

# Minutes

## The City of Edinburgh Council

Edinburgh, Thursday 24 June 2021

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 Doggart  
Karen Doran  
Scott Douglas  
Catherine Fullerton  
Neil Gardiner  
Gillian Gloyer  
George Gordon  
Joan Griffiths  
Ricky Henderson  
Derek Howie  
Graham J Hutchison

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

## 1 Potential Retention of Spaces for People – referral from the Transport and Environment Committee

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### a) Deputation – Whitehouse Loan Residents

The deputation asked the Council to extend the decision to remove the Spaces for People measures over the school holidays specifically in Whitehouse Loan. They felt that the measures were not needed outwith school times as the area had always been a quiet route and that the safety measures which had been put in place were causing more safety issues than before.

### b) Deputation – Spokes and BEST (Better Edinburgh for Sustainable Travel)

The deputation felt that the Spaces for People project was a remarkable achievement in a short space of time and that upgrading should be an ongoing process. They indicated that they would like to see more shopping streets schemes and 20 minute neighbourhoods but this would require them to be quiet and accessible and that a network of cycleways on arterial roads was crucial to achieve cycling targets. They urged the Council to retain, improve and extend the Spaces for People schemes and asked them to consider what their removal would achieve.

### c) Deputation – South West Edinburgh in Motion

The deputation welcomed the proposal to remove the Spaces for People scheme on Lanark Road, but indicated that nearly all of the same safety and equality issues were duplicated on Longstone and Inglis Green Roads. The deputation indicated that residents who supported active travel, road safety, environment and inclusivity initiatives broadly supported council objectives in these areas, and proportional actions to deliver against them.

Concerns were raised regarding accidents that had been occurring since the installation of the schemes and they felt that serious issues in terms of safety and access remained for cyclists, children, residents and visitors.

### d) Deputation – New Town and Broughton Community Council

A written deputation was presented on behalf of the New Town and Broughton Community Council.

The deputation indicated that they did not accept that the market research provided a representative sample for any valid assessment of the individual Spaced for People schemes. They felt that this was particularly true of a number of schemes in their area that had not even been fully designed, let alone implemented at the time that the market research was conducted and therefore raised important questions about the wider use of the data by the Council in making decisions about which schemes to retain . They stressed that it was critical that any consultation or market research undertaken by the

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Council was well designed and executed in order that local residents and other stakeholders could retain their faith in this important aspect of local democracy.

The deputation urged the Council to ensure that future public consultations fully met the Council's new Consultation Policy approved at the Policy and Sustainability Committee meeting on 20 April 2021. They welcomed the intent to engage with communities during the Experimental Traffic Regulation Order (ETRO) process and hoped that Community Councils would be part of that engagement.

**e) Deputation – SW20: South West 20 Minute Neighbourhoods**

The deputation asked the Council to reconsider the removal of the Spaces for People scheme on Lanark Road. They warmly welcomed the Council's plan to retain and improve many schemes but failed to understand why Lanark Road could not proceed with an ETRO, in line with the recommendation of the Council's officers.

The deputation felt that there was room for improvement, particularly for pedestrians - enhancing crossing points, better routes to bus stops, larger floating bays, reducing wide junctions, improved accessibility to businesses, surface improvements and improving 30mph compliance.

**f) Deputation – Keep Edinburgh Moving**

The deputation expressed concern that the results of the consultation showed overwhelming rejection of most of the Spaces for People measures and that the Council appeared to dismiss the findings in favour of those in the Market Research survey. They believed that the Council were dismissing the results of the consultation which undermined the trust in local democracy and made residents question whether or not they should be involved in other consultations.

The deputation asked the Council to acknowledge that the Market Research survey was not fit for purpose as a basis for policy making and to give precedence to the consultation results. They felt that the comments made in the consultation should be fully reviewed before any decisions on the Spaces for People measures were taken.

**g) Deputation – Silverknowes Community Group**

The deputation indicated that as a result of the installation of the Temporary emergency Covid 19 measures on the streets in and around Silverknowes, the vulnerable and elderly were not receiving food deliveries as the providers could not deliver supplies, there was restricted access in some of the streets which resulted in large vehicles having to mount the pavement at junctions putting pedestrians of all abilities in danger. They felt that residents, pedestrians and cyclists were being exposed to unnecessary dangers.

The deputation indicated that the recent independent survey carried out by Councillor Kevin Lang attracted almost 700 responses from the residents of Silverknowes and the results had been clear and unambiguous with the vast majority in favour of the removal of the installations and engagement with the Community on a best way forward. They stressed that all observations had shown that these schemes were not being used as intended nor did they show any increase in cycling in the area. They urged the Council to participate in fresh dialogue with all stakeholders so as to define a fit for purpose way forward.

**h) Deputation – Get Edinburgh Moving**

The deputation stressed that there was an overwhelming view from businesses and residents in East Craigs that they did not want a Low Traffic Neighbourhood scheme and would welcome the removal of the proposals for the scheme. They also asked the Council to consider the removal of the segregated cycle lane on Drum Brae North and the traffic calming interventions at Craigs Road.

They Deputation indicated that they would welcome consultation on the proposals for the Corstorphone High Street area and asked that their views be listened to.

**i) Referral from the Transport and Environment Committee**

The Transport and Environment Committee had referred a report that set out the approach taken by the Council to consider the possible retention of Spaces for People (SfP) measures in the longer term to help meet Council priorities as set out in the recently approved Council Business Plan and City Mobility Plan to the City of Edinburgh Council for approval.

## Motion

- 1) To note that the measures introduced under the Spaces for People programme, using Temporary Traffic Regulation Orders (TTROs), remained in place whilst the public health advice required physical distancing measures to manage the spread and impact of COVID19. TTROs were kept under review in accordance with the legislation and there was ongoing liaison with Transport Scotland about the likely duration of the current measures and guidance.
- 2) To note the update in Appendix 1 of the report by the Executive Director of Place on the existing schemes.
- 3) To note the background to retaining some Spaces for People measures, the feedback received through the Market Research, Consultation and Stakeholder surveys carried out and the officer assessment of the existing Schemes.
- 4) To note the recommendations for each scheme, based on the categories set out in paragraphs 4.75 – 4.113 and individual schemes as set out in Appendix 2 of the Executive Director's report.
- 5) To note that work would be undertaken to minimise those negative impacts on people with limited mobility, and to mitigate other impacts of schemes as appropriate.
- 6) To approve the recommendations on both the categories and individual schemes set out in the report by the Executive Director, and commencement of necessary statutory processes for the schemes which were approved for retention.
- 7) To welcome the high level of public engagement through the consultation and to recognise the complexity of competing needs expressed around road space allocation, particularly in ensuring accessibility.
- 8) To note that officer recommendations were based on:
  - Public consultation
  - Market Research
  - Stakeholder surveys
  - Assessment against previously agreed criteria
  - Assessment in light of existing transport policy and direction
- 9) To better reflect the consultation responses of residents and businesses, in particular where feedback had been fairly definitive in the views of respondents, to agree to:

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- Ask officers to engage with Lanark Road local residents and the Community Council to achieve cycle speed mitigation measures as well as to reconsider parking provision where parking spaces sat outside protected cycle lanes, with a view to mitigating potential conflict and safety concerns as soon as practicable on the ground – and that these measures be reported to the Transport and Environment Committee in September.
  - Ask in addition that consideration also be given to measures to reduce conflict for all Water of Leith path users and to improve winter travelling conditions in this location. To ask officers to re-examine the Lanark Road scheme and bring a report to the Transport and Environment Committee in September with cross-modal counter data to demonstrate usage for a final decision on removal of the temporary scheme or use of an ETRO, while retaining the 30mph speed limit.
  - Ask officers to further engage with the local residents and community representatives ahead of an ETRO to further address resident parking pressure along the Longstone Corridor.
  - Bring a report to the September 2021 Transport and Environment Committee on options for modifications to Silverknowes Road South, including possible removal of the scheme.
  - Bring a report to the August 2021 Transport and Environment Committee on options for Comiston Road, to improve public transport connectivity and reduce impacts on local residents.
  - Bring a report to the August 2021 Transport and Environment Committee on options for modifications to Drum Brae North based on the concerns expressed through the public engagement.
  - Bring a report to the September Transport and Environment Committee on options for retaining Forrest Road and George IV Bridge, based on the support identified in the consultation, until the permanent scheme can be implemented- including options to accelerate the delivery of those schemes.
  - Bring a report to the August 2021 Transport and Environment Committee on Braid Road, with options for the reopening of the road in both directions, including analysis of impacts on traffic levels, resident connectivity and vulnerable road users walking, wheeling and cycling.
  - Improve signage at West Harbour Road/West Shore Road to more clearly inform motorists of the closure and increase disabled parking bays at the closed point to improve disabled access.
- 10) To approve the remaining recommendations for schemes as set out in the report by the Executive Director of Place however to also agree to:

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- Continue to work with Living Streets, local businesses and the access panel to explore long term replacements for the Shopping Streets schemes being removed to give adequate safe space for pedestrians.
  - Continue to make any changes required to improve safety and accessibility for residents and disabled people for all other schemes progressing to an ETRO through those statutory processes.
  - Recognise the importance of engagement in communities as schemes go through the ETRO, particularly in protecting vulnerable road users.
- 11) To request that detail of the ongoing liaison with Transport Scotland on the duration of these measures be reported back to Committee each cycle to validate the need for the retention of the Spaces for People measures.
- 12) To note that Edinburgh had an opportunity after the pandemic to lead a green recovery, as was being seen in capitals across Europe. The measures introduced by Spaces for People were one element of our opportunity, giving Edinburgh a chance to re-think the way public spaces were allocated and utilised, experimenting with change, and working collaboratively and inclusively with all members of society to improve our city whilst responding to the climate crisis. Taking Spaces for People measures as a starting point, embracing the feedback and engagement from our residents and stakeholders, and using this moment as a chance to innovate and recover from the pandemic, would make Edinburgh a stronger, more prosperous, and greener capital city.

- moved by Councillor Macinnes, seconded by Councillor Doran

### **Amendment 1**

- 1) To note it was the intention that the measures introduced under the existing Spaces for People Programme, under Temporary Traffic Regulation Orders (TTROs), be retained while public health advice advocated maintaining physical distancing measures but that since the meeting of the Transport and Environment Committee the Scottish Government had announced an intention to move to Level 0 on 19 July 2021 thereby reducing outdoor physical distancing requirements to zero metres with an intention to remove all physical distancing measures by 9 August 2021.
- 2) To therefore agree that officers should take steps to remove measures in line with this timetable (or any subsequent adjustment by the Scottish Government) as their legal justification would fall and they would take time to remove. Officers should report on the progress of this work to the earliest appropriate Council Committee after recess.
- 3) To further note that the enormous 17,600 responses submitted to the Consultation Hub survey (which was the Council's approved method for judging public views on these schemes) showed that residents and businesses were opposed to schemes listed as Protected cycle lanes, Shopping streets, City

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Centre, Leisure connections and Quiet connections' and accordingly agree to reject proposals to retain them under an ETRO process. Any future suggestions to implement parts of schemes in these categories should be brought forward through a full TRO process with an assessment of impact on the overall transport network.

- 4) To note that, to date, any work to minimise the impact on people with limited mobility, sensory impairments and other disabilities, had fallen short of what was required, and had led to incidences of isolation, loneliness and mental health issues and that all future Active Travel schemes should have a full equalities impact assessment.
- 5) To acknowledge the public support for the principle of Schools measures as a result of the Consultation and agree to take these forward taking account of the comments made on each individual scheme in order that these could be improved.
- 6) To agree that, having resolved this matter, officer time be redirected to implement the many delayed Active Travel Schemes that had already been approved by the Council and/or were in progress and that future work should concentrate on the implementation of well designed, properly consulted and aesthetically appropriate permanent Active Travel schemes.

- moved by Councillor Whyte, seconded by Councillor Smith

## Amendment 2

- 1) To note that the measures introduced under the Spaces for People programme, using Temporary Traffic Regulation Orders (TTROs), remained in place whilst the public health advice required physical distancing measures to manage the spread and impact of COVID19. TTROs were kept under review in accordance with the legislation and there was ongoing liaison with Transport Scotland about the likely duration of the current measures and guidance.
- 2) To note the update in Appendix 1 of the report by the Executive Director of Place on the existing schemes.
- 3) To note the background to retaining some Spaces for People measures, the feedback received through the Market Research, Consultation and Stakeholder surveys carried out and the officer assessment of the existing Schemes.
- 4) In response to officer recommendations on schemes by category (as detailed in paragraphs 4.75-4.113 of the report by the Executive Director):
  - a) Retains **schools** measures during the summer in locations where schools will be the venue for activities for children and young people; identifies solutions in collaboration with Sciennes Primary School to use Sciennes Road as per the specific issues raised by the deputation;



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- b) Regarding **city centre**, in dialogue with relevant authorities, identifies ways to bridge between the SFP measures and the final Meadows-George Street scheme to avoid removal of measures on George IV Bridge and Forrest Road;
  - c) Retains **shopping streets** and **protected cycle lanes** and commits to co-production of improvements and changes that mitigate the issues raised, prioritising accessibility and improvements benefiting disabled people;
  - d) Retains **leisure and quiet connections** including Links Gardens and two-way closure of Braid Road by taking additional measures and actions to mitigate displacement;
  - e) Retains measures that are recently implemented and scheduled for assessment, to enable complete consideration of the benefits or disbenefits
- 5) To note that work would be undertaken to minimise those negative impacts on people with limited mobility, and to mitigate other impacts of schemes as appropriate.
  - 6) To approve of the recommendations on both the categories and individual schemes set out in the report by the Executive Director, and commencement of necessary statutory processes for the schemes which were approved for retention.
  - 7) To welcome the high level of public engagement through the consultation and to recognise the complexity of competing needs expressed around road space allocation, particularly in ensuring accessibility.
  - 8) To note that officer recommendations were based on:
    - Public consultation
    - Market Research • Stakeholder surveys
    - Assessment against previously agreed criteria
    - Assessment in light of existing transport policy and direction
  - 9) To better reflect the consultation responses of residents and businesses, in particular where feedback had been fairly definitive in the views of respondents, Committee agreed to:
    - Bring a report to the September 2021 Transport and Environment Committee on options to improve the scheme at Lanark Road, retaining the 30mph speed limit, considering safety of residents and especially vulnerable road users, taking into account the limitations of the Water of Leith path as a travel corridor, and to improve winter travelling conditions for vulnerable road users in this location.

