worked closely with Scottish Water to identify the source of the recent sewage discharges and work quickly to try to resolve

them, and thank staff and volunteers at Water of Leith Conservation Trust for over 40 years of caring for and improving the river environment.

- 8) To note that Combined Sewer Overflows (CSOs) allowed overflows of sewage during heavy rainfall, and were intended as a safety valve during extreme weather, preventing sewage from backing up into homes and businesses, but that with sufficient investment in ensuring adequate drainage system capacity, the CSOs should not discharge raw sewage into water courses.
- 9) To note that climate change was increasing the frequency and severity of extreme storm events placing further stress on the drainage system and increasing the likelihood that raw sewage might escape from CSOs.
- 10) To note the report from the Centre of Ecology and Hydrology in 2019 that Edinburgh had lost 282 hectares of green land since 1990 which otherwise would have acted as a soak for rain and surface water, and note that increased speed and volume of surface run-off during a storm event could also increase pressure on CSOs.
- 11) To note that discharges from CSOs could be exacerbated if inappropriate items such as nappies, wet wipes and cooking fat were put into the sewage system, note that Midlothian had recently experienced a number of high-profile sewage discharges into the South Esk River which led to Scottish Water conducting an extensive campaign called "What Not To Flush" advising that only the three Ps (pee, poo, toilet paper) should be flushed.
- 12) To note that discharges from CSOs were also more likely if those CSOs had not been inspected regularly and maintained properly.
- 13) To note that data from the Forth Rivers Trust suggested there were currently 65 CSOs licensed by SEPA on the Water of Leith, and an additional 32 CSOs on 14 other smaller watercourses in the City of Edinburgh Council area, but that number did not include unlicensed CSOs or storm water overflows.
- 14) To note that Scottish Water was working to remove the unauthorised sewer feeding into the Water of Leith basin, and to connect it to the sewage network, and also notes that work to repair the rotating screen at the Keddie Gardens CSO was imminent.;
- 15) To note that CSOs which were discharging during dry weather could be reported to Scottish Water on 08000 778778 or online at [scottishwater.co.uk](http://scottishwater.co.uk), and also to SEPA on 0800 807060 or online at [sepa.org.uk](http://sepa.org.uk).

16) To agree therefore that the council leader would write to Scottish Water to:

- a) request a timetable for connecting the unauthorised sewer at the Water of Leith basin to the sewage network and repairing the rotating screen at the Keddie Gardens CSO;
- b) request an inspection and maintenance schedule for all CSOs within the City of Edinburgh council area;
- c) request that Scottish Water consider a targeted public information campaign in the Edinburgh area similar to the previous "What Not to Flush" campaign;
- d) request that Scottish Water consider the use of sewer depth monitors and rain gauges at blackspots such as the Water of Leith basin, to help identify blockages early before they result in significant impact;
- e) request that Scottish Water review the performance of the network in the area around the Water of Leith Basin in light of recent incidents and add relevant sewers to their cleaning programme;
- f) request that Scottish Water, in conjunction with the wider Edinburgh and Lothians Strategic Drainage Partnership, draw up a fully costed action plan to prevent future sewage outflows from CSOs."

17) To note the Local MSP had written to the Cabinet Secretary on the potential acceleration of the capital programme, following the disruption by the very necessary shutdown of works due to the Coronavirus restrictions and instruct the Council Leader to write to Roseanna Cunningham MSP, Cabinet Secretary for Environment, Climate Change and Land Reform, requesting an acceleration in the capital programme to mitigate risks of unlicensed discharges along the Water of Leith and in the Water of Leith Basin with the aim of completing this programme by the original deadline or sooner.

### **13 Collaboration with Local Communities - Motion by Councillor Rust**

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The following motion by Councillor Rust was submitted in terms of Standing Order 17:

“Council:

- 1) Expresses concerns that specific substantive schemes and measures are being brought in across the city by the Council over a period of months

utilising emergency legislative powers, despite significant opposition from residents in communities which the Council is here to serve.

- 2) Notes that significant community opposition is evident, but may not be limited to, the following:
  - Braid Road closure
  - Cockburn Street
  - Comiston Road
  - East Craigs LTN
  - Links Gardens closure • Silverknowes Road North closure

Recognises that Scottish Government guidance has changed since these and other measures were first mooted.

- 3) Agrees that change is best delivered through collaboration with local communities which are impacted by decisions taken.
- 4) Resolves that powers granted under the Coronavirus (Scotland) Act 2020, and the use of Temporary Traffic Regulation Orders shall not be used to force substantial changes on to communities where local people have expressed significant opposition henceforth, as this is contrary to our liberal democratic traditions and is a cause of reputational damage to the Council.
- 5) Recognises this will impact on the Spaces for People programme in a positive way, building support for active travel that is likely to endure and ensuring schemes are transparent and have public validity.”

### **Motion**

To approve the motion by Councillor Rust.

- moved by Councillor Rust, seconded by Councillor Webber

### **Amendment 1**

To delete all of the motion by Councillor Rust and replace with:

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

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

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

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

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

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

- moved by Councillor Macinnes, seconded by Councillor Doran

## **Amendment 2**

To delete all of the motion by Councillor Rust and replace with:

Council:

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

- 5) Welcomes ongoing engagement with all residents on the Spaces for People programme, building support for active travel that is likely to endure and ensuring schemes are transparent and have public validity.

- moved by Councillor Miller, seconded by Councillor Corbett

### **Amendment 3**

To add at the end of section 4 in the motion by Councillor Rust:

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

- moved by Councillor Lang, seconded by Councillor Neil Ross

In accordance with Standing Order 22(12), Amendment 3 was accepted as an addendum to the motion.

In accordance with Standing Order 22(12), Amendment 2 was accepted as an addendum to Amendment 1.

### **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	25 votes
For Amendment 1 (as adjusted)	-	31 votes

(For the Motion (as adjusted): Councillors Aldridge, Barrie, Bridgman, Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, McLellan, Mitchell, Mowat, Osler, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.

For the Amendment 1 (as adjusted): The Lord Provost, Councillors Bird, Booth, Burgess, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Henderson, Howie, Key, Macinnes, Main, McNeese-Mechan, McVey, Miller, Munn, Munro, Perry, Rae, Staniforth, Watt, Wilson and Work.

Abstentions: Councillors Arthur and Cameron.)

## Decision

To approve the following adjusted Amendment 1 by Councillor Macinnes:

- 1) To recognise that continuing efforts under the Spaces for People initiative were required across the city to deliver its recognised objectives as outlined in Scottish Government statements and guidance, as well as in the Policy and Sustainability report agreed on 14 May.
- 2) To recognise that there was a need to accelerate progress on such projects beyond normal procedures, including on consultation, in order to deliver effective measures in a timely fashion, as part of the response to Covid-19.
- 3) To recognise that considerable concern was circulating in communities about the objectives, expected outcomes, likely implementation and intentions of the Council.
- 4) To recognise that community concerns had been raised about a number of schemes and that the Council had clearly committed to amending schemes based on feedback ahead of implementation and post implementation, where appropriate.
- 5) To recognise that these schemes might have an impact beyond local neighbourhoods and needed to be considered as part of a city-wide transport network.
- 6) To request that a short report come to the Transport and Environment Committee on 12 November 2020 which brings together a reiteration of the Spaces for People project objectives, the relationship to developing Scottish Government guidance with respect to Edinburgh's pandemic response, methods of implementation and Council decision-making processes. This would act as a useful guide to both Councillors and to residents about the agreed parameters for this initiative.
- 7) To note that a wide range of measures, including greater support for people walking, wheeling and cycling, had been taken across the city using a variety of different existing legislative powers on the grounds of public health, in the interests of all residents of the city.
- 8) To note a range of views expressed by residents, through various methods of engagement with the Council.
- 9) To recognise that the Scottish Government and this Council were adjusting the guidance and measures that were in place to protect public health to adapt as the situation changes.

- 10) To agree that change was best delivered through collaboration with local communities which were impacted by decisions taken, resolve to continue to take a collaborative approach, and thank residents for engaging with this Council to improve and adjust measures taken to protect public health.
- 11) To welcome ongoing engagement with all residents on the Spaces for People programme, building support for active travel that was likely to endure and ensuring schemes were transparent and had public validity.

