

Notice of meeting and agenda

City of Edinburgh Council

10.00 am Thursday, 24th June, 2021

Virtual Meeting - via Microsoft Teams

This is a public meeting and members of the public are welcome to watch the live webcast on the Council's website.

The law allows the Council to consider some issues in private. Any items under "Private Business" will not be published, although the decisions will be recorded in the minute.

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1. Order of business

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

2. Declaration of interests

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

3. Deputations

- 3.1 If any

4. Minutes

- 4.1 The City of Edinburgh Council of 27 May 2021 – submitted for approval as a correct record 19 - 112

5. Leader's Report

- 5.1 Leader's report 113 - 116

6. Appointments

- 6.1 Appointments to Outside Organisations etc – Report by the Chief Executive 117 - 120

7. Reports

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7.7	Youth Work in Community Centres and Other Locations – Report by the Interim Executive Director of Communities and Families	323 - 332
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7.9	Lothian Pension Fund - Unaudited Annual Report (and Financial Statements) 2021 - referral from the Pensions Committee	
7.10	Annual Performance Report 2020/21- referral from the Policy and Sustainability Committee	353 - 412
7.11	Coalition Commitments Progress Update – June 2021 - referral from the Policy and Sustainability Committee	413 - 500
7.12	Local Government Benchmarking Framework 2019.20 – Edinburgh Overview - referral from the Policy and Sustainability Committee	501 - 542
7.13	Potential Retention of Space for People Measures - referral from the Transport and Environment Committee	543 - 628

8. Motions

8.1 By Councillor Doggart – Edinburgh Integration Joint Board

“Council:

- 1) Notes the publication of the Mental Welfare Commission for Scotland (MWCS) report entitled “Authority to Discharge”;
- 2) Welcomes the publication of recommendations as areas of improvement;
- 3) Is concerned that the report notes that within the sample of cases provided, the Edinburgh Health and Social Care Partnership (EHSCP) is described as having acted without legal authority;
- 4) Notes the initial briefing provided by officers to elected members setting out the initial work to be undertaken by the EHSCP;
- 5) Recognises that more work is required to have a full understanding of any problems in respect of discharges at the start of the pandemic, but also recognises that the recommendations of the MWCS are valid in respect of all discharges at any time;
- 6) Requests a report in two cycles to the Policy and Sustainability Committee that includes a summary of the authority to discharge for all patients since the start of the pandemic, confirmation that all relevant EHSCP staff have received training in respect of current policies and procedures, including specific detail surrounding the legality of Power of Attorney and its role in decision making, and a timeframe for implementation of the MWCS recommendations.”

8.2 By Councillor Howie – Unlawful Discharges to Care Homes

Council:

- 1) Acknowledges the recent report from the Mental Welfare Commission (MWC) for Scotland on Authority to

Discharge, detailing their findings on investigating a sample of around 10% of cases across Scotland where a patient was discharged from a hospital to a care home between March and May 2020.

- 2) Notes the Council Leaders response to Cllr Howie's question on unlawful discharges in December 2020.
- 3) Notes with concern that the report specifies that there was one case identified in Edinburgh where a person was unlawfully discharged from a hospital to a care home between March and May 2020.
- 4) Understands that the Edinburgh Health and Social Care Partnership are working with the Mental Welfare Commission to investigate this case and to produce an action plan based on the 11 recommendations of the MWC report.
- 5) Notes however that this was from a sample of around 10% of all such moves reported at the time by Public Health Scotland, indicating there is are likely to be more cases like it.
- 6) Requests a summary report in one cycle to the Policy and Sustainability Committee that includes:
 - a) The number, under each category included in the MWCS report, of a summary of the authorities to discharge for all patients since the start of the pandemic;
 - b) Confirmation that all relevant EHSCP staff have received training in respect of current policies and procedures, including specific detail surrounding the legality of Power of Attorney and its role in decision making;
 - c) A timeframe for completion of all investigations into every patient's discharge with a full report in four cycles to be returned to Policy and Sustainability; and
 - d) A timeframe for implementation of the MWCS recommendations.

8.3 By Councillor Macinnes - Health Impacts of Air Pollution

Council notes that:

- 1) Dirty air is already known to increase hospital treatment for severe asthma attacks and other respiratory illnesses.
- 2) That recent research by King's College London using clinical data has now identified significant additional increased impact on GP visits and inhaler prescriptions following periods of poor air quality.
- 3) That a wide range of individuals are affected but that there is a 'huge' increase in children seeking medical help after a week of raised air pollution.
- 4) That those suffering respiratory illnesses, including the impact of recent Covid cases, deserve to live in communities where air pollution is actively reduced through individual and organisational actions.
- 5) Recognises and welcomes the work being undertaken by the Council around the Low Emission Zone and other policy matters, the work being undertaken by the Council and other Edinburgh businesses and organisations to reduce the impact of their fleets and that many individuals are now taking positive action to reduce their own contributions to air pollution.