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- Ask officers to further engage with the local residents and community representatives ahead of an ETRO to further address resident parking pressure along the Longstone Corridor.
  - Bring a report to the August 2021 Transport and Environment Committee on options for Comiston Road, to improve public transport connectivity and reduce impacts on local residents while upholding and strengthening the implementation of the sustainable transport hierarchy.
  - Bring a report to the September Transport and Environment Committee on options for retaining Forrest Road and George IV Bridge, based on the support identified in the consultation, until the permanent scheme can be implemented- including options to accelerate the delivery of those schemes.
  - Improve signage at West Harbour Road/West Shore Road to more clearly inform motorists of the closure and increase disabled parking bays at the closed point to improve disabled access.
- 10) To approve the remaining recommendations for schemes as set out in the report however to also agree to:
- Continue to work with Living Streets, local businesses and the access panel to explore long term replacements for the Shopping Streets schemes being removed to give adequate safe space for pedestrians.
  - Continue to make any changes required to improve safety and accessibility for residents and disabled people for all other schemes progressing to an ETRO through those statutory processes.
  - Recognise the importance of engagement in communities as schemes go through the ETRO, particularly in protecting vulnerable road users.
- 11) To request that detail of the ongoing liaison with Transport Scotland on the duration of these measures be reported back to Committee each cycle to validate the need for the retention of the Spaces for People measures.
- 12) To note that Edinburgh had an opportunity after the pandemic to lead a green recovery, as was being seen in capitals across Europe. The measures introduced by Spaces for People were one element of our opportunity, giving Edinburgh a chance to re-think the way public spaces were allocated and utilised, experimenting with change, and working collaboratively and inclusively with all members of society to improve our city whilst responding to the climate crisis. Taking Spaces for People measures as a starting point, embracing the feedback and engagement from our residents and stakeholders, and using this moment as a chance to innovate and recover from the pandemic, would make Edinburgh a stronger, more prosperous, and greener capital city.

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- 13) To thank organisations representing disabled people for engaging with the council, note the issues raised, call for officers to implement the feedback, including but not limited to Guide Dogs Scotland *Covid-19 street design guidance* and RNIB *Coronavirus Courtesy Code* with a special emphasis on the routine use of tactile paving and fully accessible consultations.
- 14) To note the previous decision to provide more pedestrian priority at signalled crossings and removal of pavement clutter, and undertake to implement both at pace.
- 15) To agree that dedicated spaces for walking, wheeling and cycling were a priority for surface improvements; agree regular clearing to keep free of leaves, grit and snow/ice; and for sustained enforcement to ensure vehicles were not encroaching on dedicated space.
- 16) To thank the deputations for their time and work to represent groups and communities, note in particular the theme of consulting children and young people which emerged at the Transport and Environment Committee meeting on 17 June 2021, and ask officers to ensure inclusivity of children and young peoples' feedback in future *Spaces for People* reports.

- moved by Councillor Miller, seconded by Councillor Corbett

### **Amendment 3**

- 1) To reaffirms the Council's commitment to improving active travel in order to make it easier and safer to walk, cycle and wheel across the City.
- 2) To believe the right approach was to work with communities and interested organisations to develop high-quality active travel schemes which made a meaningful and long-term difference and recognise the particular importance of doing this in areas where Spaces for People schemes were being removed.
- 3) To note that, with over 17,000 responses, the consultation on spaces for people represented one of the biggest engagement exercises in the Council's history and believe it essential for the Council to respond properly to the issues raised if public confidence was to be maintained.
- 4) To regret the highly polarised debate which had emerged around spaces for people, caused by an overly centralised approach; a flawed notification and implementation process; and a failure to respond properly to legitimate concerns and safety issues when they had been raised.
- 5) To regret that the needs of vulnerable pedestrians and public transport users had not been given sufficient consideration in this debate, note the compelling deputations from the Edinburgh Access Panel; RNIB; Guide Dogs Scotland; and the Edinburgh Bus Users Group and the call for a properly independent national review of Spaces for People.

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- 6) To agree to engage directly with the groups listed in paragraph 5 above, along with Living Streets, local business champion networks and community councils, to develop proposals for subsequent public consultation to improve the pedestrian experience in local town centres, including work to:
  - a) ensure all footways met Edinburgh Street Design Guidance;
  - b) reduce waiting times and maximise crossing times for light controlled pedestrian crossings;
  - c) enhance pedestrian priority for crossing side street junctions; and
  - d) remove unnecessary pavement clutter.
- 7) To recognise the particular support within the consultation responses for Spaces for People schemes around schools; believe this further demonstrated the strong support for making it safer for pupils and parents to travel to and from school by sustainable means; and agree any work must be properly linked to the city-wide 'safer routes to schools' project while considering relevant concerns from residents.
- 8) To agree that, given the nature of the consultation responses, it would be inappropriate to use ETROs in the way presented in the report by the Executive Director of Place and therefore agree that any work to continue with spaces for people schemes should be through and full and transparent TRO process.
- 9) To believe substantially more detail was required on whether design solutions were either feasible or sufficient to respond to the concerns raised through the consultation, and that such detail should be provided in order for the Transport and Environment Committee to make informed decisions on individual schemes.
- 10) To note paragraphs 1.1.1-1.1.4 of the original Transport and Environment Committee report by the Executive Director.
- 11) To agree the recommendations set out in Appendix 2 of the report by the Executive Director with the exception of the following;
  - a) remove the Greenbank to Meadows quiet cycle route and consult with local residents on alternative measures to reduce through traffic in the area.
  - b) fully reopen Braid Road along and implement the planned improvements near the Hermitage.
  - c) remove the Comiston Road cycleway and extend southwards the northbound bus lane in order to resolve access and safety issues for residents, and to ensure clear access for emergency vehicles.

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- d) remove the segregated cycleways on Drum Brae North and Ladywell Road.
- e) end the current restrictions on vehicle access at Silverknowes Road North and remove the Silverknowes 'quiet cycle route'.
- f) immediately review those measures on Queensferry Road which had led to most resident concerns, including the arrangements at the junction with Craigleith Crescent, and remove the current restriction at Clarendon Crescent.
- g) immediately review the Spaces for People measures at Canonmills and Rodney Street with a report to the Transport and Environment Committee in one cycle.
- h) ensure officers engaged with the Cramond and Barnton Community Council on the ongoing closure of Cammo Walk as part of the formal Community Participation Request, and for the results of these discussions to be reported back to the Transport and Environment Committee in one cycle.
- i) immediately review the Lanark Road cycle lanes, including engagement with ward councillors, local community councils, public transport providers and active travel groups, with an options report presented to the Transport and Environment Committee in one cycle.

- moved by Councillor Lang, seconded by Councillor Neil Ross

## **Voting**

### **First Vote**

The voting was as follows:

For the Motion	-	26 votes
For Amendment 1	-	17 votes
For Amendment 2	-	9 votes
For Amendment 3	-	9 votes

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

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

For Amendment 2: Councillors Booth, Burgess, Mary Campbell, Corbett, Howie, Main, Miller, Rae and Staniforth.

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For Amendment 3: Councillors Aldridge, Barrie, Bridgman, Gloyer, Lang, Osler, Ritchie, Neil Ross and Louise Young.

There being no overall majority, and 9 members having voted for Amendment 2 and 9 members for Amendment 3, the Lord Provost gave his casting vote to keep Amendment 2. Amendment 3 therefore fell and a second vote was taken between the Motion and Amendments 1 and 2.

## Voting

### Second Vote

The voting was as follows:

For the Motion	-	26 votes
For Amendment 1	-	20 votes
For Amendment 2	-	9 votes
Abstentions	-	6

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

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

For Amendment 2: Councillors Booth, Burgess, Mary Campbell, Corbett, Howie, Main, Miller, Rae and Staniforth

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

There being no overall majority, Amendment 2 fell and a third vote was taken between the Motion and Amendment 1.

## Voting

### Third Vote

The voting was as follows:

For the Motion	-	26 votes
For Amendment 1	-	20 votes
Abstentions	-	15

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

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

Abstentions: Councillors Aldridge, Booth, Burgess, Mary Campbell, Corbett, Gloyer, Howie, Lang, Main, Miller, Osler, Rae, Neil Ross, Staniforth and Louise Young.

## Decision

To approve the motion by Councillor Munn.

(References: Transport and Environment Committee of 17 June 2021 (item 3); referral from the Transport and Environment Committee, submitted.)

### **Declaration of Interests**

Councillor Arthur declared a non-financial interest in the above item as a member of Spokes and as a work colleague was part of a deputation on this item

Councillor Corbett declared a non-financial interest in the above item as a member of Spokes.

## **2 Engagement and Consultation with Regard to the Retention of Spaces for People Survey and Market Research – Motion by Councillor Jim Campbell**

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### **a) Deputation – Keep Edinburgh Moving**

The deputation expressed concern that commercial organisations and charities which would benefit directly or indirectly if a project progressed were also leading the consultation or research process to establish public appetite for the project. They felt that there was a failure of the consultation to meet the Council's own Quality Standards and that the framing of project proposals had been done in a leading or inaccurate way in materials promoting and supporting a consultation, which they felt was an attempt to elicit a positive response.

The deputation the Council to carry out a full investigation into the Spaces for People projects consultation and market research and their outcomes.

### **b) Motion by Councillor Jim Campbell**

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

“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.



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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.”

### **Motion**

To approve the motion by Councillor Jim Campbell.

- moved by Councillor Jim Campbell, seconded by Councillor McLellan

### **Amendment 1**

To accept paragraphs 1-2 of the motion by Councillor Jim Campbell, and replace remaining paragraphs of the motion as follows:

“Recognises the valuable role of market research as part of a range of information when seeking to understand the views of residents and making decisions;

Invites any members with concerns to raise these with officers to enable continuous improvement in the design and use of market research in future.”

- moved by Councillor Miller, seconded by Councillor Corbett

### **Amendment 2**

To take no action on the motion.

- moved by Councillor McVey, seconded by Councillor Day

### **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	-	35 votes
Against the motion for no action	-	26 votes

(For the motion for no action: The Lord Provost, Councillors Arthur, Bird, Booth, Burgess, Cameron, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Key,

Macinnes, Main, McNeese-Mechan, McVey, Miller, Munn, Munro, Perry, Rae, Staniforth, Watt, Wilson, Work and Ethan Young

Against the motion for no action: Councillors Aldridge, Barrie, Bridgman, Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, McLellan, Mitchell, Mowat, Osler, Ritchie, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Louise Young.)

### Decision

To take no action on the motion by Councillor Jim Campbell.

## 3 Minutes

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### Decision

To approve the minute of the Council of 27 May 2021 as a correct record.

## 4 Leader's Report

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

- Covid – numbers that the city is dealing with – vaccination programme update
- Councillor Rankin – position as Finance and Resources Convener

The following questions/comments were made:

- |                     |   |  |
|---------------------|---|--|
| Councillor Whyte    | - | Closure of 4 Council run care homes  |
| Councillor Main     | - | Failure to meet climate emission reduction target  |
| Councillor Aldridge | - | Covid vaccinations   |
|                     | - | Councillor Rankin - position as Finance and Resources Convener   |
|                     | - | Culture and Communities Committee - vital need for investment in parks and greenspace                    |
| Councillor Day      | - | Councillor Rankin – position as Finance and Resources Convener   |
|                     | - | Andy Gray, Chief Education Officer – recognition of work   |
|                     | - | Condemnation of actions of minority towards Scottish Ambulance Service's mobile test unit at West Pilton |

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- Councillor Dickie - Laughter in Learning – pupils in the Pentland Hills – outdoor learning
- Councillor Johnston - Business case for Tram extension – Lothian Bus funding gap
- Councillor Staniforth - Council owned tower blocks – system for repairs
- Councillor Neil Ross - Councillor Rankin – position as Finance and Resources Convener  
-  
Lothian Pension Fund – Engine Number One nominees
- Councillor Cameron - Opening of St James Quarter  
-  
Old town businesses – invitation to Leader to visit
- Councillor Kate Campbell - Councillor Rankin – position as Finance and Resources Convener  
-  
Retail and hospitality businesses – Welcoming the opening of the St James Quarter
- Councillor Doggart - Decision to close care homes
- Councillor Howie - Scottish Government fireworks consultation – response by Council Leader
- Councillor Cook - New Liberton High School – site for new GME Secondary school
- Councillor Gordon - Thanks to Esther Robertson – Interim Chair of NHS Lothian
- Councillor Lang - Coalition commitments – recycling rates
- Councillor Mary Campbell - Final week of school year – thanks to staff and pupils – welcome reform of exams and assessments
- Councillor Gardiner - Councillor Rankin – position as Finance and Resources Convener  
-  
Welcome resilience of Princes Street – investor commitment

- |                           |   |
|---------------------------|---|
| Councillor Munro          | - Councillor Rankin – position as Finance and Resources Convener<br>- £1billion unspent Covid funding – bid for a share for Edinburgh   |
| Councillor Burgess        | - Lothian Pensions Fund - cote at Pensions Committee – blocking a proposal for a report into divestment from companies contributing to climate change   |
| Councillor McNeese-Mechan | - Professor Heidi Larson – Recipient of the Edinburgh Medal<br>Kirsty Matheson – Centre for Moving Image – Appointment as Creative Director<br>Edinburgh Science Festival - Focus on Women in STEM Street Art Trail<br><br>Celebration of wealth of festivals and academic intitutions in Edinburgh |

## 5 Appointments to Outside Organisations etc

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On 29 June 2017 the Council had appointed members to outside bodies for 2017-22. Councillor Kate Campbell had tendered her resignation as a member of Cre8te and Council was asked to appoint a member in her place. Council was also asked to appoint a member to Scotland Excel's Joint Committee's Executive Sub-Committee.

## **Motion**

To appoint:

- a) Councillor Munn as substantive Convener of Finance and Resources Committee at an SRA of 62.5% of Leader's. Also agrees to replace Councillor Rankin as substantive member on all respective working groups, bodies and committees other than Councillor Rankin as Chair of the Pensions Committee.
- b) Councillor Child in place of Councillor Arthur on the Transport and Environment Committee.
- c) Councillor Lezley Marion Cameron in place of Councillor Child on the Governance, Risk and Best Value Committee.
- d) Councillor Lezley Marion Cameron in place of Councillor Griffiths on the Planning Committee.

- moved by Councillor Fullerton, seconded by Councillor Doran

## **Amendment 1**

To appoint:

- a) Councillor Callum Laidlaw in place of Councillor Kate Campbell as the Council representative on Craigmillar Opportunities Trust (Cre8te).
- b) Councillor Andrew Johnston in place of Councillor Graham Hutchison as the Council representative to serve on the Scotland Excel Joint Committee Executive Sub- Committee until June 2022.

- moved by Councillor Mowat, seconded by Councillor Whyte

## **Amendment 2**

To agree to make the following changes to council committees and SRAs:

- a) Noting that Councillor Steve Burgess and Councillor Claire Miller are to replace Councillor Alex Staniforth and Councillor Melanie Main as co-convenors of the Green Group, for the Green Group Leadership SRA to pass to Councillor Steve Burgess with immediate effect.
- b) Councillor Susan Rae and Councillor Alex Staniforth to replace Councillor Chas Booth and Councillor Claire Miller on the Housing, Homelessness and Fair Work Committee.
- c) Councillor Chas Booth to replace Councillor Susan Rae on the Culture and Communities Committee.
- d) Councillor Alex Staniforth to replace Councillor Mary Campbell on the Planning (and Development Management Sub-Committee and Local Review Board panel 1).