## **14 Click to Report - Motion by Councillor Mowat**

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The following motion by Councillor Mowat was submitted in terms of Standing Order 17:

“Council:

Warmly notes the evolution of “Click to report” on the Council website, which provides an easy way to report issues, concerns or lapses in many Council services. Further notes that these reports are managed through the Verint platform, passing automatically to the back-office systems that Services use for day to day management.

Thanks officers for this work, and looks forward to further innovation to boost the Council’s responsiveness and efficiency.

Asks that Councillors are provided with a Report:

- 1) Analysing the use of “Click to report”;
- 2) Reviewing the potential to develop the Verint platform further;
- 3) Considering what Service Levels could be shared as part of the “Click to report” process so users know how long to expect resolution of an issue should take;
- 4) Identifying opportunities to enhance engagement with respondees following them completing a “Click to report”.

### **Decision**

To note that Councillor Mowat had withdrawn her motion.

## 15 Homeless Households in Unsuitable Accommodation - Motion by Councillor Booth

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The following motion by Councillor Booth was submitted in terms of Standing Order 17:

“Council

- 1) Notes that being placed in unsuitable temporary accommodation can have a significant negative impact on the physical and mental wellbeing of homeless people;
- 2) Notes that the right to suitable temporary accommodation was extended to all homeless households in May 2020, where previously it had only applied to households with children and pregnant women;
- 3) Further notes that there was a coronavirus-related exemption for this extension until the end of September 2020, and that the Scottish Government intends to further extend this exemption until the end of January 2021;
- 4) Further notes that of the 500 breaches of the unsuitable accommodation order in the whole of Scotland in the last year, three quarters of these were in Edinburgh;
- 5) Acknowledges that the very high cost of accommodation in Edinburgh, coupled with other factors such as the high number of Short Term Lets reducing housing availability and increasing rents, makes it extremely challenging to provide suitable temporary accommodation to homeless households;
- 6) Nonetheless notes that bed and breakfast or hotel accommodation is the most expensive form of temporary accommodation, and provides the least suitable accommodation for homeless households, and therefore reaffirms Edinburgh's commitment to end the use of unsuitable accommodation;
- 7) Therefore agrees that the delayed Rapid Rehousing Transition Plan, to be presented to Housing, Homelessness and Fair Work Committee within the next few weeks, should include a fully costed and timetabled action plan to ensure that no household in Edinburgh is in unsuitable accommodation from the end of January 2021 onwards.”

### **Motion**

To approve the motion by Councillor Booth.

- moved by Councillor Booth seconded by Councillor Miller

## **Amendment 1**

To delete point 7 in the motion by Councillor Booth and replace with:

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

- moved by Councillor Kate Campbell, seconded by Councillor Watt

## **Amendment 2**

To remit consideration of the motion to the 18 September 2020 meeting of the Homelessness, Housing and Fair Work Committee.

- moved by Councillor Lang, seconded by Councillor Aldridge

In accordance with Standing Order 22(12), Amendment 1 was accepted as an amendment to the motion.

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	32 votes
For Amendment 2	-	24 votes

(For the Motion (as adjusted): The Lord Provost, Councillors Arthur, Bird, Booth, Burgess, Cameron, Kate Campbell, Mary Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Henderson, Howie, Key, Macinnes, Main, McNeese-Mechan, McVey, Miller, Munn, Munro, Perry, Rae, Staniforth, Watt, Wilson and Work.)

For Amendment 2: Councillors Aldridge, Barrie, Bridgman, Brown, Bruce, Jim Campbell, Cook, Duggart, Douglas, Gloyer, Johnston, Laidlaw, Lang, McLellan, Mitchell, Mowat, Osler, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.)

## **Decision**

To approve the following adjusted motion by Councillor Booth:

- 1) To note that being placed in unsuitable temporary accommodation could have a significant negative impact on the physical and mental wellbeing of homeless people;
- 2) To note that the right to suitable temporary accommodation was extended to all homeless households in May 2020, where previously it had only applied to households with children and pregnant women;
- 3) To further note that there was a coronavirus-related exemption for this extension until the end of September 2020, and that the Scottish Government intended to further extend this exemption until the end of January 2021;
- 4) To further note that of the 500 breaches of the unsuitable accommodation order in the whole of Scotland in the last year, three quarters of these were in Edinburgh;
- 5) To acknowledge that the very high cost of accommodation in Edinburgh, coupled with other factors such as the high number of Short Term Lets reducing housing availability and increasing rents, made it extremely challenging to provide suitable temporary accommodation to homeless households;
- 6) Nonetheless to note that bed and breakfast or hotel accommodation was the most expensive form of temporary accommodation, and provided the least suitable accommodation for homeless households, and therefore to reaffirm Edinburgh's commitment to end the use of unsuitable accommodation;
- 7) To therefore agree that a report on unsuitable accommodation orders be brought to the next Housing, Homelessness and Fair Work Committee in November, setting out the detail of the legislative changes, the steps the council was already taking to meet these changes and a costed financial plan for how to increase the number of temporary furnished flats available for use for individual households and as home share. This should include a fully costed and timetabled action plan setting out the steps we would need to take to ensure that no household in Edinburgh was in unsuitable accommodation from the end of January 2021 onwards.

## **Declaration of Interests**

Councillor Corbett declared a financial interest as an Employee of Shelter Scotland and left the meeting during the Council's consideration of the above item.

## 15 Belarusian Crisis - Motion by Councillor Main

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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 Main was submitted in terms of Standing Order 17:

Council:

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

- moved by Councillor Main, seconded by Councillor Staniforth

### **Decision**

To approve the motion by Councillor Main.

## 16 Whistleblowing Culture - Motion by Councillor Whyte

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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 Whyte was submitted in terms of Standing Order 17:

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

- 7) Council agrees the prime importance of ensuring confidence in its approach to whistleblowing, corruption and criminal wrongdoing, and notes that addressing the culture contributing to any such failings is crucial.
- 8) Council therefore agrees to instruct an independent Inquiry into the culture that developed that allowed this situation to exist within, to determine whether it continues to persist today and to report on any recommendations for change. The Inquiry will be led by a senior person with appropriate experience such as a QC or former senior Police officer.
- 9) The Inquiry should proceed at the earliest appropriate opportunity, taking account of internal processes, legal proceedings and Police investigations and recognising that some of these may have to conclude before this wider cultural inquiry begins. The remit will be decided independently of the staffing structure of the Council and agreed by Group Leaders in consultation with the independent person identified to lead the Inquiry. It should specifically include the Council's approach to the "avoidance of reputational damage" and whether this or any other aspects of culture within the Council has been a contributory factor in not fully identifying or addressing any potential wrongdoing."

### **Motion**

To approve the motion by Councillor Whyte.

- moved by Councillor Whyte, seconded by Councillor Rose

### **Amendment**

To note the motion by Councillor Whyte and:

- 1) Council notes that the Chief Executive has already instructed a wide-ranging external independent investigation into matters relating to some of the issues highlighted in the motion and that the Council will continue to work with the Police as appropriate in this regard.
- 2) Council takes these matters very seriously and reiterates its resolve to root out any wrongdoing and to protect citizens, staff and service users from harm.
- 3) Council agrees that this independent investigation needs to begin without prejudicing ongoing Council and/or Police investigations should not be hindered and that anyone with information pertaining to the investigation are encouraged to come forward, including elected members.

- 4) Council notes that since 2014 Safecall has provided a robust, independent and supportive whistle blowing service for staff backed up by robust elected member scrutiny in the form of reporting to Governance, Risk and Best value.
- 5) Council further recognises the seriousness, confidentiality and sensitivity of the investigation and requests the Chief Executive to report back to Council, Governance Risk and Best Value Committee and Policy and Sustainability Committee as appropriate on the outcome and any recommendations in due course and in the meantime to keep the Group Leaders updated on progress. Council agrees the need for this investigation and subsequent report to be thorough, including the exploration of any connected historical issues, and make any recommendations for improvements as required.
- 6) Refers the Conservative motion onto Policy and Sustainability Committee for further discussion on 6 October 2020 to allow any relevant information relating to the process and timeline of investigations to be presented by officers to the contents of the motion and then brought back to Council on 15 October 2020 for a full discussion.

- moved by Councillor McVey, seconded by Councillor Day

### **Decision**

To approve the amendment by Councillor McVey

## Appendix 1

(As referred to in Act of Council No 2 of 17 September 2020)

### QUESTION NO 1

By Councillor Brown for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020

**Question** (1) What were the key messages received by the Convener and Council Officers at the public meeting held on 28 August?