Requests that officers prepare a report to TEC within three cycles which, in partnership with NHS Lothian and appropriate partners such as the British Lung Foundation, seeks to describe the health impact on Edinburgh of air pollution. Recognises that this is a highly complex area and that the report should also contain recommendations for further work to better understand the economic and educational impact, for example, of lost time due to air pollution health issues.

For info: linked to this article [Air pollution linked to 'huge' rise in child asthma GP visits | Air pollution | The Guardian](#) .

8.4 By Councillor Day - In-house Service Provision

“Council notes the commitment to in-house delivery wherever possible to ensure the best service provision alongside our

commitment to best value, fair work and as a living wage employer.

Council also notes the use of external service providers through contracts and as part of frameworks in many areas to maximise service delivery and deliver specialist services where it would not be possible or efficient to build an in-house model to deliver those services.

Lastly notes previous and recent decisions on service frameworks and contracts where options remain to be fully explored on in-house components of service delivery within the service areas.

Requests a report to Policy and Sustainability in 2 cycles setting out a process and timeline to examine where in-house provision can be expanded in Council service delivery (including setting out engagement processes for staff, local trade unions, key service users and other stakeholders), and include an update on the use of community benefit clauses in external contracts such as increased local apprenticeships and other clauses in use.”

8.5 By Councillor Booth - Suspension of Eviction Action Against Council Tenants for Rent Arrears

“Council:

- 1) Notes that since Feb/March 2021, the council has served 20 eviction notices on tenants for rent arrears and that since the Sheriff Court re-opened in October 2020, decree has been granted to the council in 8 cases;
- 2) Acknowledges that substantial advice and assistance is offered to tenants before an eviction notice is pursued, and that court action remains a last resort for tenants who do not engage or make reasonable payments;
- 3) Nonetheless notes that the covid pandemic has not yet ended, that Edinburgh remains under covid restrictions, that many businesses are currently unable to operate and therefore many citizens currently have severely restricted income;
- 4) Agrees that the council should not be threatening any tenants with eviction for rent arrears in the current

circumstances;

- 5) Therefore agrees that:
 - a) no new court orders for eviction due to rent arrears shall be initiated by the council; and
 - b) all current decrees granted to the council by the Sheriff Court for non-payment of rent shall be suspended; until such time as the Scottish Government declares an end to covid restrictions;
- 6) Further agrees that a report on this issue will be provided to the Housing, Homelessness and Fair Work Committee within two cycles, and that this report should also set out options for a review of pre-court engagement with tenants with a view to adopting best practice in encouraging tenants to engage early and constructively with the council when arrears problems first emerge.”

8.6 By Councillor Howie - Accessible Play Parks

“Council:

- 1) Recognises the need for disabled children to be able to play alongside their more able friends.
- 2) Welcomes the written answer to Full Council on 27.5.21 which indicated that the council has already invested in accessible play equipment.
- 3) Welcomes new facilities at revamped parks like Saughton Park which are accessible to children of a range of abilities.
- 4) Appreciates that different children have different needs and that what is suitable for one child’s disability may not be suitable for others.
- 5) Calls on officers to compile a detailed list of what accessible play equipment is available across Edinburgh’s play parks to be published online to allow the parents of disabled children to use the play park most suitable for their children.

Further, Council:

- 6) Notes the fully accessible play park at Pittencrieff Park in Fife is the closest all-inclusive play park for Edinburgh residents.
- 7) Understands that the play park, which was opened in 2018 by the First Minister, was created in a partnership with Fife Council and Play As One Scotland and was the first of its kind in Scotland.
- 8) Believes that Edinburgh, as the capital city, should have a fully accessible park that at least matches Pittencrieff Park.
- 9) Therefore, requests a report to be returned within 4 cycles to the Culture and Communities Committee which:
 - Outlines the range of disabilities, including learning difficulties, that require specialist equipment or facilities.
 - Details the full range of accessible play park equipment available and their cost.
 - Recommends a series of options for the construction of a fully accessible play park in Edinburgh for a range of budgets.
 - Outlines any options for outside funding, including sponsorship and partnerships to help secure the necessary funding.”