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- e) Councillor Claire Miller and Councillor Steve Burgess to replace Councillor Alex Staniforth and Councillor Melanie Main on the Policy and Sustainability Committee.
- f) Councillor Melanie Main and Councillor Mary Campbell to replace Councillor Susan Rae and Councillor Alex Staniforth on the Governance, Risk and Best Value Committee.
- g) Councillor Melanie Main to replace Councillor Claire Miller as Green Group Leader at COSLA.

In accordance with Standing Order 22(12) Amendments 1 and 2 were accepted as addendums to the Motion.

### **Decision**

To approve the following adjusted Motion by Councillor McVey

- 1) To appoint Councillor Munn as substantive Convener of Finance and Resources Committee at an SRA of 62.5% of Leader's. Also agrees to replace Councillor Rankin as substantive member on all respective working groups, bodies and committees other than Councillor Rankin as Chair of the Pensions Committee.
- 2) To appoint Councillor Child in place of Councillor Arthur on the Transport and Environment Committee.
- 3) To appoint Councillor Lezley Marion Cameron in place of Councillor Child on the Governance, Risk and Best Value Committee.
- 4) To appoint Councillor Lezley Marion Cameron in place of Councillor Griffiths on the Planning Committee.
- 5) To appoint Councillor Callum Laidlaw in place of Councillor Kate Campbell as the Council representative on Craigmillar Opportunities Trust (Cre8te).
- 6) To appoint Councillor Andrew Johnston in place of Councillor Graham Hutchison as the Council representative to serve on the Scotland Excel Joint Committee Executive Sub- Committee until June 2022.
- 7) Noting that Councillor Steve Burgess and Councillor Claire Miller were to replace Councillor Alex Staniforth and Councillor Melanie Main as co-convenors of the Green Group, for the Green Group Leadership SRA to pass to Councillor Steve Burgess with immediate effect.
- 8) To appoint Councillor Susan Rae and Councillor Alex Staniforth to replace Councillor Chas Booth and Councillor Claire Miller on the Housing, Homelessness and Fair Work Committee.
- 9) To appoint Councillor Chas Booth to replace Councillor Susan Rae on the Culture and Communities Committee.

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- 10) To appoint Councillor Alex Staniforth to replace Councillor Mary Campbell on the Planning (and Development Management Sub-Committee and Local Review Board panel 1).
- 11) To appoint Councillor Claire Miller and Councillor Steve Burgess to replace Councillor Alex Staniforth and Councillor Melanie Main on the Policy and Sustainability Committee.
- 12) To appoint Councillor Melanie Main and Councillor Mary Campbell to replace Councillor Susan Rae and Councillor Alex Staniforth on the Governance, Risk and Best Value Committee.
- 13) To appoint Councillor Melanie Main to replace Councillor Claire Miller as Green Group Leader at COSLA.

(References – Act of Council No 8 of 29 June 2017; report by the Chief Executive, submitted.)

## 6 Review of Political Management Arrangements

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Details were provided on proposed meeting arrangements to carry out Council business going forward.

### **Motion**

- 1) To agree all formal meetings of the Council would remain virtual until Edinburgh was moved to protection level zero.
- 2) To agree, following a move to protection level zero, a phased approach was progressed starting with the resumption of executive committees and the Governance, Risk and Best Value Committee.
- 3) To note current regulations which required that the two-metre distancing rule must be in place. This threshold meant that the only option available for Council at this stage was a blended model whereby a minority of elected members would attend in the City Chambers and the remainder access remotely.
- 4) To agree that Council meetings remain virtual and when physical distancing restrictions changed, to report to Council to consider the reimplementation of physical Council meetings.
- 5) To agree that all other committees working groups remain virtual.
- 6) To agree to progress with electronic voting, as set out in paragraphs 4.21 and 4.22 of the report by the Chief Executive.
- 7) To suspend procedural Standing Orders until 31 December 2021 and agree the Interim Standing Orders set out in appendix one to the report to take effect from 1 August 2021.

- moved by Councillor McVey, seconded by Councillor Day

### **Amendment**

To note the First Minister's statement of 22<sup>nd</sup> June 2021 which proposed to move mainland Scotland into Level 0 on 19<sup>th</sup> July which would reduce the requirement for physical distancing from 2m to 1m and that the First Minister hoped to move beyond level 0 on 9<sup>th</sup> August with the removal of major legal restrictions at this point and therefore:

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

To agree that should Edinburgh, along with the rest of Scotland move into Level 0 on 19<sup>th</sup> July, the phased return to holding meetings in person would commence from the start of the new session on 2<sup>nd</sup> August starting with executive committees and the Governance, Risk and Best Value Committee;

To agree that officers should report to Political Group Leaders and Independent Councillors on the practicalities of holding Full Council in person with 1m social distancing and no social distancing with the option for any councillors who might need to self-isolate to dial in to the meeting;

To report to Full Council on 26<sup>th</sup> August the arrangements for forthcoming meetings;

To agree that Committees' working groups could remain virtual;

To agree to progress with electronic voting as set out in paragraphs 4.21 and 4.22 of the report by the Chief Executive;

To suspend procedural Standing Orders until 31 December 2021 and agree the Interim Standing Orders set out in appendix one to the report to take effect from 1 August 2021.

- moved by Councillor Mowat, seconded by Councillor Webber

### **Voting**

The voting was as follows:

For the motion	-	36 votes
For the amendment	-	25 votes

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

For the amendment: 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 Louise Young.)

### **Decision**

To approve the motion by Councillor McVey.

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

## **7 Council Outline Diary 2022/23**

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The Council had previously agreed the Council Diary 2021/22. Details were provided on proposed meeting dates for The City of Edinburgh Council and recess dates from August 2022 to August 2023. School term dates for this period had already been considered and agreed to at the Education, Children and Families Committee and the current position in relation to progress made to agree the Spring Bank Holiday 2022 was outlined.

### **Decision**

- 1) To agree the recess and Council meeting dates for August 2022 to August 2023 as set out in appendix 1 to the report by the Chief Executive.
- 2) To note the current position in relation to the Spring Bank Holiday 2022.

(References: Act of Council No 5 of 4 February 2021; report by the Chief Executive, submitted.)

## **8 Unaudited Annual Accounts 2020/21**

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The unaudited annual accounts for 2020/21 were submitted for the Council's consideration.

### **Decision**

- 1) To note that the unaudited annual accounts for 2020/21 would be submitted to the external auditor by the statutory date.
- 2) To note that, following the receipt of significant additional grant funding late in the year, the provisional outturn position showed an overall underspend of £8.080m and that this sum had been set aside in reserves, with £7m used to fund the service investment approved by Council on 27 May 2021.
- 3) To note that a more detailed revenue and capital outturn analysis would be reported to the Finance and Resources Committee on 12 August 2021.
- 4) To note the intention to submit the audited annual accounts and annual auditor's report to the Governance, Risk and Best Value Committee and thereafter to the Finance and Resources Committee in November 2021, for approval.

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

## 9 **Edinburgh Slavery and Colonialism Legacy Review**

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Details were provided on the progress of the independent Edinburgh Slavery and Colonialism Legacy Review Group since it was convened in November 2020 which set out anticipated milestones for the next six months of the Review, including plans for a public consultation to inform recommendations about redressing this legacy.

### **Motion**

To note the work of the Independent Review as it reached its midway point, and to support the objectives planned over the remainder of its term.

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

### **Amendment**

- 1) To note the report by the Chief Executive.
- 2) To note concern that a review Group whose members were unknown and whose remit/work plan was unpublished could raise questions of public legitimacy from opponents of any recommendations it made regardless of whether these were considered to be too limited or too radical.
- 3) To therefore agrees to seek methods of providing public information on the scope of the Group and its work and, as a first step, agrees that each political group receives a briefing in private to discuss the work of the Group and a further briefing on the findings ahead of submission to the Policy and Sustainability Committee

- moved by Councillor Whyte, seconded by Councillor Cook

### **Voting**

The voting was as follows:

For the motion	-	44 votes
For the amendment	-	17 votes

(For the motion: 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, Griffiths, Henderson, Howie, Key, Lang, Macinnes, Main, McNeese-Mechan, McVey, Miller, Munn, Munro, Osler, Perry, Rae, Ritchie, Neil Ross, Staniforth, Watt, Wilson, Work, Ethan Young and Louise Young.

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

## Decision

To approve the motion by Councillor Day.

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

## Declaration of Interests

Councillor Arthur declared a non-financial interest in the above item as a work colleague was part of the Independent Review Group.

## 10 Office of Lord Provost: Year 4 Report 2020/21

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Details were provided on the activity and outcomes of the Lord Provost in 2020/21 having adopted new working methods and technologies to enable the continued support of civic life in the city whilst COVID -19 Regulations applied.

The annual report profiled the work and commitments of the Civic Leadership from June 2020 to May 2021, a period of significant restriction in the daily life of the city and the range of activity undertaken was described in the context of new measures to support civic life in the city and a clearer definition of the role of the Depute Lord Provost and Bailies of the Council. It was proposed that these changes be captured in a set of protocols to be presented to Council in the shape of a final report prior to the end of this Administration.

## Decision

- 1) To note the impact of COVID restrictions and the closure of the City Chambers on the operation of the civic diary.
- 2) To commend the Civic Leadership for the adoption of alternative means of engagement and range of undertaken activity, described in paragraphs 4.7 to 4.16 of the report by the Chief Executive.
- 3) To welcome the early planning that was underway for future civic events, including a Lord Provost Community Garden Party, as set out in paragraphs 4.17 to 4.23 of the report.
- 4) To agree that all Council initiated proposals to the Royal Household should be routed through the Lord Provost's Office, as specified in paragraph 4.20 of the report.
- 5) To agree to receive a final report on the findings and recommendations of the Lord Provost's Commission 'The Strategy for Our Ex Forces Personnel'.
- 6) To agree to receive a final report before the end of the current administration, setting out clear protocols for the future operation of the Civic Office as set out in paragraphs 4.3 to 4.6 of the report.

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

## 11 Children's Rights, Participation and Delivery

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In response to a motion by Councillor Dickie, details were provided on a range of activities in place to ensure that Children's Rights were respected, known of and understood, together with the identification of where children and young people's participation in decision making affecting their and other children's lives, and the delivery of services influenced and shaped by that participation continued to cement and build on recent work undertaken in Edinburgh by the Council and Children's Partnership.

## Decision

- 1) To note the report by the Chief Executive.
- 2) To note that there would be a progress report provided to Council in February 2022.

(Reference: Act of Council No 11 of 4 February 2021; report by the Chief Executive, submitted.)

## 12 Youth Work in Community Centres and Other Locations

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Details were provided on Council sponsored outdoor youth work, including detached work with young people in the city, which had been taking place in line with national guidance together with work with community centre management committees to identify opportunities to resume activity which included youth work. A community centre reopening plan had been developed, including location specific assessments to ensure services resumption was managed as safely as possible and Council officers were prioritising the organisation and delivery of the Get into Summer programme for children, young people and families across the city which would result in a wide range of additional opportunities for young people to participate in throughout the Summer.

## Motion

- 1) To note the progress made to resume youth work in community centres and other locations.
- 2) To agree that a further update be provided for the Culture and Communities Committee on 14 September 2021, on progress of community centre services resumption - including youth work.
- 3) To agree to ask Edinburgh Voluntary Organisations Council (EVOC) and Lothian Association of Youth Clubs (LAYC) to work with Council officers to produce a Youth Work Recovery Plan for the city that would highlight the excellent practice that already existed but also set out the challenges and actions required going forward.
- 4) To agree to note that the scale of the contribution of the voluntary sector was significant and it would require a co-ordinated effort, over some weeks, to produce a recovery plan for Youth Work.
- 5) To note the commitment and work being undertaken to coordinate and deliver the Get into Summer programme, which would result in more opportunities for greater numbers of young people across the city.
- 6) To note the recent Youthlink Scotland survey which demonstrated the significant impact that lack of access to community facilities had had on the mental and emotional health of the young people.

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- 7) To further note the impact upon elderly, disabled, and other vulnerable residents of the city, for whom our city's libraries and community centres often provided a vital lifeline in helping to address social isolation.
- 8) To note that the Policy and Sustainability Committee on 10 June 2021 agreed 'to accelerate the process underway to ensure all assessment work, as far as possible, is complete in those community centres wishing to resume youth work in advance of the School holidays to ensure youth groups can plan for their summer activities and young people get the support they need.'
- 9) To further note that the Policy and Sustainability Committee on 10 June 2021 agreed 'that Full Council on the 24th June will receive an update report that will cover the progress made to resume youth work in community centres and in other locations. It should include how many community centres will be resourced by the council to open, what date they will be open from, what access will be allowed by other groups, what changes would be involved if Edinburgh were to move to Level 1 or 0, and how children's rights have been taken into consideration when making these plans.'
- 10) To consider that these points were not fully covered by the report, and request this information comes to all councillors in the form of a written briefing before 2 July 2021.
- 11) To also request an update report to the Policy and Sustainability Committee in August with updated information as requested and updated information of the programme of reopening youth services over summer that took place, as well as further actions planned upon school return.
- 12) To agree that the Council Leader or a majority of Group Leaders could call a meeting of the Leadership Advisory Panel if any action was required as a decision of council to make further progress on the opening of Community Centres during the summer.

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

### **Amendment**

- 1) To note the progress made to resume youth work in community centres and other locations.
- 2) To agree that a further update be provided for the Culture and Communities Committee on 14 September 2021, on progress of community centre services resumption - including youth work.
- 3) To agree to ask Edinburgh Voluntary Organisations Council (EVOC) and Lothian Association of Youth Clubs (LAYC) to work with Council officers to produce a Youth Work Recovery Plan for the city that would highlight the excellent practice that already existed but also set out the challenges and actions required going forward.

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- 4) To agree to note that the scale of the contribution of the voluntary sector was significant and it would require a co-ordinated effort, over some weeks, to produce a recovery plan for Youth Work.
- 5) To note the commitment and work being undertaken to coordinate and deliver the Get into Summer programme, which would result in more opportunities for greater numbers of young people across the city.
- 6) To note that the Policy and Sustainability Committee on 10 June 2021 agreed 'to accelerate the process underway to ensure all assessment work, as far as possible, is complete in those community centres wishing to resume youth work in advance of the School holidays to ensure youth groups can plan for their summer activities and young people can get the support they need.' To note from the information in Appendix 1 to the report by the Interim Executive Director of Communities and Families that this had not happened.
- 7) An additional agreement from Policy and Sustainability Committee on 10 June 2021 was 'that Full Council on the 24th June will receive an update report that will cover the progress made to resume youth work in community centres and in other locations. It should include how many community centres will be resourced by the council to open, what date they will be open from, what access will be allowed by other groups, what changes would be involved if Edinburgh were to move to Level 1 or 0, and how children's rights have been taken into consideration when making these plans.' Council considers that those points are not covered by this report.
- 8) To note the ongoing resulting impact of the closure of Community Centres on communities and young people across the city.
- 9) To therefore resolve:
  - a) That the information previously requested would be provided to all councillors by Monday 28 June 2021 and agree a meeting with the Chief Executive and the Leadership Advisory Panel before 3 July 2021 to agree the way forward for each Community Centre that required summer opening and oversee the process over recess.
  - b) To require the Chief Executive to conduct a review of the failure to deliver the requests of Policy and Sustainability Committee and report the findings to the next Culture and Communities Committee and thereafter the Governance, Risk and Best Value Committee.
  - c) To request a full report in two cycles to the Culture and Communities Committee with an update on the previously agreed work on Community Centre management, and to bring forward options for effective partnership working with Community Centre Management Committees that would get the best outcomes for the communities they served.