**Answer** (1) Concerns that the changes being proposed were unfair and undemocratic, in particular that the East Craigs Low Traffic Neighbourhood (LTN) is being treated differently to the Leith LTN.

Concerns that the LTN is not being implemented to respond to COVID-19 and therefore the use of a Temporary Traffic Regulation Order (TTRO) is not justified.

That it may cause further congestion and air pollution, particularly on Craigs Road and Drum Brae South.

The developments to the West of Maybury Road are undesirable to the local people, due to impacts on views and increased vehicles.

Concerns that turning right from Craigs Road to Drum Brae South will be difficult and unsafe.

Concerns that turning right from North Gyle and Craigs Gardens on to the A8 will be difficult and unsafe.

That by closing the west end of Craigs Road it will lead to more people turning in the street at school drop off time, which may decrease safety on the street.

That the changes will disproportionately impact elderly and car dependant people.

**Question** (2) What practical suggestions put forward at the East Craigs Public Meeting on 28 August are being taken forward in the technical design and workings?

**Answer** (2) All practical suggestions made at the meeting have been assessed and, as stated in recent email correspondence with many residents, modified designs are being considered. These include addressing:

- Difficulty of turning right across Drum Brae South from Craigs Road;
- Difficulty of turning right across Glasgow Road from North Gyle Road, North Gyle Grove and Craigs Gardens;
- Enforcement of restrictions in areas where double-yellow lines are in place e.g. for Craigs Road school drop-off;
- Journeys for car dependent people;
- Congestion; and

Impact on car dependent people when accessing the Gyle Shopping Centre.

**Supplementary Question** A supplementary if I may Convener. Given the widespread opposition to the Transport Convener's plans, has she considered the possibility that she is wrong and the community is right?

**Supplementary  
Answer**

Thank you for your supplementary Councillor Brown. Can I just point out that these are not my plans these are plans that were approved at the 14 May 2020 Policy and Sustainability Committee where 4 out of 5 of the parties agreed that the concept of low traffic neighbourhoods was a valid one to look at the SFP outside the spaces for people initiative. I'm somewhat concerned about the increasing levels of personalisation around this discussion. Now in terms of the move to go forward, as you know we've been listening very carefully to what the residents have been saying about this particular set of proposals, and we are coming back on 1 October 2020 to the very first reconstituted Transport and Environment Committee with a set of revised proposals which we expect and hope will meet a lot of those concerns that have been expressed both at the public meeting that we both spoke at and through correspondence that's come forward from residents in the area.

**QUESTION NO 2**

**By Councillor Webber for answer by the Convener or Vice-Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

**Question**

On what basis is East Craigs being progressed as a Low Traffic Neighbourhood in preference to other areas of the City?

**Answer**

The proposal for a Low Traffic Neighbourhood (LTN) in East Craigs included designs developed as part of the West Edinburgh Link (WEL) project. Although a permanent scheme has not been brought forward through WEL, the information gathered provides a strong basis for the temporary scheme proposed for East Craigs.

The other potential LTNs in the city are not as far advanced and therefore further work is required prior to bringing any other schemes forward.

**Supplementary Question**

Thank you very much Lord Provost and yes Convener I have a supplementary. There's two statements that are provided in the answer that I'm struggling a little bit with. It says firstly the LTN East Craig's included designs that have been developed as part of the West Edinburgh link and although a permanent scheme has not been brought forward as part of the West End link those two statements are in the answer, so I suppose I'm wondering what was wrong with designs that were developed if they were not considered as part of the scheme or considered appropriate to be brought forward, but my specific question actually for clarification is the inflow had not been provided in the answer as to what information gathered caused the change in position that provided such a strong basis for the temporary scheme to be proposed for East Craigs and for that to be progressed now?

**Supplementary  
Answer**

I'm not entirely sure I understand either part of the question but I will do my best to answer it. It's quite clear that there is a difference between the temporary measures that are being put in place through the Spaces for People initiative, all of which have been discussed, the purpose behind spaces for people has been discussed and agreed by this Council, there is an acceptance however that there was already information being gathered about the position locally that would go forward to help the basis of the West Edinburgh link as a separate permanent measure, so we've been able to use that information which included quite a lot of community consultation in its various forms to help us to design the temporary measure that's going in place on the SFP. So that to me is a very clear statement of the difference between the two trajectories around this area, the temporary and the permanent and the fact that we've been able to do already the work through the permanent that has allowed us to inform what we're bringing forward under the temporary, now I'm not entirely sure – sorry Lord Provost – if I can ask for clarification on the second part?

**Comments by  
the Lord  
Provost**

I think that's fine, it's one question and I think you've answered that Councillor Macinnes.

**QUESTION NO 3**

**By Councillor Whyte for answer by  
the Leader of the Council at a  
meeting of the Council on 17  
September 2020**

**Question**

Where Objections to the proposed Low Traffic Neighbourhood at East Craigs have been expressed by all three local ward Members, the constituency MSP, and the Community Council, as well as hundreds of residents in writing or through attendance at public meetings, in what way can the decision to progress the scheme be perceived as democratic or publicly supported?

**Answer**

Low Traffic Neighbourhoods (LTN) are included in the list of temporary Spaces for People actions which no party proposed removing when Committee agreed in May 14th, 2020. The process for implementation was agreed by 4/5 parties at that committee.

The retention of Low Traffic Neighbourhoods as part of the Spaces for People programme was reaffirmed again at Committee on August 20th, 2020.

Through the process stakeholders and residents have raised concerns which are being assessed and worked through by officers. The report for October 1st, 2020 Transport and Environment Committee will cover larger schemes and this will include revised details of the East Craigs scheme for consideration.

**Supplementary  
Question**

Thank you Lord Provost. Perhaps the Council Leader who reminded us that 4 out of the 5 parties on the Council, well I think he's missed a party there, agreed the process for these Spaces for People programme, one party didn't and that was the Scottish Conservatives and we suggested that all of these matters come to Committee so that any issues could be ironed out and matters resolved there with some approval. Given the objection the low traffic neighbourhood in East Craigs, does the Council Leader, and the fact he's now bringing it to Committee later on, does he now agree

with me that bringing these to Committee would have been a sensible idea to ensure that local residents could be heard and local councillors could put forward local views prior to any decisions being implemented?

**Supplementary  
Answer**

Can I thank Councillor Whyte for the question. I think we need to go back and remember the circumstances of when we took our decision we were acting as quickly as possible, we set out a robust process of engagement with local stakeholders including local elected ward members, transport spokespeople, group leaders, and all of that process has been followed. For this specific proposal I think it is absolutely right to bring it to Committee and that's why we've shown the flexibility in our approach to bring it to Committee in early October to ensure it has political democratic direct sign off. We're aware of some of the direct concerns people have had around elected member sign off, we responded to that positively, that has not been the case in a vast number of schemes that have been implemented on the ground much to residents across the city support.

**QUESTION NO 4**

**By Councillor Jim Campbell for  
answer by the Convener of the  
Transport and Environment  
Committee at a meeting of the  
Council on 17 September 2020**

**Question**

What Public Meetings on a Council decision has the Convener attended since her election, that were attended by more than the 500 to 600 residents that turned up to East Craigs meeting held at Gyle Park on Friday 28 August?

**Answer**

I have attended a number of public meetings since my election. However, I do not hold records of the attendance at such meetings.

Whilst I support and fully encourage participation in local democracy, I am deeply concerned that the event in Gyle Park on 28 August 2020 breached legislation and public health guidance introduced to ensure public safety during the current Covid 19 pandemic.

The restrictions in relation to gatherings and open space live events were amended from 24 August to enable gatherings to take place under strict controls, ensuring spectator and public safety, which the event organiser is expected to adhere to.

These measures and controls include restricting numbers, enabling physical distancing and providing enhanced hygiene measures.

Police Scotland have advised that very few control measures were observed as being in place and no efforts appeared to have been made to limit the crowd numbers by the organiser. Indeed, it was quite the opposite with leaflet drops and promotion on social media conducted prior to the event to encourage persons to attend. Under normal circumstances of course high attendance would be welcome as part of local conversation. However these are extraordinary circumstances and greater care should have been taken by the event organiser.

It concerned me that Police Scotland were unnecessarily put in a position of having to consider using powers to either impose prohibitions, requirements or restrictions on the organiser holding the event or, if necessary, to direct the event to stop.