8.7 By Councillor Webber - Footpath Completion, Curriehill Road

“Council:

- 1) Notes that in 2018 Miller Homes completed the new housing development off Curriehill Road: Brock View, Currie, Edinburgh, EH14 5TW;
- 2) Notes that Miller Homes contributed to extend the existing footway on the west side of Curriehill Road footway northwards to link to the existing footway;
- 3) Notes that without this extension pedestrians have to walk on a main road to access all their local services including primary schools, libraries, GP surgery and local public transport links;
- 4) Therefore requests that this footway is completed as a

matter of urgency, reaffirming the transport hierarchy, and putting the needs of pedestrians first.”

8.8 By Councillor Jim Campbell - Engagement and Consultation with regard to the Retention of Spaces for People Survey and Market Research

“Council:

Reaffirms its commitment to undertaking high quality opinion surveys and marked research to best understand the views and attitudes of City of Edinburgh residents.

Notes that the Policy and Sustainability Committee agreed in April to a new Engagement and Consultation approach, in response to the Best Value Audit of Council, and that this attempt to inject greater rigour was warmly welcomed by all Members.

Observes that doubt has been cast on the rigour with which market research on the retention of Spaces for People has been conducted and notes the reported differences between the headline results of this market research when compared with the survey views of almost 18,000 responses.

Instructs the Monitoring Officer to report to Council if, in whole or in part, the consultation exercise was covered by the new Engagement and Consultation approach and, if so, whether it conformed to these requirements.

Further instructs the Chief Executive to write to the authors of the Market Research, relaying any documented concerns raised by elected members and members of the public and shared with the Transport and Environment Committee when it meets on 17 June, asking for a response at their earliest convenience. This response should be shared on receipt with all Councillors.”

8.9 By Councillor Mowat - West End Traffic Impacts

“The resident community in area of the West End bounded by Haymarket Terrace, Magdala and Douglas Crescents, and Palmerston Place is concerned that the changes proposed to improve active travel and air quality in the city may negatively impact on them as traffic avoids the Low Emission Zone and the

roads are altered with the City Centre West to East Cycle route.

The work completed so far has noted that there will be changes in traffic patterns (CCWEL) and possible displacement (LEZ) there is no commitment to work with the local community to consider whether there are measures that can be taken to avoid the schemes above negatively impacting on this area.

Council therefore instructs Transport officers to meet with residents to discuss and review programmed measures to improve road safety and maintain their environmental quality including any measures could be taken and how these could be resourced.”

8.10 By Councillor McLellan - Lothian Buses

“Council

- 1) Is deeply grateful to the drivers of Lothian Buses who were determined to keep serving the public when their vehicles came under repeated attack by vandals earlier this year.
- 2) Recognises that Lothian Buses had little choice but to suspend services to protect both their drivers and passengers.
- 3) Utterly condemns the baseless slur by SNP MSP James Dornan against Lothian Buses management that the decision to suspend services on March 17 (St Patrick’s Day) was motivated by anti-Catholic bigotry.
- 4) Further condemns Mr Dornan’s abuse of parliamentary privilege to make such an allegation without a shred of evidence.
- 5) Instructs the Council leader to write to Mr Dornan to express the unanimous dismay of this council at his accusation and
- 6) Calls upon Mr Dornan to issue a full public apology to the company for casting groundless aspersions on the integrity of its staff.”

8.11 By Councillor Laidlaw - Platinum Jubilee Holiday - June 2022

“Council:

- 1) Notes that to celebrate HM The Queen’s Platinum Jubilee the UK government has announced a special four-day bank holiday weekend to include Thursday 2nd June and Friday 3rd June 2022.
- 2) Recognises the momentous occasion of Her Majesty celebrating 70 years of serving her country and Commonwealth and that this will be the first time any British monarch has celebrated a platinum jubilee.
- 3) Notes the four days will include special celebrations and festivities including public and community events.
- 4) Recognises that Edinburgh, as Scotland’s capital and the site of Her Majesty’s official residence in Scotland, will play a key part in these celebrations.
- 5) Notes that currently City of Edinburgh Council offices and libraries are scheduled to be open on existing May public holidays in 2022.
- 6) Notes City of Edinburgh schools are scheduled to be closed on Victoria Day on Monday 23 May 2022.
- 7) Acknowledges that additional public holidays are a fitting reward for the hard-work our employees have undertaken during the pandemic.
- 8) Approves a one-off closure of Council offices and libraries 2nd and 3rd June 2022 and a two-day holiday for all Council staff; taken in lieu for those who provide essential services over the jubilee holiday weekend.
- 9) Approves closure of schools on 2nd and 3rd June to allow pupils to join their parents in enjoying the celebrations, in lieu of the Victoria Day holiday.”

9. Congratulatory Motions

9.1 By the Lord Provost - World Mixed Doubles Curling Championships

“Council notes:

That Jennifer Dodds and Bruce Mouat who represented Scotland

in the World Mixed Doubles Championships and won the Gold medal on Sunday.