- moved by Councillor Mary Campbell, seconded by Councillor Main

In accordance with Standing Order 22(12), paragraph 9(c) of the amendment was accepted as an addendum to the motion.

## Decision

To approve the following adjusted motion by Councillor Wilson:

- 1) To note the progress made to resume youth work in community centres and other locations.
- 2) To agree that a further update be provided for the Culture and Communities Committee on 14 September 2021, on progress of community centre services resumption - including youth work.
- 3) To agree to ask Edinburgh Voluntary Organisations Council (EVOG) and Lothian Association of Youth Clubs (LAYC) to work with Council officers to produce a Youth Work Recovery Plan for the city that would highlight the excellent practice that already existed but also set out the challenges and actions required going forward.
- 4) To agree to note that the scale of the contribution of the voluntary sector was significant and it would require a co-ordinated effort, over some weeks, to produce a recovery plan for Youth Work.
- 5) To note the commitment and work being undertaken to coordinate and deliver the Get into Summer programme, which would result in more opportunities for greater numbers of young people across the city.
- 6) To note the recent Youthlink Scotland survey which demonstrated the significant impact that lack of access to community facilities had had on the mental and emotional health of the young people.
- 7) To further note the impact upon elderly, disabled, and other vulnerable residents of the city, for whom our city's libraries and community centres often provided a vital lifeline in helping to address social isolation.
- 8) To note that the Policy and Sustainability Committee on 10 June 2021 agreed 'to accelerate the process underway to ensure all assessment work, as far as possible, is complete in those community centres wishing to resume youth work in advance of the School holidays to ensure youth groups can plan for their summer activities and young people get the support they need.'
- 9) To further note that the Policy and Sustainability Committee on 10 June 2021 agreed 'that Full Council on the 24th June will receive an update report that will cover the progress made to resume youth work in community centres and in other locations. It should include how many community centres will be resourced by the council to open, what date they will be open from, what access will be allowed by other groups, what changes would be involved if



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Edinburgh were to move to Level 1 or 0, and how children's rights have been taken into consideration when making these plans.'

- 10) To consider that these points were not fully covered by the report, and request this information comes to all councillors in the form of a written briefing before 2 July 2021.
- 11) To also request an update report to the Policy and Sustainability Committee in August with updated information as requested and updated information of the programme of reopening youth services over summer that took place, as well as further actions planed upon school return.
- 12) To agree that the Council Leader or a majority of Group Leaders could call a meeting of the Leadership Advisory Panel if any action was required as a decision of council to make further progress on the opening of Community Centres during the summer.
- 13) To request a full report in two cycles to the Culture and Communities Committee with an update on the previously agreed work on Community Centre management, and to bring forward options for effective partnership working with Community Centre Management Committees that would get the best outcomes for the communities they served.

(References – Policy and Sustainability Committee of 10 June 2021 (item 8); report by the Interim Director of Communities and Families, submitted.)

## 13 Chair

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At this point in the proceedings, the Lord Provost left the meeting and Councillor Griffiths, Depute Convener took the Chair.

## 14 Monitoring Officer Report

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Details were provided on a Decision Notice which had been issued by the Scottish Public Services Ombudsman (the “SPSO”) in relation to a matter involving Social Services and Legal Services. The Decision Notice stated that in the opinion of the SPSO there had been undue delay on the part of the Council and given the finding of undue delay, the Monitoring Officer considered that he was required to report this as maladministration to Council in terms of section 5 of the Local Government and Housing Act 1989.

### **Motion**

- 1) To note that a report by the SPSO into the Council’s handling of a specific matter had resulted in a finding of maladministration due to undue delay on the part of the Council.
- 2) To note that the Council’s Monitoring Officer was required, under s.5 of the Local Government and Housing Act 1989, to report to Council if they considered that in the course of the discharge of the Council’s functions any proposal, decision or omission had resulted in maladministration.
- 3) To note that the Council had already taken action to resolve this matter and the SPSO had asked the Council to provide evidence of agreed actions by 6 September 2021 (as noted in the SPSO’s final Decision Notice).

- moved by Councillor McVey, seconded by Councillor Day

### **Amendment**

- 1) To note that a report by the SPSO into the Council’s handling of a specific matter had resulted in a finding of maladministration due to undue delay on the part of the Council.
- 2) To note that the Council’s Monitoring Officer was required, under s.5 of the Local Government and Housing Act 1989, to report to Council if they considered that in the course of the discharge of the Council’s functions any proposal, decision or omission had resulted in maladministration.
- 3) To note that the Council had already taken action to resolve this matter and the SPSO had asked the Council to provide evidence of agreed actions by 6 September 2021 (as noted in the SPSO’s final Decision Notice).

- 4) To request the Monitoring Officer to report to the Policy and Sustainability Committee within two cycles that all evidence of agreed actions had been submitted to the SPSO.

- moved by Councillor Doggart, seconded by Councillor Cook

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

### **Decision**

To approve the following adjusted motion by Councillor McVey:

- 1) To note that a report by the SPSO into the Council's handling of a specific matter had resulted in a finding of maladministration due to undue delay on the part of the Council.
- 2) To note that the Council's Monitoring Officer was required, under s.5 of the Local Government and Housing Act 1989, to report to Council if they considered that in the course of the discharge of the Council's functions any proposal, decision or omission had resulted in maladministration.
- 3) To note that the Council had already taken action to resolve this matter and the SPSO had asked the Council to provide evidence of agreed actions by 6 September 2021 (as noted in the SPSO's final Decision Notice).
- 4) To request the Monitoring Officer to report to the Policy and Sustainability Committee within two cycles that all evidence of agreed actions had been submitted to the SPSO.

(Reference: report by the Monitoring Officer, submitted.)

## **15 Lothian Pension Fund - Unaudited Annual Report (and Financial Statements) 2021 - referral from the Pensions Committee**

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### **Decision**

To note that the report had been withdrawn.

## 16 Annual Performance Report 2020/21- referral from the Policy and Sustainability Committee

---

The Policy and Sustainability Committee had referred a report on the Annual Performance Report, 2020/21 to the City of Edinburgh Council for decision.

### **Motion**

- 1) To note the annual performance report for the 2020/21 financial year.
- 2) To note that a revised performance framework would be implemented from April 2021 which aligned to the new Council Business Plan.
- 3) To commend Council officers across service areas for their efforts to continue to deliver lifeline services to the highest possible standards during the challenges of a global pandemic. To further commend the positive progress made in Council performance in that context.

- moved by Councillor McVey, seconded by Councillor Day

### **Amendment 1**

- 1) To note the annual performance report for the 2020/21 financial year but that it had more limited value than normal given that 43% of indicators had been considered incomparable with previous years due to the impact of COVID-19.
- 2) To note with regret that it had taken the current Council Administration four years to agree to remodel the performance framework and that this had only happened following a highly critical Best Value Audit that echoed the Conservative Group's repeated calls for improved performance reporting with SMART indicators and also strongly criticised performance reporting to the public.
- 3) To consider that a change to the performance framework so late in this Council Administration's term meant no backward comparisons could be made and, when set against the politically driven reporting on the Coalition Commitments, highlighted the approach of this Administration that had hidden from performance reporting throughout its term, had failed to focus on service improvement or delivery of its political promises and illustrated its failure to act on the core priorities of the Council elected to serve the people of Edinburgh.

- moved by Councillor Whyte, seconded by Councillor Doggart

## **Amendment 2**

- 1) To note the Annual Performance Report and recognise the extraordinary circumstances of the last year but that to assign 37 out of 87 indicators as not comparable reduced the value of the report; and.
  - Notes the significant rise in school pupils with low attendance and the impact that would have on learning and school engagement;
  - Notes the significant increase in homeless B&B use and off-contract B&B spend, partly in response to rising pandemic-related demand but also as part of a longer- term failure to manage homelessness services;
  - Notes with disappointment the downward trend in recycling rates and street cleanliness;
  - Notes with alarm the length of time taken to process major planning applications;
  - Notes with disappointment lower than planned affordable home approvals;
  - Notes the need to accelerate city emissions reduction and to step up radical transformation in city transport to support walking, wheeling, cycling and mass transit and to significantly reduce private vehicle use; and to support higher mandatory standards of energy efficiency in all homes.
- 2) To note that a revised performance framework would be implemented from April 2021 which aligned to the new Council Business Plan.

- moved by Councillor Staniforth, seconded by Councillor Main

## **Amendment 3**

- 1) To note the annual performance report for the 2020/ 2021 financial year.
- 2) To further notes that a revised performance framework would be implemented from April 2021 which aligned to the Council Business Plan.
- 3) To commend officers of the council for their dedication and commitment to maintaining public service during the period of the pandemic and recognise the additional difficulties they had faced in performing their duties.
- 4) To note with concern a number of areas of performance which remained unacceptable.
- 5) To believe the continuing failure to increase recycling rates by any significant amount since SNP and Labour took over the administration of the city in 2012 was unacceptable.

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- 6) To further believe the condition of the paths, pavements and roads remained a major concern and regret the failure of the administration to take meaningful action to improve the situation.
- 7) To further express concern at the failure of the administration to complete the number of affordable homes it had promised.

- moved by Councillor Aldridge, seconded by Councillor Lang

## **Voting**

### **First Vote**

The voting was as follows:

For the Motion	-	25 votes
For Amendment 1	-	17 votes
For Amendment 2	-	9 votes
For Amendment 3	-	8 votes

(For the Motion: Councillors Arthur, Bird, Cameron, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Key, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Watt, Wilson, Work and Ethan Young.

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

For Amendment 2: Councillors Booth, Burgess, Mary Campbell, Corbett, Howie, Main, Miller, Rae and Staniforth.

For Amendment 3: Councillors Aldridge, Barrie, Bridgman, Gloyer, Lang, Osler, Neil Ross and Louise Young.)

There being no overall majority, Amendment 3 fell and a second vote was taken between the Motion and Amendments 1 and 2.

### **Second Vote**

The voting was as follows:

For the Motion	-	25 votes
For Amendment 1	-	17 votes
For Amendment 2	-	9 votes
Abstentions	-	8

(For the Motion: Councillors Arthur, Bird, Cameron, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Key,

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Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Watt, Wilson, Work and Ethan Young.

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

For Amendment 2: Councillors Booth, Burgess, Mary Campbell, Corbett, Howie, Main, Miller, Rae and Staniforth.

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

There being no overall majority, Amendment 2 fell and a third vote was taken between the Motion and Amendment 1.

### **Third Vote**

The voting was as follows:

For the Motion	-	25 votes
For Amendment 1	-	17 votes
Abstentions	-	17

(For the Motion: Councillors Arthur, Bird, Cameron, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Key, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Watt, Wilson, Work and Ethan Young.

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

Abstentions: Councillors Aldridge, Barrie, Booth, Bridgman, Burgess, Mary Campbell, Corbett, Gloyer, Howie, Lang, Main, Miller, Osler, Rae, Neil Ross, Staniforth and Louise Young.)

## Decision

To approve the motion by Councillor McVey.

(References: Policy and Sustainability Committee of 10 June 2021 (item 10); referral from the Policy and Sustainability Committee, submitted.)

## 17 Coalition Commitments Progress Update – June 2021 - referral from the Policy and Sustainability Committee

---

The Policy and Sustainability Committee had referred a report on the Coalition Commitments Progress Update – June 2021 to the City of Edinburgh Council for decision.

### Motion

- 1) To note the progress made against the Coalition's commitments and the increased number of fully delivered achievements in the last year.
- 2) To further note the impact of COVID on the delivery of a number of elements of delivery and the need to prioritise the protection of public health against delivery of the Administration's programme for the Capital. Commends officers for their efforts in delivering these commitments, such as the expansion of nursery provision, in the face of a global public health pandemic

- moved by Councillor McVey, seconded by Councillor Day

### Amendment 1

- 1) To note the report and that previous Conservative amendments in 2017, 2018 and 2019 sought to improve both the pledges and the reporting process but were rejected by the SNP/Labour Administration which had sought to continue the approach of its predecessor in taking up officer time attempting to measure and justify unmeasurable political ambitions.
- 2) To recognise the considerable time and effort officers had spent in producing the report and acknowledge that they accepted the commitments were not accompanied by trackable SMART outcomes. Therefore, to agree that the current politically based pledge and reporting process was flawed and note that this had been superseded by the revised performance framework and Council Business Plan.
- 3) To agree that in future officer resources should not be used to produce, monitor or validate overtly party-political agreements without proper SMART measurements, and that a protocol to this end should be agreed before the May 2022 council elections to be included in induction packs for the new Council.

- moved by Councillor McLellan, seconded by Councillor Whyte



## Amendment 2

To note the Coalition Commitments Progress Update and:

- 1) In relation to commitment 1, notes the under-performance against the 10,000 affordable homes target and calls for the Administration to press the new Cabinet Secretary for housing so that Edinburgh receives a larger portion of the national budget in line with the pressures faced;
- 2) In relation to commitment 4, notes continued pressure on the green belt and poorly-designed peripheral development in the regional housing market which undermines transport and sustainability objectives;
- 3) In relation to commitment 6, notes that is premature to conclude that the City Region Deal is fully achieved and that benefits are realised;
- 4) In relation to commitment 8, notes that there no “fair rent zone” has been introduced;
- 5) In relation to commitment 9, notes that B&B use and costs have risen substantially;
- 6) In relation to commitment 13, notes longstanding weaknesses in the tracking and allocation of developer contributions;
- 7) In relation to commitment 18, notes delay in the introduction of the LEZ and the need for it to be strengthened in the future;
- 8) In relation to commitment 19, notes that congestion resulting directly from increases in private vehicle volumes remains a significant challenge for the city;
- 9) In relation to commitment 25, notes significant shortfall in the recycling target of 60%;
- 10) In relation to commitment 27 expresses disappointment in the length of time being taken by the Scottish Government to introduce a pavement parking ban;
- 11) In relation to commitment 36, considers it premature to conclude that it is fully achieved when so much uncertainty about the delivery of a GME secondary school remains;
- 12) In relation to commitment 45, notes the actions but recognises the continuing scale of child poverty in Edinburgh;
- 13) In relation to commitment 47, notes very little progress on participatory budgeting;
- 15) In relation to commitment 48, recommits to introducing a transient visitor levy and workplace parking levy as part of post-pandemic Green Recovery;

- 15) In relation to commitment 52, notes the Coalition voted to scrap Locality Committees.