**Supplementary  
Question**

Thank you Lord Provost and I thank the Convener for her answer. She raises a serious point regarding the size of the meeting. I wonder if the Convener, just in light of her answer, has reflected on the invitation I assume she extended to officers to attend this meeting and whether she would like to apologise to Council for putting officers in a difficult position and whether she's considered if this should be a matter she ought to discuss with the Standards Commissioner?

**Supplementary  
Answer**

Thank you for your supplementary, I'm not quite sure where to begin on this. Let me take you right back to the very beginning. I was invited to a public meeting by our local MSP if the Lib Dems Alex Cole-Hamilton, I agreed to do that on one basis, he gave me in writing a promise that it was an open-air meeting with the maximum attendance of 200 people. He had got clearance for this from Jason Leitch, the National Clinical Director. I agreed to attend that because I considered it very important to be able to listen to the concerns that were emerging out of that area from residents and this was one means of doing so. I invited officers to join me because that would be an entirely normal process because I wanted them to be able to be there to answer technical issues, which they did very well on the night, and I was very grateful for their degree of support. However, the organisation of that meeting and the blanketing of leaflets etc. produced a crowd of in my estimation around 600. The organisers of it then went on later to crow about the fact that they thought there had been 1,000 people there, that broke every bit of guidance that had been given to them by the Scottish Government and that they had agreed to. When I rounded the corner and saw the size of the crowd I was extremely concerned about the fact that that crowd was in place and I actually seriously considered whether or not I

should walk away from it, however, I honoured my commitment and decided to take part in that, the officers were also happy to do so. I have an excellent working relationship with officers I work with, I know that they would have felt free to raise any concerns with me at the time, neither of them did and I was very grateful for their support, I do not believe that this is a matter for self-referral to the Standards Commission.

**QUESTION NO 5**

**By Councillor Lang for answer by the  
Leader of the Council at a meeting of  
the Council on 17 September 2020**

**Question**

Further to the Council Leader's answer to Item 5.3 question 2 at the 25 August 2020 meeting of the Council, when will he publish the letter to Lothian Buses?

**Answer**

Attached is the letter sent and answer received from the Chair of Lothian Buses, as per appendices 1 & 2.

JMcF/AM  
14 September 2020  
Council Leader Adam  
McVey The City of  
Edinburgh Council City  
Chambers  
High Street Edinburgh  
EH11YJ

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Dear Adam

**Transport Arm's Length External Organisations: Interim Managing Director**

Thank you for your letter of 19th August. Your comments regarding the company's response to Covid 19 is very much appreciated. Our senior team's handling of the situation has been exemplary. As the lock-down commenced services were immediately scaled back while maintaining key NHS routes. Longstone and Marine garages were temporarily closed with the tours and coach businesses mothballed. These actions and other cost cutting measures including accessing the UK Governments job retention scheme with the support of our trade union colleagues helped protect our cash reserves which was the most significant initial risk. Services are now being progressively ramped up with the benefit of the Scottish Government's bus operator cost support scheme but patronage is at best only 40% of pre-Covid 19 levels. Consequently, our outlook will remain challenging until guidance and public confidence considers public transport to be entirely safe.

As indicated previously your sentiments in regard to the bonus provisions in our Interim Managing Director's terms and conditions are acknowledged. From my perspective it was disappointing that views expressed at the 11 June Policy and Sustainability Committee appear to have been influenced by prior misleading press reporting. These reports implied that the Interim Managing Director would be due to receive a bonus for 2020 financial year. This is incorrect and once again I am pleased to be able to explain what the actual contractual position is. This being an entitlement to be **considered** for a bonus based on personal and company performance. Being due a bonus and having the entitlement to be considered for a bonus under certain circumstances are two quite different contractual positions.

For the benefit of wider councillor colleagues, I also think it would be further helpful to clarify my own position and the track record of our current Board in relation to the terms and conditions of our senior executives. On becoming chairman in July 2016 I was very mindful of then current concerns regarding the salary levels and bonus entitlements of our senior team. Consequently, amongst a number of governance enhancements I introduced was the creation of a strong remuneration committee composed entirely of Non-Executive Directors. Under the chairmanship of Steve Cassidy and more recently Mark Yexley this committee undertook an independent bench-marking review of senior team terms and conditions with a framework for periodic re-assessment now also in place. Based on the recommendations of this initial bench-marking review new contracts for all senior team positions were introduced. For all positions other than the Managing Director an annual bonus entitlement was removed by negotiation. For the Managing Director position the provision for the consideration of a performance based bonus remains since the prevalence of such incentive based schemes for comparable positions was a standard feature emerging from the benchmark review.

However it should also be noted that since 2016 when the current Managing Director contract was put in place the MD performance bonus has never been awarded at the full entitlement level despite record levels of passenger numbers and related revenues being achieved. For 2019 no element of MD bonus was awarded.

From the above explanation I trust that you and councillor colleagues can be convinced regarding the rigour that is applied to the consideration of Lothian senior team salaries including the matter of our MD's bonus and the factors relating to its consideration. Be further assured that our remuneration committee is acutely aware of the concerns which you and other councillor colleagues have expressed. I am confident that these views will be given due consideration in related future decision making which will also be guided by wider companies act obligations that requires judgement to be exercised in the best interest of the business.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jim McFarlane', written in a cursive style.

**Jim McFarlane Chairman**

Jim McFarlane  
Chairman of Lothian Bus Board  
Annandale Street  
Edinburgh  
EH7 4AZ

**Date** 19 August 2020

Dear Jim

**Transport Arm's Length External Organisations: INTERIM MANAGING DIRECTOR**

I'd like to start by paying tribute to the hard work of Lothian Buses, staff, management and board. I fully appreciate that Lothian Buses are operating during exceptionally challenging circumstances due to the ongoing prevalence of COVID 19. Both our organisations are working under enormous pressures, especially in terms of revenue attainment.

As you know, the issue of the bonus of the interim Managing Director was discussed at the Council's Policy and Sustainability Committee on 11th June 2020, where it was understood that as this is an interim appointment, the salary package would be reviewed when a permanent appointment is made.

At committee, Members including myself, acknowledged the difficulty in untangling the remuneration terms of this appointment. However, I wanted to write to follow up on Council representations at the time to encourage the bonus aspect of the terms and conditions of this role to be reconsidered. We're aware that bonus have been stripped out of almost all roles in the company for staff and management. You will also be well aware that many of our residents are facing an uncertain financial future. Taking account of both of these, we don't feel awarding a bonus to the Interim Managing Director, appointed in early March 2020, is an appropriate measure to take at this stage.

I acknowledge that the appointment of the interim Managing Director was made pre-COVID 19, but considering the current situation, I am writing to you as Chairman of the Lothian Buses board to encourage you not to award a bonus when this is to be considered at Lothian Buses Remunerations Committee in February 2021 for the reasons above. I would also ask that the Board take a decision to remove bonuses from future contracts.

Should you have any further enquiries please do not hesitate to contact me.

Yours sincerely

Council Leader Adam McVey



**QUESTION NO 6**

**By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

**Question**

Further to the Convener's answer to Item 5.4 question 3 at the 25 August 2020 meeting of the Council, when will this additional information be circulated to elected members?

**Answer**

In respect of the number of notices issued because of overgrown trees, shrubs or hedges obstructing the public footway during the period 01/03/2020 – 17/08/2020:

- 148 advisory letters have been issued; and
- Two (2) statutory notices have been issued.

**QUESTION NO 7**

**By Councillor Lang for answer by the  
Leader of the Council at a meeting of  
the Council on 17 September 2020**

At the Policy & Sustainability Committee meeting of 14 May 2020, it was resolved that authority would be delegated to the Chief Executive in consultation with the Leader and Depute Leader of the Council, to implement temporary spaces for people schemes following the agreed five-day consultation period.

**Question** (1) Can the leader confirm he has been consulted in relation to the implementation of each 'spaces for people' scheme?

**Answer** (1) Yes. The Chief Executive, Depute Leader and I meet regularly to sign off decisions which have been agreed by CIMT as part of the delegated authority process, not only those relating to Spaces for People. A copy of the local feedback is also emailed for that discussion. We also discussed and agreed the Spaces for People interventions introduced to provide safe spaces for people to walk and cycle prior to the Creating Safe Spaces for Walking and Cycling report being approved by Policy and Sustainability Committee on 14 May 2020.

**Question** (2) Can he confirm the dates on which he was consulted in relation to the implementation of each individual 'spaces for people' scheme?