By winning Team Scotland also ensured Team GB will be represented in the Mixed Doubles at the Winter Olympics 2022.

Jen and Bruce both play at Murrayfield Curling facility.

That Frazer Shaw (one of Murrayfield's ice technicians) was also part of the World Curling Federation ice crew.

This was the second World Curling Final for Bruce this season as Team Scotland, which Bruce skips, earned a silver medal and also ensuring that Team GB will be represented in the Men's event at the Winter Olympics.

Council requests that the Lord Provost recognises this success in an appropriate manner."

9.2 By Councillor Gardiner - Balerno Fairtrade Village

"Council requests that our Lord Provost write to Balerno Fairtrade Village Group in recognition that the Fairtrade Foundation has made Balerno their Fairtrade Community of the Month for June 2021.

This welcome award recognises the excellent work of Balerno Fairtrade Village Group and its local and international focus."

10. Questions

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| 10.1 | By Councillor Burgess - Low-Carbon Retrofit of Council Buildings – for answer by the Leader of the Council | 629 - 630 |
| 10.2 | By Councillor Lang - Pedestrian Crossing at Bo'ness Road, Queensferry – for answer by the Convener of the Transport and Environment Committee | 631 - 632 |
| 10.3 | By Councillor Lang - New and Replacement Bins – for answer by the Convener of the Transport and Environment Committee | 633 - 634 |

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| 10.4 | By Councillor Munro - 2020/21 Budget Meetings – for answer by the Leader of the Council | 635 - 636 |
| 10.5 | By Councillor Munro - Local Child Poverty Action Report – for answer by the Leader of the Council | 637 - 638 |
| 10.6 | By Councillor Munro - Funding for Housing in Edinburgh – for answer by the Convener of the Housing, Homelessness and Fair Work Committee | 639 - 640 |
| 10.7 | By Councillor Munro – Community Education Workers – for answer by the Convener of the Education, Children and Families Committee | 641 - 642 |
| 10.8 | By Councillor Munro - Library Workers – for answer by the Convener of the Culture and Communities Committee | 643 - 644 |
| 10.9 | By Councillor Booth - Carbon Literacy Training for Council Officers – for answer by the Leader of the Council | 645 - 646 |
| 10.10 | By Councillor Booth - Catchment Area for GME – for answer by the Convener of the Education, Children and Families Committee | 647 - 648 |
| 10.11 | By Councillor Douglas - Slurry Sealing Work on Footways – for answer by the Convener of the Transport and Environment Committee | 649 - 650 |

10.12	By Councillor Webber - Street Schemes Consultation – Advertising – for answer by the Convener of the Transport and Environment Committee	651 - 652
10.13	By Councillor Johnston - Company Accounts for Marketing Edinburgh Ltd – for answer by the Convener of the Housing, Homelessness and Fair Work Committee	653 - 654
10.14	By Councillor Laidlaw - SQA Assessments 2021 – for answer by the Convener of the Education, Children and Families Committee	655 - 656
10.15	By Councillor Rust - "Self-selecting" Consultations – for answer by the Convener of the Transport and Environment Committee	657 - 658
10.16	By Councillor Rust - Spaces for People - Market Research - Potential Spam Entries – for answer by the Convener of the Transport and Environment Committee	659 - 660
10.17	By Councillor Rust - Spaces for People - Stakeholder Consultation – for answer by the Convener of the Transport and Environment Committee	661 - 662
10.18	By Councillor Rust - Spaces for People Market Research - Duplication of Mode of Transport – for answer by the Convener of the Transport and Environment Committee	663 - 664
10.19	By Councillor Rust - Spaces for People – for answer by the Convener of the Transport and Environment Committee	665 - 666

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| 10.20 | By Councillor Rust - Spaces for People - Expenditure on Lanark Road Scheme etc – for answer by the Convener of the Transport and Environment Committee | 667 - 668 |
| 10.21 | By Councillor Booth - Discussions on GME – for answer by the Leader of the Council | 669 - 670 |
| 10.22 | By Councillor Booth - Suggested Locations for GME Secondary School – for answer by the Convener of the Education, Children and Families Committee | 671 - 672 |
| 10.23 | By Councillor Rust - Spaces for People - Access to Cars – for answer by the Convener of the Transport and Environment Committee | 673 - 674 |
| 10.24 | By Councillor Johnston - Spaces for People Independent Safety Audit – for answer by the Convener of the Transport and Environment Committee | 675 - 676 |

Andrew Kerr

Chief Executive

Information about the City of Edinburgh Council

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

This meeting of the City of Edinburgh Council is being held virtually by Microsoft Teams.

Further information

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