- moved by Councillor Staniforth, seconded by Councillor Main

### **Amendment 3**

- 1) To note the difficulty faced by officers in seeking to measure and assess progress on the 52 commitments in an objective fashion.
- 2) To note the impact of Covid on progress on some of the commitments.
- 3) To note that a significant number of the commitments would not be fully met in the promised timescale, which had not been directly influenced by Covid.
- 4) In particular to regret the administration's failure:
  - a) To complete the promised and much needed 10,000 affordable rented homes.
  - b) To make any progress in improving Park and Ride facilities (agreed by the Lib Dem led administration in 2009) to reduce congestion in the city.
  - c) To make any progress in increasing recycling rates to the promised 60%.
  - d) To make any progress at all in tackling fly tipping and failing to reintroduce a free bulky item uplift service.
  - e) To make any significant progress in improving training opportunities and access to employment for people with disabilities.
  - f) To make any significant progress on improving our paths, pavements and roads.
  - g) To make any progress in reducing the growing waiting list for allotments.
  - h) To have any effective devolved decision making.
- 5) To note the difficult position of officers in assessing the commitments instruct that the final report on progress on the commitments be authored by the Leader and Deputy Leader of the Council.

- moved by Councillor Aldridge, seconded by Councillor Lang

### **Voting**

#### **First Vote**

The voting was as follows:

For the Motion	-	25 votes
For Amendment 1	-	17 votes
For Amendment 2	-	9 votes
For Amendment 3	-	8 votes

(For the Motion: Councillors Arthur, Bird, Cameron, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Key, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Watt, Wilson, Work and Ethan Young.

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

For Amendment 2: Councillors Booth, Burgess, Mary Campbell, Corbett, Howie, Main, Miller, Rae and Staniforth.

For Amendment 3: Councillors Aldridge, Barrie, Bridgman, Gloyer, Lang, Osler, Neil Ross and Louise Young.)

There being no overall majority, Amendment 3 fell and a second vote was taken between the Motion and Amendments 1 and 2.

### **Second Vote**

The voting was as follows:

For the Motion	-	25 votes
For Amendment 1	-	17 votes
For Amendment 2	-	8 votes
Abstentions	-	9

(For the Motion: Councillors Arthur, Bird, Cameron, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Key, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Watt, Wilson, Work and Ethan Young.

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

For Amendment 2: Councillors Booth, Burgess, Mary Campbell, Corbett, Main, Miller, Rae and Staniforth.

Abstentions: Councillors Aldridge, Barrie, Bridgman, Gloyer, Howie, Lang, Osler, Neil Ross and Louise Young.)

There being no overall majority, Amendment 2 fell and a third vote was taken between the Motion and Amendment 1.

### Third Vote

The voting was as follows:

For the Motion	-	25 votes
For Amendment 1	-	17 votes
Abstentions	-	17

(For the Motion: Councillors Arthur, Bird, Cameron, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Key, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Watt, Wilson, Work and Ethan Young.)

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

Abstentions: Councillors Aldridge, Barrie, Booth, Bridgman, Burgess, Mary Campbell, Corbett, Gloyer, Howie, Lang, Main, Miller, Osler, Rae, Neil Ross, Staniforth and Louise Young.)

### Decision

To approve the motion by Councillor McVey.

(References: Policy and Sustainability Committee of 10 June 2021 (item 11); referral from the Policy and Sustainability Committee, submitted.)

## 17 Local Government Benchmarking Framework 2019.20 – Edinburgh Overview - referral from the Policy and Sustainability Committee

---

The Policy and Sustainability Committee had referred a report on the Local Government Benchmarking Framework 2019/20 – Edinburgh Overview to the City of Edinburgh Council for decision.

### **Motion**

- 1) To note the report by the Chief Executive setting out the detailed analysis of the LGBF benchmarking framework dataset for the 19/20 financial year.
- 2) To note the period of analysis covered was largely pre-COVID and note the improved performance in a majority of indicators and a strong overall position when benchmarked against Scotland's three other largest Cities.

- moved by Councillor McVey, seconded by Councillor Day

### **Amendment 1**

- 1) To note the report by the Chief Executive.
- 2) To request a further report setting out a wider review of the data available to implement best practice examples from colleague Councils (not limited to Scotland) and foster a new continuous improvement culture within the Council that sought to place Edinburgh as a top performing Council in Scotland and then the UK.

- moved by Councillor Whyte, seconded by Councillor Doggart

### **Amendment 2**

- 1) To note the report by the Chief Executive.
- 2) To recognise that the information in the report was now quite dated but note with concern the relatively poor performance described in the report of the attainment of pupils from deprived areas in the city compared to the comparator cities.
- 3) To call for a report to the Education, Children and Families Committee updating the position and any action the council was taking to improve the outcomes for pupils from these communities in the city.

- moved by Councillor Aldridge, seconded by Councillor Louise Young

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 - 34 votes  
For Amendment 1 (as adjusted) - 25 votes

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

For Amendment 1 (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 Louise Young.)

## Decision

To approve the motion by Councillor McVey.

(References: Policy and Sustainability Committee of 10 June 2021 (item 12); referral from the Policy and Sustainability Committee, submitted.)

## 18 **Edinburgh Integration Joint Board/Unlawful Discharges to Care Homes – Motions by Councillors Doggart and Howie**

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The Depute Convener ruled that the following motions, which had been submitted in terms of Standing Order 17, be considered together:

### **Motion 1 - By Councillor Doggart:**

“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.”

### **Motion**

To withdraw paragraphs 1-4 and 6 of the motion and submit paragraph 5 as an addendum to Councillor Howie’s motion as follows:

To recognise that more work was required to have a full understanding of any problems in respect of discharges at the start of the pandemic, but also recognise that the recommendations of the MWCS were valid in respect of all discharges at any time.

- moved by Councillor Doggart, seconded by Councillor Webber

### **Motion 2 – By Councillor Howie**

“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:

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- 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."

- moved by Councillor Howie, seconded by Councillor Main

### **Amendment**

- 1) To add to point 3 of Councillor Howie's motion:

"Also notes issue of discharge from hospital complex involving multiple practitioners across acute and community setting and officers are actively engaging with the MWC to understand their position and interpretation of circumstances to learn any lessons from this case."

- 2) To add to point 4 of Councillor Howie's motion:

"Notes the action plan on the 11 recommendations is expected to be reported to a future Policy and Sustainability Committee once fully produced between the HSCP, the CSWO's office and NHS Lothian."

- 3) In point 5 of Councillor Howie's motion:

Replace "is are likely to" with "may well be":

- 4) To delete point 6 c) and 6 d) and replace with:

6 c) Realistic and achievable timescales to carry out a proportionate and robust review of all cases over the past 16 months to assure ourselves of processes over the extraordinary period of time of the pandemic, setting out current resource requirements in continuing to deal with the pandemic to inform that timeline.

-moved by Councillor Henderson, seconded by Councillor Gordon

In accordance with Standing Order 22(12), Paragraph 5 of Councillor Duggart's motion, and the amendment by Councillor Henderson, were accepted as amendments to Councillor Howie's motion.



## Decision

To approve the following adjusted motion by Councillor Howie:

- 1) To acknowledge 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) To note the Council Leader's response to Councillor Howie's question on unlawful discharges in December 2020.
- 3) To note with concern that the report specified 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. To also note issue of discharge from hospital complex involving multiple practitioners across acute and community setting and officers are actively engaging with the MWC to understand their position and interpretation of circumstances to learn any lessons from this case
- 4) To understand that the Edinburgh Health and Social Care Partnership were 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. To note the action plan on the 11 recommendations is expected to be reported to a future Policy and Sustainability Committee once fully produced between the HSCP, the CSWO's office and NHS Lothian
- 5) To note however that this was from a sample of around 10% of all such moves reported at the time by Public Health Scotland, indicating there may well be more cases like it.
- 6) To request a summary report in one cycle to the Policy and Sustainability Committee that included:
  - 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 had 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) Realistic and achievable timescales to carry out a proportionate and robust review of all cases over the past 16 months to assure ourselves of processes over the extraordinary period of time of the pandemic, setting out current resource requirements in continuing to deal with the pandemic to inform that timeline.

- 7) To recognise that more work was required to have a full understanding of any problems in respect of discharges at the start of the pandemic, but also recognise that the recommendations of the MWCS were valid in respect of all discharges at any time.

## 19 Health Impacts of Air Pollution – Motion by Councillor Macinnes

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

“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 the Transport and Environment Committee 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.](#)”

### **Motion**

To approve the motion by Councillor Macinnes.

- moved by Councillor Macinnes, seconded by Councillor Doran

### **Amendment 1**

- 1) To insert a new enumerated points after point 4) of the motion by Councillor Macinnes:

“Recognises most people spend more time indoors than outdoors and acknowledges the emerging literature on the significantly elevated risks of airborne transmission of COVID 19 within poorly ventilated indoor spaces.

Observes that poor indoor ventilation can also concentrate other airborne pollution, magnifying any health impacts to a far greater extent than outdoor pollution.

Notes that governments around the world are urgently investigating indoor air quality within buildings to better understand any emerging risks. That poorly ventilated School Buildings are a particular cause of concern, and evidence suggests they can negatively impact the development of children.

Further notes that inexpensive monitoring of Carbon Dioxide levels within a building are a very good proxy of overall indoor air quality and could be rapidly deployed in the City of Edinburgh estate.

- 2) In point 5) of the motion, rewords the first clause of the sentence to:  
“Recognises and welcomes” removing the comma and renumbers to point 9).
- 3) In the final paragraph of the motion, replaces “Transport and Environment Committee with “Policy and Sustainability Committee”, recognising the cross-cutting nature of this issue, and inserts “indoor and outdoor” before “air pollution” in the last clause of the first sentence.

- moved by Councillor Jim Campbell, seconded by Councillor Mowat

### **Amendment 2**

To amend the final paragraph of the motion by Councillor Macinnes, replacing “Requests that officers prepare a report to the Transport and Environment Committee within three cycles” with “Requests that officers include in the air quality management report update and final report to the Transport and Environment Committee.

- moved by Councillor Miller, seconded by Councillor Corbett

### **Amendment 3**

- 1) To delete paragraph 5) of the motion by Councillor Macinnes and insert,  
“5) the decision of the Transport and Environment Committee on 17 June 2021 to proceed with a consultation on a city-centre only Low Emission Zone, recognises the concern around the limited scope of the revised

plan and the potential for some communities to witness increased air pollution levels due to the proposed LEZ boundary.”

2) To add to the motion:

“6) 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.”

- moved by Councillor Lang, seconded by Councillor Osler

## Voting

### First Vote

The voting was as follows:

For the Motion	-	28 votes
For Amendment 1	-	17 votes
For Amendment 2	-	9 votes
For Amendment 3	-	6 votes

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

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

For Amendment 2: Councillors Booth, Burgess, Mary Campbell, Corbett, Howie, Main, Miller, Rae and Staniforth.

For Amendment 3: Councillors Aldridge, Gloyer, Lang, Osler, Neil Ross and Louise Young.)

There being no overall majority, Amendment 3 fell and a second vote was taken between the Motion and Amendments 1 and 2.

### Second Vote

The voting was as follows:

For the Motion	-	34 votes
For Amendment 1	-	17 votes
For Amendment 2	-	8 votes

(For the Motion: Lord Provost, Councillors Aldridge, Arthur, Barrie, Bird, Bridgman, Cameron, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner,

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

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

For Amendment 2: Councillors Booth, Burgess, Mary Campbell, Corbett, Main, Miller, Rae and Staniforth.

### **Decision**

To approve the motion by Councillor Macinnes.

## **20 Chair**

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At this point in the meeting the Lord Provost resumed the chair.

## **21 In-house Service Provision - Motion by Councillor Day**

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

“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 inhouse 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.”

### **Motion**

To approve the motion by Councillor Day.

- moved by Councillor Day, seconded by Councillor McVey

### **Amendment 1**

To add to the motion by Councillor Day:

Council:

Further notes that the Finance and Resources Committee of the 20th May 2021 unanimously approved 2 external contracts valued at £18m for the delivery of Hard Facilities Management services, with each contract comprising an initial 7 years in length, with the potential to extend to 10 years.

Council therefore agrees to continue to choose the appropriate delivery model for each service in order to achieve its statutory requirement to achieve Best Value.

- moved by Councillor Johnston, seconded by Councillor Bruce

## Amendment 2

To add in the final paragraph of the motion by Councillor Day, following the words 'and other stakeholders' within the brackets, 'and recognising the financial and other inputs required to allow best value assessments to be made'.

- moved by Councillor Neil Ross, seconded by Councillor Aldridge

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

## Voting

The voting was as follows:

For the motion (as adjusted)	-	41 votes
For the amendment	-	17 votes

(For the motion (as adjusted): 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, Griffiths, Henderson, Howie, Lang, Macinnes, Main, McNeese-Mechan, McVey, Munn, Munro, Osler, Perry, Rae, Neil Ross, Staniforth, Watt, Wilson, Work, Ethan Young and Louise Young.

For the amendment: 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 Day:

- 1) To note 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.
- 2) To also note 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.
- 3) To lastly note previous and recent decisions on service frameworks and contracts where options remained to be fully explored on inhouse components of service delivery within the service areas.
- 4) To request a report to the Policy and Sustainability Committee in 2 cycles setting out a process and timeline to examine where in-house provision could be expanded in Council service delivery (including setting out engagement processes for staff, local trade unions, key service users and other

stakeholders and recognising the financial and other inputs required to allow best value assessments to be made), and include an update on the use of community benefit clauses in external contracts such as increased local apprenticeships and other clauses in use.

## 22 Suspension of Eviction Action Against Council Tenants for Rent Arrears - 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 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.”

### **Motion**

To approve the motion by Councillor Booth.

- moved by Councillor Booth, seconded by Councillor Rae

### **Amendment**



To delete the motion by Councillor Booth and replace with:

- 1) To note that since Feb/March 2021, the council had served around 20 notices of proceeding for court action on tenants for rent arrears and that since the Sheriff Court re-opened in October 2020, decree had been granted to the council in 8 cases. The decrees were valid for a period of up to 6 months.
- 2) To further note that none of these had been progressed to eviction.
- 3) To acknowledge that substantial advice and assistance was offered to tenants before an eviction notice was pursued, and that court action remained a last resort for tenants who did not engage or make reasonable payments.
- 4) To nonetheless note that the Covid pandemic had not yet ended, that Edinburgh remained under Covid restrictions, that many businesses were currently unable to operate and therefore many citizens currently had severely restricted income.
- 5) To therefore agree that until such time as the Scottish Government moved Edinburgh into level 0 lockdown restrictions; or until September 2021 at which point a detailed report would be brought to the Housing, Homelessness and Fairwork Committee for a decision:
  - a) the council would suspend evictions of any tenant in relation to rent arrears
  - b) the council would not use decrees granted by the Sheriff court to evict tenants for rent arrears
  - c) all current decrees granted to the council by the Sheriff Court for non-payment of rent would be suspended
  - d) new notice of proceedings to initiate court action due to rent arrears would be suspended.
- 6) To further agrees that a report will be provided to the Housing, Homelessness and Fair Work Committe within one cycle and that this report should:
  - a) 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.
  - b) Recognising that the council was the custodian of the HRA for tenants, the report should reflect the views of tenants and tenants' representative organisations and therefore ask officers to consult with tenants representatives about any additional measures that could be put in place to avoid court proceedings
  - c) Recognising further that the biggest risk of homelessness was to tenants in the private rented sector, as the pre-legal requirements in place for

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social landlords requiring every action be taken to assist with rent arrears were not in place in the private rented sector. Therefore request the report includes the most up to date data on evictions across all tenures, and steps the council was taking to support tenants in the Private Rented Sector to prevent homelessness.