**Answer** (2) Schemes agreed by CIMT are discussed at the following meeting with the Chief Executive and Depute Leader. I'm happy to provide Cllr Lang with a specific date if he has a question in relation to a specific scheme.

**Question** (3) What comments did the leader provide in relation to each scheme when he was consulted?

**Answer** (3) I agreed with the outcome of the engagement processes in relation to the schemes taken forward for implementation to help people walk, cycle and wheel around Edinburgh.

**Supplementary  
Question**

Thank you very much Lord Provost and can I just clarify the process that the Council Leader's involved in just so that I've got this clear in my head. The point at which ward Councillors get written notification that a scheme is approved for implementation, does that come after the point that the Leader has been consulted and has given his approval?

**Supplementary  
Answer**

Can I thank Councillor Lang for the question. Yes it should do, it may be at the same time but if it is not the same time it will be before, and my understanding is that the vast majority if not all have been before.

**QUESTION NO 8**

**By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

**Question** (1) What is her position with respect to making the online booking system for using recycling centres a permanent arrangement?

**Answer** (1) The booking system was introduced to manage demand and manage the number of people on the sites to ensure health and safety during the Covid-19 pandemic. The system has worked well in doing this and the service would wish to retain the system.

**Question** (2) Would any decision to make the booking system permanent require the approval of the Transport and Environment Committee?

**Answer** (2) The booking system was introduced following approval of the Council's Incident Management Team, with the costs associated with Covid-19. This was done by waiver to the Council's Contract Standing Orders.

To introduce a system on a permanent basis would require a funding source to be identified and then for a full procurement exercise to be undertaken. This would then require to be reported to Finance and Resources Committee for approval, rather than Transport and Environment Committee.

**Supplementary Question** Yes thank you very much and thank you to the Convener for her answers, I'm sure she'll agree with me that I think officers have done an excellent job I think in managing our recycling centres and the booking system which I think has gone pretty smoothly but can I just clarify that I'm interpreting her answer correctly. So is it her view that

retaining the booking system permanently outwith of an emergency period that that wouldn't acquire a policy decision of the Transport Committee separate from any funding issue with finance that's not a policy issue that requires Transport Committee approval, is that right?

Thursday, 17th September, 2020

**Supplementary  
Answer**

I'm not absolutely certain about the specific approvals on it, I would certainly welcome a discussion of any potential change in that policy at Transport and Environment Committee and I would expect it to come to us either in the form of a business bulletin or in a more expanded report that deals with some of those issues. I think however the answer given is specifically about the procurement exercise that would be required and that would of course go through Finance and Resources for proper scrutiny of that part of the process. I'd also like to add my thanks and admiration really for the work of the Waste Team in getting us through this pandemic. We've had a remarkably smooth set of operations through this and I'm really impressed by what they've been able to do. One of the aspects of that of course has been how the recycling centres had been accessed by members of the public and despite obviously people having to get used to it when it was first put in place. I think again it has worked very smoothly and clearly there are some very positive lessons emerging from that for our management of recycling centres and resident access as we go forward. So I would expect it to come to Transport and Environment Committee for discussion and the procurement exercise to be agreed by Finance and Resources, thank you.

**QUESTION NO 9**

**By Councillor Neil Ross for answer  
by the Convener of the Finance and  
Resources Committee at a meeting  
of the Council on 17 September 2020**

The Council's main switchboard telephone number 0131 200 2000 has been restricted for emergency use throughout the pandemic. Various telephone numbers are being advertised on the Council's website under the heading 'Contact telephone numbers' but the lines are currently either operating for emergencies only or are closed because of reduced staff levels.

**Question** (1) When does the Council aim to re-open telephone lines for routine and general queries?

**Answer** (1) The Contact Centre plans to support the fuller range of routine telephone lines and general enquiry lines from October 2020.

Whilst contact telephone numbers have been focused predominately on critical and emergency provision, some key service lines have remained operational (social care, repairs, welfare and Council Tax) and a general enquires option has remained available.

**Question** (2) Are there indicative dates for re-opening the lines referred to above and, if so, what are they?

**Answer** (2) The remaining routine lines are planned to be available from October 2020.

**Question** (3) What plans does the Council have to publicise telephone access to non-emergency services, e.g. parking permits, for residents who either have difficulty using computers and smart phones or who don't have one?

**Answer** (3) The Council will ensure that social media messaging and the Council's website publicise the resumption of the fuller range of routine lines, including parking permit processing. This information will also be cascaded to the 5 Council Resilience Centres for awareness and response to enquiries

and an elected member briefing note will be issued. Additionally, the Council's initial message to callers to 0131 200 2000 will be updated and options will continue to include a general enquires number to support residents who have difficulty using or accessing online services.

**Supplementary  
Question**

Thank you Lord Provost and thanks to the Convener for his answer. With regard to the answer to my third question, I'm not entirely convinced of the effectiveness of using social media and the Council's website to publicise anything to residents who have difficulty using computers and smart phones, would the Convener agree with me that making a detailed announcement to local newspapers might also be considered?

**Supplementary  
Answer**

Thank you Councillor Ross for your supplementary. I think that is a very good suggestion and one worth looking into to see if that's one of the ways we can communicate to the wider public, particularly those as you suggested that don't have regular or any use of social media and smartphones, computers, thank you.

**QUESTION NO 10**

**By Councillor Miller for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

Cyclehoop on-street secure bike parking

**Question** (1) How many bikes can be stored securely on street with the current deployment of containers?

**Answer** (1) The roll out of on-street secure cycle parking currently approved by the Transport & Environment Committee consists of 180 hangars, in approximately 90 streets. Each hangar contains space for 6 cycles, giving a total of 1,080 spaces.

**Question** (2) Will this be increased before the end of this year, if so by how many?

**Answer** (2) The roll out is being delivered in two tranches. Installation of the first tranche is currently underway and is expected to be complete before the end of 2020. This will deliver 109 hangars (654 spaces).

**Question** (3) How many more spaces will be provided by the end of next year?

**Answer** (3) The second tranche of 71 hangars (426 spaces) is expected to be delivered in the first half of 2021. This will complete the currently approved roll out.

**Question** (4) How much unmet demand (measured by enquiries from residents minus spaces implemented) is there currently, expected at the end of this year, and expected at the end of next year?

**Answer** (4) Requests have been received for hangars to be provided at 215 locations where there are no planned installations as part of the currently approved roll out.

**Question** (5) Please give details of the process to respond to requests for new locations

**Answer**

- (5) A page has been created on the Council's website called Bicycle Security and Storage. This can be viewed at: [www.edinburgh.gov.uk/cycling-walking/bicycle-security-storage/1](http://www.edinburgh.gov.uk/cycling-walking/bicycle-security-storage/1)

This provides a contact email address to use for requesting a new location. All requests are acknowledged and a desk-based assessment is undertaken to determine whether the location meets the criteria set out by Committee. These assessments are undertaken regularly, as requests are received.

The applicant is then contacted to inform them of the outcome of this assessment and, if the location does not meet the criteria, to explain why this is the case.

If the location does meet the criteria, it is added to the database to be considered for potential future roll-outs.

Locations are prioritised based on:

- Population density;
- Number of requests received;
- Decile within the Scottish Index of Multiple Deprivation; and
- Practicality of installation (e.g. on-street parking supply and demand).

**Question**

- (6) Please give details of the process to respond to greater demand than current supply, evidenced for example by fully subscribed bikehangars and waiting lists

**Answer**

- (6) Consideration is currently being given to options to extend the scope of the current roll out and it is intended to report to the first meeting of the Transport & Environment Committee in 2021 on this issue.

**Supplementary  
Question**

Thank you Lord Provost. I wondered if the Convener could please clarify one detailed point in her answer to Part 5 of my question please. In explaining how locations are assessed, she explains that one of the prioritisation criteria is practicality of installation eg. on-street parking supply and demand, and I just wondered could she please clarify if that means that where there is high demand and low supply of parking that we would prioritise installation of 6 secure bike spaces and removal of 1 car parking space, a ratio that would enable more people to park their vehicles securely and safely in a high density area?