- moved by Councillor Kate Campbell, seconded by Councillor Watt

In accordance with Standing Order 22(12), the amendment was accepted in place of the motion.

### **Decision**

To approve the following adjusted motion by Councillor Booth:

- 1) To note that since Feb/March 2021, the council had served around 20 notices of proceeding for court action on tenants for rent arrears and that since the Sheriff Court re-opened in October 2020, decree had been granted to the council in 8 cases. The decrees were valid for a period of up to 6 months.
- 2) To further note that none of these had been progressed to eviction.
- 3) To acknowledge that substantial advice and assistance was offered to tenants before an eviction notice was pursued, and that court action remained a last resort for tenants who did not engage or make reasonable payments.
- 4) To nonetheless note that the Covid pandemic had not yet ended, that Edinburgh remained under Covid restrictions, that many businesses were currently unable to operate and therefore many citizens currently had severely restricted income.
- 5) To therefore agree that until such time as the Scottish Government moved Edinburgh into level 0 lockdown restrictions; or until September 2021 at which point a detailed report would be brought to the Housing, Homelessness and Fairwork Committee for a decision:
  - a) the council would suspend evictions of any tenant in relation to rent arrears
  - b) the council would not use decrees granted by the Sheriff court to evict tenants for rent arrears
  - c) all current decrees granted to the council by the Sheriff Court for non-payment of rent would be suspended
  - d) new notice of proceedings to initiate court action due to rent arrears would be suspended.
- 6) To further agrees that a report will be provided to the Housing, Homelessness and Fair Work Committe within one cycle and that this report should:

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- a) 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.
- b) Recognising that the council was the custodian of the HRA for tenants, the report should reflect the views of tenants and tenants' representative organisations and therefore ask officers to consult with tenants representatives about any additional measures that could be put in place to avoid court proceedings
- c) Recognising further that the biggest risk of homelessness was to tenants in the private rented sector, as the pre-legal requirements in place for social landlords requiring every action be taken to assist with rent arrears were not in place in the private rented sector. Therefore request the report includes the most up to date data on evictions across all tenures, and steps the council was taking to support tenants in the Private Rented Sector to prevent homelessness.

## 23 Accessible Play Parks - Motion by Councillor Howie

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

“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.”

## **Motion**

To approve the motion by Councillor Howie

- moved by Councillor Howie, seconded by Councillor Staniforth

## **Amendment**

To add a point 10) to the motion by Councillor Howie:

“10) Notes the additional resources allocated through the Council’s budget in February for Parks and that some of this will help deliver new equipment in play parks and asks that this ensures adequate provision for disabled children.

Further notes the Scottish Government commitment on additional playpark resources which should also take account of accessibility in refurbishing, replacing and expanding Edinburgh’s playparks and that information on both of these are included in the report to Culture and Communities and in the city’s Cultural Map.”

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

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

## **Decision**

To approve the following adjusted motion by Councillor Howie:

- 1) To recognise the need for disabled children to be able to play alongside their more able friends.
- 2) To welcome the written answer to Full Council on 27 May 2021 which indicated that the council had already invested in accessible play equipment.
- 3) To welcome new facilities at revamped parks like Saughton Park which were accessible to children of a range of abilities.
- 4) To appreciate that different children had different needs and that what was suitable for one child’s disability may not be suitable for others.
- 5) To call on officers to compile a detailed list of what accessible play equipment was 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:

- 6) To note the fully accessible play park at Pittencrieff Park in Fife was the closest all-inclusive play park for Edinburgh residents.

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- 7) To understand 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) To believe that Edinburgh, as the capital city, should have a fully accessible park that at least matches Pittencrieff Park.
- 9) To therefore, request a report to be returned within 4 cycles to the Culture and Communities Committee which:
  - Outlined the range of disabilities, including learning difficulties, that required specialist equipment or facilities.
  - Detailed the full range of accessible play park equipment available and their cost.
  - Recommended a series of options for the construction of a fully accessible play park in Edinburgh for a range of budgets.
  - Outlined any options for outside funding, including sponsorship and partnerships to help secure the necessary funding.
- 10) To note the additional resources allocated through the Council's budget in February for Parks and that some of this would help deliver new equipment in play parks and ask that this ensured adequate provision for disabled children.

To further note the Scottish Government commitment on additional playpark resources which should also take account of accessibility in refurbishing, replacing and expanding Edinburgh's playparks and that information on both of these be included in the report to Culture and Communities and in the city's Cultural Map.

## 24 Footpath Completion, Curriehill Road - Motion by Councillor Webber

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

“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 City of Edinburgh Council - 24 June 2021 Page 10 of 17 matter of urgency, reaffirming the transport hierarchy, and putting the needs of pedestrians first.”

### Decision

To note that Councillor Webber had withdrawn her motion.

## 25 West End Traffic Impacts - Motion by Councillor Mowat

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

“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.”

### Motion

To approve the motion by Councillor Mowat

- moved by Councillor Mowat, seconded by Councillor Douglas

### **Amendment**

To add additional paragraph at the end of the motion by Councillor Mowat:

“Instructs officers to identify and bring an update to the Transport and Environment Committee on specific measures to create modal shift towards more sustainable transport in this specific area.”

- moved by Councillor Corbett, seconded by Councillor Staniforth

### **Voting**

The voting was as follows:

For the motion	-	25 votes
For the amendment	-	33 votes

(For the motion: 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 Louise Young.

For the amendment: Lord Provost, Councillors Arthur, Bird, Booth, Burgess, Cameron, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Griffiths, Henderson, Howie, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Rae, Staniforth, Watt, Wilson, Work and Ethan Young

### **Decision**

To approve the following amendment by Councillor Corbett:

- 1) The resident community in area of the West End bounded by Haymarket Terrace, Magdala and Douglas Crescents, and Palmerston Place was concerned that the changes proposed to improve active travel and air quality in the city may negatively impact on them as traffic avoided the Low Emission Zone and the roads were altered with the City Centre West to East Cycle route.
- 2) The work completed so far had noted that there would be changes in traffic patterns (CCWEL) and possible displacement (LEZ) there was no commitment to work with the local community to consider whether there were measures that could be taken to avoid the schemes above negatively impacting on this area.
- 3) To therefore instruct Transport officers to meet with residents to discuss and review programmed measures to improve road safety and maintain their



environmental quality including any measures that could be taken and how these could be resourced.

- 4) To instruct officers to identify and bring an update to the Transport and Environment Committee on specific measures to create modal shift towards more sustainable transport in this specific area.

## 26 Lothian Buses - Motion by Councillor McLellan

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

“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.”

### **Motion**

To approve the motion by Councillor McLellan

- moved by Councillor McLellan, seconded by Councillor Brown

### **Amendment**

- 1) To delete points 3-6 of the motion by Councillor McLellan and replace with:
  - “3) Stands fully behind the Lothian Buses management in their decisions to keep staff safe and the drivers in their right to be safe at their workplace and condemns the comments from James Dornan MSP against Lothian Buses.

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- 4) Rejects any accusation of discrimination against Lothian Buses in relation to actions taken to protect their drivers' safety.
- 5) Notes the Transport and Environment Convenor wrote to James Dornan MSP on 12 June 2021 *condemning his remarks*.
- 6) Notes that James Dornan MSP responded with the following apology on 16 June 2021, which the Convener subsequently shared with the Chair and Managing Director of Lothian.

*For clarification purposes I want make it clear that I am aware that Lothian Bus went on to have further changes to their service routes as the campaign against the attacks on buses progressed. My speech was meant to highlight how a section of community can be almost invisible when decisions, including corporate, are made. I never at any stage meant to imply that Lothian Buses or their staff were by this action Anti-Irish or Anti-Catholic.*

*For that I do sincerely apologise.*

- 7) Recognises the work by groups in the City, such as Edinburgh Interfaith Association and indeed our City's football clubs, which has contributed to a culture in Edinburgh where sectarianism is rejected by the people of Edinburgh where it's found.

- moved by Councillor Macinnes, seconded by Councillor Doran

In accordance with Standing Order 22(12), the amendment was adjusted and accepted as an addendum to the motion.

## **Decision**

To approve the following adjusted motion by Councillor McLellan:

- 1) Council 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) To recognise that Lothian Buses had little choice but to suspend services to protect both their drivers and passengers.
- 3) To utterly condemn 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) To further condemn Mr Dornan's abuse of parliamentary privilege to make such an allegation without a shred of evidence.
- 5) To instruct the Council leader to write to Mr Dornan to express the unanimous dismay of this council at his accusation.

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- 6) To call upon Mr Dornan to issue a full public apology to the company for casting groundless aspersions on the integrity of its staff.
- 7) To stand fully behind the Lothian Buses management in their decisions to keep staff safe and the drivers in their right to be safe at their workplace and condemns the comments from James Dornan MSP against Lothian Buses.
- 8) To reject any accusation of discrimination against Lothian Buses in relation to actions taken to protect their drivers' safety.
- 9) To note the Transport and Environment Committee Convener wrote to James Dornan MSP on 12 June 2021 *condemning his remarks*.
- 10) To note that James Dornan MSP responded with the following apology on 16 June 2021, which the Convener subsequently shared with the Chair and Managing Director of Lothian.

*For clarification purposes I want make it clear that I am aware that Lothian Bus went on to have further changes to their service routes as the campaign against the attacks on buses progressed. My speech was meant to highlight how a section of community can be almost invisible when decisions, including corporate, are made. I never at any stage meant to imply that Lothian Buses or their staff were by this action Anti-Irish or Anti-Catholic.*

*For that I do sincerely apologise.*

- 11) To recognise the work by groups in the City, such as Edinburgh Interfaith Association and indeed our City's football clubs, which had contributed to a culture in Edinburgh where sectarianism was rejected by the people of Edinburgh where it was found.

## Declaration of Interests

Councillor Bridgman declared a non-financial interest in the above item as the wife of a bus driver.

Councillors Doran, Laidlaw and Miller declared a non-financial interest in the above item as members of Transport for Edinburgh.

Councillor Macinnes declared a non-financial interest in the above item as Chair of Transport for Edinburgh.

## 27 Platinum Jubilee Holiday – June 2022 - 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 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 2 nd 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.”

## Decision

To note that Councillor Laidlaw had withdrawn his motion.

## 28 World Mixed Double Curling Championships - Motion by the Lord Provost

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The following motion by the Lord Provost was submitted in terms of Standing Order 17:

“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.”

- moved by the Lord Provost, seconded by Councillor Griffiths

## Decision

To approve the motion by the Lord Provost.

## 29 Balerno Fairtrade Village - Motion by Councillor Gardiner

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

“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.”

- moved by Councillor Gardiner, seconded by Councillor Henderson

## Decision

To approve the motion by Councillor Gardiner.

### 30 CEC Legal Challenge – Motion by Councillor Rose

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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 Rose was submitted in terms of Standing Order 17:

“Council

- 1) Notes the Sheriff Court judgement in the case John Travers v City of Edinburgh Council, published today
  - a) Instructing the Council to supply to John Travers the 2016 PWC report into, among other things, allegations of malpractice against John Travers and his family.
  - b) That the report be supplied within 7 days.
- 2) Notes the PWC report was completed five years ago and that the Council has since then refused to supply the report to John Travers despite his claims that the Council committed to do so.
- 3) Notes the chain of circumstances leading to the investigation into allegations of malpractice covers a period from the first whistleblowing by John Travers in 2002 up to the time of the report.
- 4) Instructs the Monitoring Officer to report to all members of Council explaining the detailed conclusions of the court case and why the Council resisted the action it has now been instructed to carry out.”

#### **Motion**

Council

- 1) Notes the Sheriff Court judgement in the case John Travers v City of Edinburgh Council, published today
  - a) Instructing the Council to supply to John Travers the 2016 PWC report into, among other things, allegations of malpractice against John Travers and his family.
  - b) That the report be supplied within 7 days.
- 2) Notes the PWC report was completed five years ago and that the Council has since then refused to supply the report to John Travers despite his claims that the Council committed to do so.

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- 3) Notes the chain of circumstances leading to the investigation into allegations of malpractice covers a period from the first whistleblowing by John Travers in 2002 up to the time of the report.
- 4) Instructs the Monitoring Officer to bring a report to Council explaining the detailed conclusions of the court case and why the Council resisted the action it has now been instructed to carry out within one cycle. Acknowledging this report, or parts of it, may be covered in the B Agenda due to ongoing legal complexities of the judgement but requests as much of this information as possible is presented as openly as possible.

- moved by Councillor Rose, seconded by Councillor Dickie

**Decision**

To approve the motion by Councillor Rose.

## **31 Chief Executive - Congratulations**

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To congratulate Andrew Kerr, Chief Executive on receiving an OBE in the Queen's Birthday Honours.

## **32 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.



## Appendix 1

(As referred to in Act of Council No 32 of 24 June 2021)

### QUESTION NO 1

**By Councillor Burgess for answer by the Leader of the Council at a meeting of the Council on 24 June 2021**

#### Question

What discussions have the Council had with the Scottish Government, with COSLA or other partners about how to finance and deliver low-carbon retrofit of council buildings including schools?

#### Answer

The Council leads on the Scottish Cities Alliance's Energy Efficiency in public buildings workstream. This group provides collective focus across Scotland's cities on how to improve the energy efficiency of public buildings including how best to accommodate low carbon heat/power generation and support zero carbon buildings. In this role, the Council is in regular contact with key Scottish Government Civil Servants to set the workstream programme and capture the challenges facing cities, including approaches to financing the low carbon agenda. Through this workstream, there is a workshop scheduled for the summer that will include discussions on how to fund the low-carbon retrofit of Council buildings as well as engaging on key topics, such as how to approach the PFI estate (with a view to developing PFI pilot projects).

In support of this agenda, the Council is currently developing an EnerPHit based approach to the future retrofitting of buildings. EnerPHit based feasibility studies are currently underway across a selection of representative Council buildings. As part of the early pilot feasibility works, projected pilot costs will be interpolated across the Councils estate to provide an outline cost for estate wide low carbon retrofit. Once available, this will help inform discussions with both the Scottish Government and the Scottish Cities Alliance.

**QUESTION NO 2**

**By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

At the 12 March 2020 meeting of the Council and in answer to question 9, the Convener advised that the planned pedestrian crossing at Bo'ness Road in Queensferry would be installed over the summer school holidays in 2020.

**Question** (1) Has the detailed design work for the crossing been completed?

**Answer** (1) The Coronavirus (COVID-19) pandemic has significantly impacted on the planned design and delivery programme. However, the detailed design is now almost complete, and the Road Safety Audit has been arranged. On conclusion, and subject to any appropriate revisions, the construction package will be prepared for our Transport Infrastructure team to deliver.

**Question** (2) What is the current expected installation date for the crossing?

**Answer** (2) Assuming this is completed by the end of September, installation should be completed by the end of this financial year, subject to the installation of an appropriate power supply by Scottish Power.

**QUESTION NO 3**

**By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

**Question** (1) How many requests for new or replacement grey household wheelie bins have been requested since 1 January 2021, broken down by ward?

**Answer** (1) Replace Grey Non Recycl Bin Service Requests from Jan 2021 to 15 Jun 2021

Wards	Closed	Open	Total
01-Almond	342	46	388
02-Pentland Hills	303	46	349
03-Drum Brae/Gyle	227	39	266
04-Forth	258	36	294
05-Inverleith	203	26	229
06-Corstorphine/Murrayfield	145	29	174
07-Sighthill/Gorgie	339	74	413
08-Colinton/Fairmilehead	243	64	307
09-Fountainbridge/Craiglockhar	130	23	153
10-Meadows/Morningside	72	21	93
11-City Centre	32	6	38
12-Leith Walk	39	1	40
13-Leith	57	15	72
14-Craigtinny/Duddingston	196	52	248
15-Southside/Newington	140	32	172
16-Liberton/Gilmerton	482	110	592
17-Portobello/Craigmillar	342	85	427
<b>Replace Residual Ind Grey Requests</b>	<b>3,550</b>	<b>705</b>	<b>4,255</b>

**Question** (2) Of these grey household wheelie bin requests, what percentage have had new or replacement bins delivered

- a) within 10 working days,
- b) within 14 working days?

**Answer** (2) The fulfilment of grey household wheelie bin requests is:

- a) within 10 working days - 65%
- b) within 14 working days - 75%

**Question** (3) How many requests for new or replacement grey household wheelie bins are currently outstanding?

**Answer** (3) On the day this answer was prepared, there were 705 outstanding. This is update on a rolling basis as requests are fulfilled and new requests received.

**Question** (4) How many requests for new or replacement garden waste wheelie bins have been requested since 1 January 2021, broken down by ward?

**Answer** (4) **Replacement Garden Bin Service Requests from Jan 2021 to 15 Jun 2021**

Wards	Closed	Open	Total
01-Almond	70	13	83
02-Pentland Hills	59	7	66
03-Drum Brae/Gyle	50	5	55
04-Forth	44	8	52
05-Inverleith	65	6	71
06-Corstorphine/Murrayfield	53	11	64
07-Sighthill/Gorgie	46	9	55
08-Colinton/Fairmilehead	64	11	75
09-Fountainbridge/Craiglockhar	36	10	46
10-Meadows/Morningside	45	4	49
11-City Centre	19	1	20
12-Leith Walk	22	3	25
13-Leith	10	1	11
14-Craigtinny/Duddingston	31	3	34
15-Southside/Newington	39	3	42
16-Liberton/Gilmerton	125	24	149
17-Portobello/Craigmillar	75	8	83
<b>Replace Garden Bin Requests</b>	<b>853</b>	<b>127</b>	<b>980</b>

**Question** (5) Of these garden waste wheelie bin requests, what percentage have had new or replacement bins delivered

a) within 10 working days,

b) within 14 working days?

**Answer** (5) The fulfilment of garden waste wheelie bin requests is:

a) within 10 working days - 72%

b) within 14 working days - 76%

**Question** (6) How many requests for new or replacement garden waste household wheelie bins are currently outstanding?

**Answer** (6) On the day this answer was prepared, there were 127 outstanding. This is update on a rolling basis as requests are fulfilled and new requests received.

**Question** (7) How many requests for new or replacement recycling wheelie bins have been requested since 1 January 2021, broken down by ward?

**Answer**

**(7)**

**Replacement Recycling Bin Service Requests from Jan 2021 to 15 Jun 2021**

Wards	Closed	Open	Total
01-Almond	224	21	245
02-Pentland Hills	98	11	109
03-Drum Brae/Gyle	114	12	126
04-Forth	152	20	172
05-Inverleith	97	12	109
06-Corstorphine/Murrayfield	71	8	79
07-Sighthill/Gorgie	146	17	163
08-Colinton/Fairmilehead	89	11	100
09-Fountainbridge/Craiglockhar	66	12	78
10-Meadows/Morningside	53	7	60
11-City Centre	18	3	21
12-Leith Walk	33	2	35
13-Leith	44	7	51
14-Craighentiny/Duddingston	123	15	138
15-Southside/Newington	72	15	87
16-Liberton/Gilmerton	249	68	317
17-Portobello/Craigmillar	181	32	213
<b>Replace Recycling Bin Requests</b>	<b>1,830</b>	<b>273</b>	<b>2,103</b>

**Question**

**(8)** Of these recycling wheelie bin requests, what percentage have had new or replacement bins delivered

- a) within 10 working days,
- b) within 14 working days?

**Answer**

**(8)** The fulfilment of recycling wheelie bin requests is:

- a) within 10 working days - 81%
- b) within 14 working days - 82%

**Question**

**(9)** How many requests for new or replacement recycling wheelie bins are currently outstanding?

**Answer**

**(9)** On the day this answer was prepared, there were 273 outstanding. This is update on a rolling basis as requests are fulfilled and new requests received.

**Supplementary Question**

The Council has a published target of getting new or replacement wheelie bins to households within 10 days of a request being made. However, her answers show this target is not being met in a third of grey bin requests; a quarter of garden waste bin requests and a fifth of recycling bin requests. Can the Convener clarify what factors are currently contributing to this?

**Supplementary  
Answer**

There are a number of factors which have contributed to the delay in fulfilling bin requests including:

- In the past few months there has been a delay in ordering new bins and in the requested fulfilment date provided to the supplier;
- There is a shortage of the materials to manufacture bins which is impacting on supply and cost; and
- Over the past 12 months there has been a significant number of bin requests placed. When requests were submitted online, the confirmation email was confirming that the new/replacement would be received within 10 working days. When this was not the case, repeat requests were being submitted, further increasing the number of requests.

The service is monitoring both availability and cost and is placing orders when it is appropriate to do so. A mini-procurement competition is also currently underway to improve supply.

The web form has now been updated to indicate that there may be a delay in fulfilling requests and the Waste and Cleansing team are working with ICT colleagues to further update the website and to improve the information available to customers.

**QUESTION NO 4**

**By Councillor Munro for answer by the Leader of the Council at a meeting of the Council on 24 June 2021**

**Question** (1) Following approval of the Budget for 2021/22 what meetings has the Council Leader held with Scottish Government Ministers and whom to improve Edinburgh's funding for 2021/22?

**Answer** (1) A number of meetings have taken place involving me directly where aspects of funding matters relevant to the Council or Edinburgh more widely have been part of the discussion. There have been continuing meetings also through COSLA on common issues, like staff pay, where Edinburgh continues to play an active part through the COSLA channels of communication.

**Question** (2) Have any meetings included the Deputy Leader?

**Answer** (2) These have taken place through forums or 1:1 with me representing the Council and City's interests as Council Leader.

**Supplementary Question** Which Ministers has the Leader met in his capacity as Council Leader and what extra funding has resulted from those meetings ?

**Supplementary Answer** Since the budget meeting I've taken part in meetings as Council Leader with the Deputy First Minister and Cabinet Secretary for Finance and Economy, Cabinet Secretary for Social Justice, Housing and Local Government and Cabinet Secretary for Constitution, External Affairs and Culture many meetings have taken place pre-budget also to make Edinburgh's case on a number of points and consistently through COSLA to make a collective and unified case for local Government.

There are several ongoing discussions related to local government finance post-budget however already since the

budget there have been announcements of additional funding benefiting Edinburgh:

- £96.8m of extra support for bus operators which helped support Lothian Buses and other operators across Scotland bringing total support to over £210m
- £5.3m of extra support for light rail, which was split between Edinburgh Tram and Glasgow Subway, bringing total support to £15m
- An allocation of £0.846m from the Scottish Government's *Summer of Activities for Children and Young People* programme to deliver enhanced holiday activities and experiences for those in the city, including food and wider family support where needed, and targeted at low income families, children and young people particularly adversely affected by the impacts of the pandemic;
- Funding of £0.346m to increase the level of school clothing grant from £100 to £120 for primary school pupils and to £150 for secondary school pupils from the beginning of the August term;
- Additional in-year funding of around £0.350m to support the much-valued instrumental music service in the city's schools;
- Over £1.2m of continuing free school meal support to eligible children and young people during the summer, October, Christmas, February and Easter holidays;
- Over £2.3m to support the roll-out of free school meals to all P4 pupils from August 2021, extending this to all P5 pupils from January 2022.



**QUESTION NO 5**

**By Councillor Munro for answer by the Leader of the Council at a meeting of the Council on 24 June 2021**

**Question** (1) The Child Poverty (Scotland) Act 2017 placed a duty on Local Authorities and Health Boards to annually produce a local child poverty action report. How many has Edinburgh produced?

**Answer** (1) Edinburgh has produced 2 Local Child Poverty Action Report (LCPAR) as required.

**Question** (2) What action has been taken

**Answer** (2) Actions reported in the last LCPAR (which covered 2019/20 and was extended to cover the pandemic to end of 2020) included a range of action across the city. These included:

- significant investments in affordable house building with a record 1,443 affordable homes built in 2019/20 - 25% more than in 2018/19.
- employability support programmes engaged with 3,145 people during 2019/20 to help people into work or learning.
- 3,400 pupils attended breakfast clubs during 2019/20, while over 4000 children attend out of school care, enabling parents to work and study.
- advice service providers generated £18.75m for families on low incomes in 2019 – 20
- Changeworks' energy advice service supported 2,100 tenants with 168 young families between 2018 and 2020, generating a total of £423,000 financial savings through support including energy advice, referral for grants and income maximisation, billing advocacy and tariff/ supplier switch.

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**Supplementary  
Question**

Will representations be made to the Finance Secretary to allocate the same amount of funding found for the Council Tax freeze to make a one-off payment of the Scottish Child Payment?

**Supplementary  
Answer (by  
Councillor Day)**

This is not a local authority administered fund and is therefore a matter for National Government. I will write to the finance secretary to raise this issue.

**QUESTION NO 6**

**By Councillor Munro for answer by the Convener of the Housing, Homelessness and Fair Work Committee at a meeting of the Council on 24 June 2021**

**Question** (1) Following the approval of the Strategic Housing Investment Plan (SHIP) for 2021-26 what meetings has the Convener held with Scottish Government Ministers to improve funding for Housing in Edinburgh?

**Answer** (1) The SHIP was approved at committee on 14<sup>th</sup> January this year. I wrote to the Housing Minister on the 17<sup>th</sup> February 2021 to ask for a meeting to discuss Edinburgh receiving an uplift in grant funding from the central housing budget. Although a meeting was not arranged before the Scottish Parliament was (effectively) dissolved on 25<sup>th</sup> March 2021, on the 21<sup>st</sup> of April we received our resource planning assumption for the Affordable Housing supply Programme from Scottish Government for 2021/22. The full RPA for 2021/22 for Edinburgh was **£52.418m**. A rise of **£4.209m** from last year's allocation (£48.209m) with the additional funding coming from the central housing budget.

Since the announcement of a new Cabinet Secretary for Social Justice, Housing and Local Government I have written a further letter to ask for a meeting to discuss a number of issues relating to housing and homelessness, including the need for an increase to, alongside certainty over future years of, resource planning assumptions for the Affordable Housing Supply Programme for Edinburgh.

This meeting is in the process of being arranged.

**Question** (2) Have any meetings included the vice-convener?

**Answer** (2) Since the SHIP was approved, as set out above, there have not been any meetings.

**Supplementary Question** The increase indicated in the answer is nowhere near the 63% increase in funding identified by the SHIP and will this amount be requested in any meetings held with Government Ministers?

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**Supplementary  
Answer**

At the start of this administrative term the council's resource planning assumption (RPA) was £29.12m. This year our RPA was £52.42m, an increase of 80% over the last five years.

I met the Cabinet Secretary for Social Justice, Housing and Local Government on Monday 28th June and set out the challenges we face in Edinburgh including the low level of social housing compared to other local authority areas, and the need for increased grant funding to help redress this imbalance.

**QUESTION NO 7**

**By Councillor Munro for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 24 June 2021**

**Question** (1) How many Community Education workers are directly employed by City of Edinburgh Council?

**Answer** (1) This role no longer exists – it has been replaced and the functions this role did has been renamed and split between services eg

- Lifelong Learning Team Leader (Libraries)
- Lifelong Learning Development Officer (youth work/sport etc.)
- Lifelong Learning Strategic Development Officer (Adult learning)
- Lifelong Learning Service Manager (NW Locality)
- Lifelong Learning Strategic Manager (Creativity, Health and Wellbeing)

In addition to the discreet workforce that is the Lifelong Learning Libraries Service, there are 55 FTE Grade 7 Lifelong Learning Development Officers (LLDOs). The majority are located in the 4 Locality Lifelong Learning teams, reporting to Lifelong Learning Service Managers (LLSMs) and operationally managed by Locality Managers in Place.

A smaller number of strategic LLDOs have citywide responsibilities and report to Lifelong Learning Strategic Development Officers, who in turn report to one of the 3 (currently 2) Lifelong Learning Strategic Managers. The citywide Lifelong Learning line management sits under the Head of Schools and Lifelong Learning in Communities and Families.

**Question** (2) How many have redeployed during COVID?

**Answer** (2) None

**Question** (3) What tasks have those remaining in Community Education undertaken and how many worked directly with their community?

**Answer** (3) All staff have continued to work throughout the pandemic.

For the most part, services have been adapted and offered online.

This includes:

Online **adult learning** provision including adult literacies, English for Speakers of Other Languages, adult learning programme, Syrian Refugee Programme, Adult Learning Achievement Awards, and Family Learning.

Delivering online **parenting** programmes including Raising Children with Confidence, Raising Teens with Confidence, Teen Triple P, Incredible Years and SQA in Child Development.

Developing online **youth work** including one to one support with vulnerable young people, development of online platforms and social media support, information on what to do for all ages. Preparing resumption of youth work services city wide. The forthcoming Scottish Youth Parliament elections have also been coordinated and publicised with 50+ young people expressing interest in standing so far.

Staff have led in the preparation and drafting of a **Children's Rights** report setting out progress in relation to the UNCRC across the Children's Partnership.

Provision of **community support** including support to neighbourhood networks meeting, supporting community groups to apply for funding opportunities, maintaining contact with community centre management committees.

Support to **Discover** Facebook page activities for children living in poverty.

In addition, where possible staff have worked directly with communities. This includes School Hub support at Easter and over summer 2020; provision of group and one to one support in schools, including youth work; detached and outdoor youth work; and assisting HSC teams and voluntary sector initiatives to support vulnerable people in communities with food and medical deliveries.

Staff are currently planning **summer programmes**, including **Get into Summer**.

More information on the Lifelong Learning Service is available in the Lifelong Learning Service Plan Update committee report, May 2021:

<https://democracy.edinburgh.gov.uk/documents/s33922/7.5%20Lifelong%20Learning%20Service%20Plan%20Update.pdf>

**Supplementary Question**

What action will be taken to free the 55 workers identified from desk bound work to work that will make them active for the communities they serve?