**Supplementary  
Answer**

Thank you for the supplementary Councillor Miller. I think clearly we have to look at this on a case by case basis, there's lots of issues around impact, locality, impact on specific locations, but in principle yes, because this is part of this move towards creating a much more sustainable transport network inside the city and being able to provide what has been welcomed as a very practical solution for people to have this shift to predominantly bike use involves those kinds of decisions and that kind of prioritisation. I think the loss of one or two car parking spaces versus as you say parking for a vast number of bikes, I think is a decision that's well worth making. We're seeing more and more people shift towards bike use, particularly the use of electric bikes and there's a known phenomenon where a lot of people are losing for example a second car out of a family setting, and replacing those with bikes, that's a kind of balance and the kind of decision that we want to be able to support throughout this city and that's what the installation of these secure bike storage facilities help.

**QUESTION NO 11**

**By Councillor Miller for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

**Question** (1) Which neighbourhoods within the authority have been consulted regarding LTN options in their local area, broken down by year, and how many households/residents are there within each of these neighbourhoods?

**Answer** (1) No formal consultations have been undertaken by the Authority regarding projects specifically termed as Low Traffic Neighbourhoods (LTNs).

A notification exercise was undertaken in July 2020 as part of the Spaces for People Programme in East Craigs. This was sent by email to a defined stakeholder email distribution list including the local Community Councils.

The North West Locality team recently undertook a local consultation exercise in partnership with the Community Council regarding a filtered permeability proposal in Featherhall, Corstorphine. Approximately 200 households / businesses were involved in this consultation which was undertaken by letter and via web platforms.

**Question** (2) What type/method of consultation has been undertaken with each neighbourhood and what were the results from each neighbourhood?

**Answer** (2) As noted above, no formal consultation has yet been undertaken on an LTN in the city, as the agreed processes would indicate at this point.

**Supplementary Question** Thank you Lord Provost and again thank you very much to the Convener for her answer to this question. I wondered if she would be able to clarify for me please the difference between the kinds of consultations that the Council would hold for temporary measures on our roads versus the kind of neighbourhood consultation that I was asking about which has been started in Corstorphine?

**Supplementary  
Answer**

Thank you for the supplementary Councillor Miller. Clearly there is quite a lot of confusion out there about the levels and types of consultation that are possible under these temporary Spaces for People initiative and what we would normally undertake through normal statutory processes and indeed the levels of expectation that are built in the city around normal levels of consultation, and I think it's really important to clarify the difference. The Spaces for People initiative is being used as a pandemic response and we have to be able to move very quickly on those issues. It is very important to be able to do so in order to put those through. We have seen previously when we adhered to the normal statutory processes, but of course that can take a very long time as people bring forward objections and are dealt with in the normal manner, so we don't have that luxury of time around this Spaces for People initiative we've seen for example in the Roseburn cycle route, it has taken seven years to go through a very lengthy very detailed very drawn out consultation process and all the things that flow from that. So it's very important that we have built into that Spaces for People piece a different type of consultation which believe me concentrates on talking to stakeholders who are able to reflect neighbourhood concerns, those are Community Councillors, their ward Councillors and there are also people who represent specialist groups, so for example, we already talk to Lothian bus we talked to the emergency services, and we certainly talked to those who represent access issues for example the Local Access Panel, so we're trying to gather as quickly as possible as much useful information to help us shape designs and indeed in many of the designs we've already gone back and made quite substantial changes in order to accommodate local requirements, thank you.

**QUESTION NO 12**

**By Councillor Gloyer for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

**Question**

Public consultation on the second phase of the proposals from the Strategic Parking Review was originally expected to take place in the first quarter of 2020. It was delayed in order to take account of feedback from the consultations in Gorgie and Leith, and was then expected to commence in April which, for obvious reasons, was not possible. Will the Convener confirm the new timescale for consultation, design and subsequent implementation of appropriate parking controls for Roseburn, Saughtonhall and Corstorphine?

**Answer**

Work on the Strategic Review of Parking has continued through lockdown. Officers have been working with the Council's appointed Consultant, investigating potential methods of safely and effectively carrying out the planned consultations whilst maximising the potential for engagement. Further work has also been carried out on the consultation results from Phase 1, as planned. A business bulletin outlining current progress and the new consultation timetable for Phases 2 and 3 of the review will be submitted to November's Transport and Environment Committee. A full report on the Strategic Review will be submitted to the Transport and Environment Committee in January 2021. That report will detail the impact that Covid-19 has had on proposed timescales, as well as details of upcoming consultations.

**Supplementary Question**

Thank you Lord Provost thank you and thank you to the Convener for her answer. Can I just clarify, is the Convener saying that it will be January 2021 before we even have a time table for consultation, consultation that was originally expected to begin in the first quarter of 2020, and so basically the introduction of these parking controls which in many parts of my ward are desperately needed has been delayed for over a year, is that right?

**Supplementary  
Answer**

I fully recognise the desire for a lot of areas across our city for the introduction of such parking controls, indeed it's a different position from the one that would have been in five or six years ago when Committees would have resisted that, I think there's a genuine desire across the communities to see these being put in place. The report that will come forward in January will be more extensive than simply timescales so there will be much more meat on the bones in terms of that report. I don't think however we should forget the impact that a six month delay that the pandemic and indeed that's continuing have an impact on the ability of our officers to deal with both pandemic response issues and normal workloads, we should not underestimate that impact, officers within transport are working at a very stretched level at the moment trying to accommodate those twin tracks of workstreams and personally think that by the time January rolls around we will be able at Committee to have a full and useful discussion around the issues that had been raised on this, thank you.

**QUESTION NO 13**

**By Councillor Jim Campbell for  
answer by the Convener of the  
Transport and Environment  
Committee at a meeting of the  
Council on 17 September 2020**

**Question** (1) Who is the data controller for 'Commonplace' data?

**Answer** (1) Commonplace is the data controller for the platform operation.

Sustrans is the data controller for the demographic information collected (which is not available to the public).

The Council is the data controller in relation to personal data it collects regardless of whether this is collected directly by the Council or on its behalf as a third party.

**Question** (2) On how many other occasions in the last two years has the Council invited residents to share their data via the City of Edinburgh Council website, when their data was to be controlled by a third party?

**Answer** (2) This information is not available.

**Question** (3) What warnings were included on the Council website, or provided to residents, that their data would not be controlled by the Council, before they entered it using the 'Commonplace' online tool?

**Answer** (3) This prompt is automatically generated prior to comments being saved - 'Your comment will be public. Please don't mention any personal details or names. By commenting you agree to our [terms of use](#). Read our [privacy policy](#).' In addition, individuals also had to 'verify' their comment by clicking on a link in their email, otherwise it would not be made public.

**Question** (4) What agreements, if any, were formalised between the Council and the controller of 'Commonplace' data, prior to the Council inviting residents to use the 'Commonplace' tool?

**Answer** (4) A Scope of Services was agreed at the outset of the Council's partnership with Sustrans in order to manage and extract data from the Commonplace tool. Commonplace is compliant in line General Data Protection Regulation (GDPR) requirements.

**Question** (5) How can any such data agreements be made available for scrutiny by councillors?

**Answer** (5) The GDPR requirements for the Commonplace tool were agreed and set out on the Commonplace website as per part 3 of this question.

The Council has procedures in place around data sharing processes and agreements which can be made available to Councillors on request.

**Question** (6) Has the Council any knowledge of data provided via the City of Edinburgh Council website to 'Commonplace' being shared with any other organisations?

**Answer** (6) Sustrans are the only other organisation in receipt of this data. Comments made via Commonplace are publicly available. The Commonplace tool and outputs from it comply with GDPR requirements.

This data is only made public if the respondent agreed and verified their email by clicking on the link that they receive.

You can read more about Commonplace and how it collects and uses information in their [privacy policy](#).

**Supplementary Question** Thank you Lord Provost and I thank the Convener for the extremely thorough answer. I wondered if the Convener could just make clear why Councillors have been told at various points that at the data gathered can't be shared with Council?

**Supplementary Answer** I've obviously not been privy to direct conversations between Councillors and officers so I can't comment on how that has occurred. As you know with this, is a situation where we have Sustrans involved in that as a data Controller, I think I've given you very sufficient and detailed

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answers around how that data is being used. As you know we're also partly through the process in terms of the analysis of that data and at that point we'll be able to come back to Councillors and be able to discuss both the results of that and any other issues surrounding it, thank you.

**QUESTION NO 14**

**By Councillor Smith for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

- Question** (1) Since the launch of this scheme, how many individual bike stations have been destroyed or damaged beyond use?
- Answer** (1) At full capacity there are 1,471 physical docking hoops. 635 docking hoops have been damaged or destroyed since launch. Of these, 230 have been replaced since 2 September 2019 and 405 remain out of use.
- Question** (2) What has been the cost of repairing or replacing individual bike stations?
- Answer** (2) An individual hoop is made of 2 parts – a ‘flex pin’ (cost c£22) and the aluminium hoop (cost c£200). Labour costs vary dependant on scale and location.
- Question** (3) Who bears the costs of such repairs?
- Answer** (3) Transport for Edinburgh (TfE) is responsible for the cost of repairs to its assets (c80 stations); and Serco are responsible for the cost of repairing their assets (c20 stations). At present labour costs for the TfE assets are absorbed as part of day to day operations within the terms of the current contract.
- Question** (4) Has any comparison of the rate of damage in the Edinburgh been made with other UK schemes? If so, what was the outcome?
- Answer** (4) There are no direct comparators with other UK schemes. However, there are multiple schemes in Norway that use the same technology as the Edinburgh scheme. These see an extremely low number of hoops broken each year (<10).
- Question** (5) Can any communication with the Police or prosecuting authorities regarding the apparent wanton destruction of these public asset be shared with Council?

**Answer** (5) It would not be appropriate to share such communications. However, TfE, the Edinburgh Cycle Hire Scheme (ECHS) and Police Scotland (PS) work closely on this. This has resulted in increased PS activity in support of the ECHS and a significant increase in the number of recent arrests. Prosecution is being actively sought by PS where appropriate, however PS intelligence (and anecdotal operator findings) suggest that the most prolific offenders tend to be of a younger age. PS are working with ECHS to conduct a further full security audit of all 100 cycle hire points and further network optimisation meetings will be held in Q4 2020 to improve security.

**Supplementary Question** Thanks Lord Provost and I thank the Convener for her answers, a quick supplementary please. I note the response to question 1 and I wonder if you could please confirm that it is the intention to fix or replace the 405 outstanding damaged docking hoops and if so if there is a timescale for doing so.

**Supplementary Answer** I believe in principle there is a commitment to doing that although I think there will also be an assessment made of particular locations so there may be some changes around that so I wouldn't want to give a blanket yes to your response in case on a localised basis there was some difference that emerged through that process. It is of course a very much an operational matter for those who are running the bike scheme and it's not one that I'm directly involved in.

**QUESTION NO 15**

**By Councillor Hutchison for answer  
by the Leader of the Council at a  
meeting of the Council on 17  
September 2020**

**Question**

At the Policy and Sustainability Committee meeting on 6<sup>th</sup> August 2020, it was agreed that attendance at Committee Agenda Planning Meetings (APM) should be reduced to make the best use of Officer time.

Microsoft Teams software records 50 participants 'joined the meeting' at the recent Housing, Homelessness and Fair Work Committee APM held on Wednesday 26 August.

- a) Is this a reduced level of attendance?
- b) How can this disruption to working time of officers be further reduced?

**Answer**

- a) I believe this is not accurate. Microsoft Teams records everyone who is invited to the meeting, not those who actually joined. The 50 figure is the distribution list for papers to that committee. The clerk to that meeting only noted the elected members in attendance rather than all participants. Essentially as it was a one item agenda, and only two senior are known to have attended.
- b) As the answer to part a) highlights, the following agreed process is being kept to for Council when calling meetings;

***“Please note that, following on from the Political Management Arrangements report to the Policy and Sustainability Committee on 6 August 2020, papers have been circulated to all Executive Committee Conveners for information. Officer attendance should be kept to a minimum.”***

**QUESTION NO 16**

**By Councillor Doggart for answer by the Vice-Chair of the Edinburgh Integration Joint Board at a meeting of the Council on 17 September 2020**

- Question**            (1) Can the Vice-Chair provide a breakdown of the budget expenditure in the Edinburgh Health & Social Care Partnership, split by below and above state retirement age and by age bands for those older than state retirement age, for the period 2016 to 2020 and anticipated expenditure from 2020 to 2030?
- Answer**              (1) The service is unable to provide this within the timescale as this would require a level of data gathering which would take more time than provided and a degree of modelling not currently undertaken. For example, the usual age bands utilised are over 65 and under 65 and not state retirement age which is 67. Undertaking this analysis would divert resources currently focussing on the IJB's medium term financial strategy and partnership resource focussing on wider service remobilisation during Covid.
- Question**            (2) What work has been undertaken to understand the impact of the Coronavirus pandemic and particularly COVID 19 infections and on the trends shown by the answer to question 1?
- Answer**              (2) As above, the response to the precise question would require modelling not currently in place (as per age bands) and a linking of data in relation to expenditure based on Covid infection that is not being done. The IJB and HSCP are undertaking a detailed log of wider Covid-related costs in relation to its Mobilisation Plan, provider sustainability payments and loss of income and this has been presented to the IJB and is on public record.
- Question**            (3) Can the historic expenditure, the projected trends and the impact of any work described in (2) above be highlighted graphically for the age bands for the period 2016 to 2030?
- Answer**              (3) As per answer 2.

**Supplementary  
Question**

Thank you Lord Provost and thank you to the Vice Chair for his answer. Just for clarification, given this answers question 2 and 3 and the lack of modelling which he says is in place, does the Vice-Chair believe it's essential that the model is put in place quickly to remedy that gap particularly in light of the external Auditors comments in the 2019 audit opinion in relation to financial sustainability and the specific comments in that section of the report relating to the work of the IJB.

**Supplementary  
Answer**

Thanks to Councillor Doggart for the supplementary question. I'm happy to continue to work with Councillor Doggart on the IJB to look at any data that we require to gather for planning for the future, There's a lot of complex information that is held by the Health and Social Care Partnership in terms of service delivery and the age banding point that he raises is an interesting one, I think we need to understand the value of breaking it down and how we project the future demand but, I think that's a conversation that we need to continue to have at the IJB and work together to plan future expenditure, thanks.

**QUESTION NO 17**

**By Councillor Young for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 17 September 2020**

**Question** (1) With the re-opening of gyms and indoor physical activity, what is the current timeline for reviewing and re-commencing use of gym halls within schools?

**Answer** (1) 5<sup>th</sup> October

**Question** (2) While PE continues to be provided outdoors, as the weather moves into Autumn, what is the current guidance given to primary and secondary schools regarding when it is appropriate to conduct outdoor PE, and when should it be brought into the classroom/cancelled?

**Answer** (2) We do not provide guidance on learning and teaching in terms of adaptation to the weather but encourage all learning outdoors to be done with appropriate risk assessments which would include reference to keeping warm and dry.

**Question** (3) What is the current guidance for the use of both school outdoor facilities and public park space, for the provision of outdoor sports training (usually run by volunteers - such as a school football team) for primary and secondary aged children (outwith school hours). If limited use, please explain why, and when this is next due to be reviewed.

**Answer** (3) At the current time the Council's position is that there is a pause on all extracurricular activity and the engagement of volunteers and any external providers.

The reasons are as follows:

- The need to fully understand the impact of the return to school on the virus situation (each positive case results in dozens of children being sent home to self-isolate)
- The need to reduce the mixing of 'bubbles' which is an inevitable consequence of extracurricular activity

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- The need to reduce additional adult interaction with any groups of school pupils
- There is an additional cleaning resource required for many extracurricular activities which is not yet feasible across 110+ schools
- We need to apply a model of consistency across the whole school estate in relation to this decision.

We keep this situation under daily review and will update as per Scottish Government Guidance.

**Supplementary  
Question**

Thank you very much Lord Provost and thank you to the Convener for the very helpful answer. In relation to point 1 and the date of 5 October, could I just ask the Convener to confirm if this is the date for reviewing the decision on a date to recommence use of school gyms, if it is for the review can Councillors please be provided with the decision of that review at the earliest opportunity?

**Supplementary  
Answer**

My understanding is for opening but I'll go and check that and I'll make sure that Councillors are informed of whatever I discover.

**QUESTION NO 18**

**By Councillor Young for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 17 September 2020**

**Question**

What guidance has been given to primary schools around the provision of homework - understanding that physical resources are not going to and from school. How is the digital/remote learning used during homeschooling translating into options for homework (e.g. use of Sumdog)?

**Answer**

Schools have been advised to avoid providing children and young people with textbooks, worksheets etc which go home and are brought back. This is to support the risk assessment schools have in place to ensure infection control. Schools are making use of a range of digital platforms: - Teams, schools websites, twitter etc to set home learning tasks which are differentiated and provide opportunities for teachers to assess pupils' learning and provide feedback, whether face-to-face or through digital means.

Extensive National digital resources are available to support schools: -

- Clickview
- Scholar
- e-sgoil
- Glow
- Digilearn.scot
- Regional Improvement Collaboratives

A task force (Edinburgh Learns Team, QICS officers, HTs and classroom practitioners) are developing a local, centralised resource to support home learning: - "Learning Grids." This approach has been used to support contingency learning and has been widely used as a primary approach to the provision of homework for several years. This provides children and young people with contextualised

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learning experiences which are differentiated for individuals/groups, whilst providing challenge, personalisation and choice.

**Supplementary  
Question**

Thank you Lord Provost and again thank you very much Convener for the information on paperless homework options. Just in follow up, can I ask the Convener whether he supports the provision of homework as part of the overall school curriculum, thank you?

**Supplementary  
Answer**

Thank you Councillor Young and I do. I thought you were going to ask me a lot more detail about this but I think what we should do is get a report back to the first Education, Children and Families Committee about blending homework and also what we're doing in relation to the blended learning and I think that would inform people better, thank you.

**QUESTION NO 19**

**By Councillor Young for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

**Question**

A request has been submitted for widening of the pavement at this school (one of the largest in the city) to help ensure safe distancing of P1/P2 parents and easy of pedestrian flow/independent pupil access to school. As this situation continues on a daily basis with around 100 parents, please advise on what date a decision will be taken and if approved, how long it will take to implement (mindful that is it just about repurposing a grass verge area).

**Answer**

Council officers are undertaking road safety and public health assessments for all of the city's schools.

Officers have made direct contact with Kirkliston Primary School to discuss the most appropriate measures to mitigate overcrowding on this pavement. A one-way system has already been marked and a Park and Stride arrangement has been promoted.

Any further measures identified considered appropriate will be discussed with the school and should be introduced around week commencing 28 September 2020.

**Supplementary Question**

Thank you very much Lord Provost and again thank you very much to the Transport Convener for her answer, absolutely encouraging to know that there are anticipated measures potentially for the week commencing 28 September which is the reason I've had to put this question in, it's because I've been finding it difficult getting an update from officers in relation to the last paragraph of her answer as the request came through me not directly from the school, albeit has the full endorsement of the school and parent council, it does seem appropriate that that discussion in the last paragraph should at least include me if not indeed all ward councillors. Could I just ask the Convener if she'll ensure that I get a response from officers on the status of this specific proposal and that this is received the earliest opportunity?

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**Supplementary  
Answer**

Thank you for supplementary Councillor Young and yes I'd be happy to do so. I think it's worthwhile taking a slight step back and looking at what we're doing around schools and the kind of measures that were trying to put in place on a temporary basis. By the end of October all 126 schools will have been assessed and measures put in place where appropriate, and were moving very quickly around the measure of schools, already 50 of them have measures in place and there's another 12 by the end by Friday 25 September and then by Friday 9 October another 28, so you can see that we're rolling out a programme of very quick action around this and hopefully the situation that you've found in Kirkliston we will be able to talk with confidence to all those in school communities about the work that we've been undertaking to help facilitate safe passage around schools and safe entry for children, thank you.

**QUESTION NO 20**

**By Councillor Burgess for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

**Question**

Regarding the decision of Council in February 2020 that a recycling service for deployment inside schools would be developed for introduction in time for the start of this school term (but which has been on hold because of the Covid19 pandemic), can the Convener advise when this service will be developed and be ready for introduction.

**Answer**

A joint report from Place Management and Property and Facilities Management will be presented to Policy and Sustainability Committee on 6 October 2020, following the Motion from Councillor Main at Full Council on 6 February 2020.

The report will provide an update on the existing recycling services across the schools' estate, and also make recommendations of the additional requirements considered to deliver further internal infrastructure and support systems at all school premises.

**Supplementary Question**

Thanks to the Transport Environment Convener for her answer, the report on recycling facilities and schools will be bought forward. Can the Convener clarify, given the legal duty on councils to provide recycling facilities in schools and the expectation that young people should grow up to become keen, adult recyclers that the Convener supports the introduction of recycling facilities within all Council, schools thank you.

**Supplementary Answer**

Thank you for the supplementary Councillor Burgess. Absolutely, I think you know those early habits are vital and school's an entirely appropriate place for children to learn about their responsibilities towards each other, the planet, and our commitment to recycling in the city. I think it's entirely appropriate. Clearly there are measures to be taken to enable us to get this fully in place and I know that officers are working hard on trying to achieve that and obviously we'll see continued progress as we go through the following months, thank you.

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**QUESTION NO 21**

**By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 17 September 2020**

**Question**

Of the over 4,100 comments on the Common Space Portal, how many sought closure of Braid Road to vehicles?

**Answer**

Although Braid Road was closed prior to the Common Place online tool going live, a breakdown of the comments submitted through the portal is attached. There were 27 comments made relating to Braid Road, with 194 agreements. In respect of the road closure, the following is a summary of the comments:

- One comment requested the permanent closure with 30 agreements;
- One comment was made about allowing people coming in and out of the Hermitage to maintain a safe distance between each other whilst walking and/or cycling with 21 agreements;
- One comment made reference to narrow footways at a section with people walking on the road if the road was opened with 19 agreements; and
- One comment requested that it become a dedicated cycle route with nine agreements.

A summary of the comments and agreements made on the Common Place portal relating to Braid Road is attached for information

**Question**

**(2)** Of the over 4,100 comments on the Common Space Portal, how many sought part-closure of Braid Road to vehicles?

**Answer**

**(2)** One comment made reference to crossing the road and the difficulties if a partial closure is implemented stating pedestrians should have priority over motor vehicles. This received 23 agreements.

**Question**

**(3)** Who made the decision to close Braid Road to vehicles and are minutes available for the relevant meeting?

- Answer** (3) The decision to close Braid Road was approved by the Council Incident Management Team on 28 April 2020, in accordance with the arrangements put in place in response to COVID-19. These changes were discussed by the Chief Executive, Leader and Depute Leader and reported to the Policy and Sustainability Committee on 14 May 2020. The action was recorded as follows:
- Action D65 - Redesign of **Road space** paper. Take to 4pm call with leader and Deputy Leader. **Approved. 28/04/2020.**
- Question** (4) What correspondence has there been between the Council and Lothian Buses regarding the impact of the closure of Braid Road and the interventions on Comiston Road on bus journey times?
- Answer** (4) Council officers have liaised closely with Lothian Buses regarding the impact of the Braid Road closure, and the interventions proposed for Comiston Road and regular updates on the impacts have been provided.
- A meeting with Lothian Buses took place on Friday 11 September 2020 as part of the full appraisal of the scheme at these locations to discuss what, if any, on-going impacts will be experienced. The outcome of this discussion will feed in to the final outcome of the review.
- Question** (5) Why is a full-reopening of Braid Road not being considered at this time?
- Answer** (5) A full appraisal of the Braid Road scheme, including discussions with Lothian Buses, is currently underway. Once this appraisal is complete, the findings and any changes will be shared with local Ward Councillors.
- Supplementary Question** Thank you Lord Provost and thank you to the Convener for her answer. The one request for the closure at Braid Road must be delighted with his or her power but it's at the expense of the community which are significantly opposed to the closure of Braid Road in droves as my ward colleagues will testify. Will the distinct lack of public appetite for the closure Braid Road as exemplified by the one request and the volume of calls for reopening be reflected in the review referred to and in particular to be clear as a full reopening of Braid Road now being considered as part of the appraisal referred to in the final answer?

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**Supplementary  
Answer**

My apologies Lord Provost, I actually couldn't quite hear the beginning of Councillor Rust's question but if you'll allow me to go on to answer what I believe to be the just of it.

The question of what emerged through the commonplace tool is an interesting one because when we look at all of these projects being brought forward in such a quick manner there was quite a trajectory of commentary that comes in, so I have in the last couple of weeks had many many e-mails coming in from people who are actually supporting retained closure of Braid Road so I think and I know certainly talking to Councillor Main that she's also experiencing that kind of rebalancing of the discussion, now it's almost inevitable that there will be differing views around this within the community and we're listening very hard to those. The intention is to bring forward a revised set of proposals to the 12 November Transport and Environment Committee and all aspects of Braid Road and its continued use will be taken into account at that time.