**Supplementary Answer**

All the workers being referred to have been actively involved and key to the delivery of a wide range of supports and opportunities for the communities that they serve as highlighted in the annual Lifelong Learning Service report. That report provides a great deal of detail of the very positive and impactful work that these staff had led with a great deal of positive evaluation from the service users. The workers will be asked to continue to work from home if possible although many have already been working in face to face settings in schools , libraries ,outdoor settings .

The plans are that as restrictions hopefully ease over the summer months then staff will be able to return to a place of work if that is appropriate and desirable.

**QUESTION NO 8**

**By Councillor Munro for answer by the Convener of the Culture and Communities Committee at a meeting of the Council on 24 June 2021**

**Question**

Can the Convener provide details of the total number of Library workers, including the number of qualified librarians, in May 2007 and to date?

**Answer**

Year	Professional staff FTE	Other paid staff FTE
2006/7	78.4	241.1
2007/8	85.2	219
2008/9	65	188
2009/10	58	175.4
2010/11	50.1	215.1
2011/12	50.1	215.1
2012/13	46.1	206.1
2013/14	40.5	201.5
2014/15	40	175
2015/16	31	170
2016/17	No return	No return
2017/18	38.0	158.3
2018/19	38.0	141.7
2019/20	42.0	144.7
2020/21*	42.0	144.7

\* Estimate

**Supplementary Question**

Will there be a drop in the number of workers in Libraries with the cuts made to the Libraries Budget for this year ?



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**Supplementary  
Answer**

Any budget savings have been clearly targeted at efficiency savings and not at staff reductions. This Administration has made it quite clear that there must be no reductions in Library staff as a result of these or any other budget reductions.

**QUESTION NO 9**

**By Councillor Booth for answer by the Leader of the Council at a meeting of the Council on 24 June 2021**

On 20 April 2021, Policy and Sustainability Committee approved carbon literacy training for council officers.

**Question** (1) Please can the council leader confirm which council officers and departments will be prioritised for this training?

**Answer** (1) Discussions are underway with potential Carbon Literacy Training providers to design and commission the delivery of a programme of training for the organisation during this financial year.

The training will target middle to senior managers in the key service areas that will have most impact on both the Council and City emissions. These include; planning, development, housing, transport, waste and cleansing, parks and green spaces and facilities management. It will also include wider corporate services which will support the necessary culture shift and carbon literacy across the organisation. The proposed Carbon Literacy Training Programme will also apply a “train the trainer” approach to ensure that the knowledge and skills gained from this targeted programme can be sustained by the Council.

Wider work is also underway to update the sustainability online learning available to employees to include the free UN accredited CC Learn content relating to climate change. This will enable even more employees, to gain a basic understanding and awareness about climate change and actions to mitigate against it.

The Chief Executive intends to be amongst the first senior managers undertaking the training and this will ensure that the Council becomes a bronze accredited carbon literate organisation by January 2022.

- Question** (2) Specifically, what proportion of those officers to receive the training will be:
- a) senior managers,
  - b) front-line officers in the divisions which will be at the forefront of cutting council and city-wide climate emissions, such as transport, planning, housing and waste?

**Answer** (2) The exact numbers that will undergo training and undergo the train the trainer module will be dependent upon the final contractual arrangements agreed with the selected delivery partner.

**Question** (3) Can the council leader also confirm when this training will take place?

**Answer** (3) The training is being planned to commence from October 2021, depending upon the successful procurement of an appropriate delivery partner. This process is currently underway.

**Supplementary Question** I thank the Council Leader for his answer, and I'm delighted to hear the Chief Executive will be one of the first to take the training. Can the council leader please clarify whether he has signed up to the current round of carbon literacy training for elected members, and if not, will he do so?

**Supplementary Answer** I will be attending one of the sessions, there are limited spaces and we'll make sure that key Councillors, including myself, are able to attend the future spaces provided for elected members through the programme.

**QUESTION NO 10**

**By Councillor Booth for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 24 June 2021**

**Question** (1) The papers for Education, Children and Families Committee on 28 May 2021 seemed to imply that the catchment area for Gaelic Medium Education (GME) will in future be the City of Edinburgh Council boundary only, where previously the catchment has included the whole of the Lothians.

Is it the council's intention to reduce the GME catchment to the CEC boundary only?

**Answer** (1) There has never been any official catchment area for GME which covers the Lothians. Pupils from other local authorities make placement requests for the GME primary school in Edinburgh and the established practice is that they are always granted. The draft statutory consultation paper presented to Education, Children and Families Committee on 28 May 2021 suggests this arrangement continues.

**Question** (2) If so, what engagement has happened with neighbouring councils on this issue?

**Answer** (2) Based on the information provided in answer 1, if a statutory consultation is approved to progress, neighbouring local authorities will be contacted to make them aware that the consultation process is proceeding. Other local authorities will be asked to make all parents aware of the consultation so they can contribute if they choose to do so.

**Supplementary Question** I thank the Convener for his answer. He says that the "established practice" is that placement requests from GME parents outside the city boundaries are always granted. Will he agree to make that into a formal policy, to give more certainty to GME parents?

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**Supplementary  
Answer**

If a statutory consultation is to proceed then engagement with surrounding local authorities on developing this as a formal policy could take place as part of the process. Key elements in the discussion will be ensuring enough capacity exists for future demand and whether the other local authorities have any of their own plans to establish GME in their areas.

**QUESTION NO 11**

**By Councillor Douglas for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

**Question**

Can the Convener confirm:

- a) How many complaints the Council has received regarding slurry sealing works on footways in the last five years?
- b) How long these preventative measures are expected to last before repaving is required?
- c) Whether the Council would consider a full reconstruction of a footway should local residents request one following dissatisfaction with slurry works?

**Answer**

- a) The Council has not recorded specific complaints raised about the footway slurry sealing process going back five years.
- b) Slurry sealing is expected to last 7-10 years before further treatment is required.
- c) Slurry sealing is a preventative maintenance technique. It is used to treat footways in order to stop deterioration that would lead to a more expensive resurfacing treatment being required.

The suitability for any footway treatment is determined by a condition assessment, with a further follow-up inspection carried out by the slurry sealing contractor.

If a footway requires a full reconstruction, this would be prioritised with other footways requiring full reconstruction. Given that full reconstruction is approximately ten times the cost of slurry sealing it would be many years before a new footway would merit inclusion in a capital works programme. Therefore, the Council would not consider full

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reconstruction of a footway that was suitable to be included in a programme of slurry sealing works.

I understand that slurry sealing is not always the preferred choice of residents, due to it being aesthetically different from traditional asphalt surfaces. However, it is a very effective and cost-effective method in preventing deterioration and maintaining a safe surface for residents.

**QUESTION NO 12**

**By Councillor Webber for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

**Question**

Irrespective of the source of funding, can the Convener please confirm how much was spent advertising the recent city-wide consultation on Street Schemes. This consultation had an unprecedented response and extremely high level of engagement with nearly 18,000 participants

- a) Radio
- b) Twitter
- c) Facebook
- d) Other Social Media, please specify
- e) Local Press
- f) Lamp post Wraps
- g) Other physical Signage, please specify.

**Answer**

The table below shows the breakdown of spend for advertising:



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<b>Channel</b>	<b>Quantity</b>	<b>Provider</b>	<b>Cost</b>
Social media	1	Spirit Media	£1,263.75
Google ads - EEN	1	Spirit Media	£606.60
Google ads - other sites	1	Spirit Media	£1,263.75
Lamp post wraps	30	Out of Hand	£1,480
6 sheets (incl digital screens)	18	JC Decaux	£1,800
Radio advert	2	Spirit Media	£3,499.12
Scotsman	1	Spirit Media	£484.37
Edinburgh Evening News	1	Spirit Media	£346.82
Edinburgh Reporter digital	4	Direct	£150
Edinburgh Reporter print	1	Direct	£150

I would note, however, that the levels of response to the Spaces for People are not unprecedented as noted in the question. The response to the proposal for extending bus hours was of a similar level and indeed the consultation on 20mph streets received 20,000 responses.

**QUESTION NO 13**

**By Councillor Johnston for answer  
by the Convener of the Housing,  
Homelessness and Fair Work  
Committee at a meeting of the  
Council on 24 June 2021**

For the second year in a row, the Company Accounts for Marketing Edinburgh Ltd have not been submitted on time, incurring fines in excess of £1,000. At time of writing the Accounts to March 2020 have still not been lodged and are verging upon being 3 months late.

**Question** (1) Why were the Accounts to March 2020 not lodged on time?

**Answer** (1) There have been a number of covid related challenges including access to non-electronic records during lockdown. The focus of the board has been an orderly transition of assets into the council and safeguarding those assets. The transition is now complete. The audit is in the final stages and will be signed off imminently.

**Question** (2) Are the assets of Marketing Edinburgh at risk if the company is struck off for non-submission of Accounts to Companies House?

**Answer** (2) No. Marketing Edinburgh no longer has assets, these were transferred to the council on 31<sup>st</sup> March 2021.

**Supplementary Question** To clarify, is it your position that you were unable to lodge the Company Accounts on time 2 years running because you were unable to access paper-based files for a 16 month period? Where were the paper based files being kept that rendered them inaccessible?

**Supplementary Answer** It was one of a number of challenges. The current board were only in place from November 2019, and the two key staff members who had been responsible for the company's finances, including the accountant, are no longer with the company. Many records were not kept electronically, including contracts for subvention. All the paperwork was initially at the offices shared with the Edinburgh Chamber of Commerce. These had been moved to council storage facilities at the Murrayburn depot.

**QUESTION NO 14**

**By Councillor Laidlaw for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 24 June 2021**

**Question** (1) Does the Convener agree that last year the downgrading of pupil's assessment results by the SQA, based on historical attainment of the schools and the catchments, was unfair and should not be repeated this year?

**Answer** (1) The Deputy First Minister said in his statement to Scottish Parliament on 11 August 2020, referring to the SQA 2020 Results, "We set out to ensure that the system was fair [...] But we did not get it right for all young people." We agree with the DFM that the algorithm used by SQA in 2020 was indeed not fair and note that no such algorithm will be used this year.

**Question** (2) If so can the Convener explain why the CEC Guidance on SQA Alternative Certification Model states on Page 4: "*We will work with schools to develop effective support for moderation at the centre, which will include sharing data on prior attainment and looking at provisional patterns of attainment for this session.*"

And on Page 8: "*The Curriculum Leader and the DHT attainment/HT meet to review the provisional results compared to historical data. Implications are considered, and adjustments made as appropriate. Justification for any change is recorded.*"

**Answer** (2) The SQA expect Head Teachers to complete and sign a "statement of assurance" when submitting provisional results as part of the ACM. This statement is available here: [nq2021-head-of-centre-statement-of-assurance.pdf \(sqa.org.uk\)](https://www.sqa.org.uk/nq2021-head-of-centre-statement-of-assurance.pdf)

Note the bullet points "Provisional results have been quality assured, including rationales for any variances, and confirmed by our centre" and "Provisional results have been quality assured, including rationales for any variances, and

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confirmed by our local authority (for local authority schools only)." Consideration of historical attainment patterns has always been a part of the ACM process for this session. Our advice to schools is designed to meet these requirements.

Note that the Education Scotland report "National review of local authority approaches to quality assurance as part of the [ACM]" (available at [National Review Of Local Authorities Role In ACM \(education.gov.scot\)](https://www.education.gov.scot/national-review-of-local-authorities-role-in-acm)) makes it clear that "most" local authorities have developed approaches similar to those mentioned above, "to support school-level quality assurance."

We are happy to clarify that decisions regarding grades are ultimately based on teacher professional judgement, and that no teacher would be instructed to change a provisional result (nor come under pressure to do so) where there is clear demonstrated attainment evidence in support of the grades.

We are also happy to clarify that no ceiling has been put on the attainment of our young people this year within the ACM

**QUESTION NO 15**

**By Councillor Rust for answer by the  
Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 24 June 2021**

On the Spaces for People: Moving Forward section on the council website the Council makes the following statement: *"There is a notable difference in the general level of support and opposition between the market research and survey responses from residents. The market research is more representative of the views of residents as participants are a statistically representative sample of opinions based on Edinburgh's population demographic. The online survey were 'self-selecting' responses so are not statistically representative."*

On point 4.17 in the report to the Transport and Environment Committee: *"Potential retention of Spaces for People measures"* it is stated: *"It is worth noting that in previous cases where consultation and market research has been carried out on the same topic, for example 20mph speed limits, a similar pattern was observed, with much higher levels of opposition in consultation results compared with answers to market research."*

**Question** (1) It is a concerning trend that there are a number of examples where consultation and market research finding differ so significantly. However, it is always known that consultations are 'self-selecting' responses, therefore why was the consultation launched at a cost of £50,000 if it was felt that the 'self-selecting' responses would not be appropriate for gathering public opinion?

**Answer** (1) As set out in the Committee report, the consultation and market research are different in nature and both help inform the decision-making process. To ensure that as many people, businesses and organisations as wished to could provide feedback, it was considered appropriate to carry out consultation as well as market research, which is a recognised way of seeking to ascertain the views of a cross section of the population.

**Question** (2) Has it been considered that market research respondents 'self-select' when they apply to join panels in the first place, and then they also 'self-select' as when invited to participate, they make a choice whether to participate or not?

**Answer** (2) While people do choose to participate in market research panels, people agreeing to respond to this survey were not advised of its subject matter beforehand. In this case, the only screening undertaken was for participants to confirm that they live in Edinburgh.

**Question** (3) Are people paid to give their opinion now more valued than individual residents giving their time to share their opinion on a matter that directly impacts them?

**Answer** (3) No.

**Question** (4) Has the Council considered that it could be the market research being flawed in some way that is leading to the significant mismatch in findings alongside the consultations?

**Answer** (4) The market research was carried out by two external agencies, working together. Ensuring the quality of the data is of the utmost importance to both of the companies and also to the Panel Providers they used. They adhere to the Market Research Society Code of Conduct, and only work with partners who also adhere to these standards.

Questions have been asked about a small number of responses to the market research (13 out of 583 (2% of the sample). These questions are being investigated. However, even if all 13 were to be discounted, there is no material impact on the outcome of the research.

**Supplementary Question** In relation to answer 4, what steps are the council and agencies taking to rule out any other possible spam in the rest of the data set?

**Supplementary Answer** The online research panel companies used to distribute the market research survey have a series of defined processes in place to ensure the high quality of their participants. This includes checking for duplicate participants by evaluating variables such as email address, matches across several demographic data, and device-related data through use of digital fingerprint technology. Additionally, the different panel companies work together to remove duplicate participants when more than one panel company is used on a project.

In this survey, respondents were screened to make sure they lived in City of Edinburgh before accessing the full

survey, and the topic was not revealed in advance. Each respondent received a unique invitation, their panel ID was recorded and a cookie dropped upon completion of the survey to prevent anyone responding more than once.

**QUESTION NO 16**

**By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

The Convener has highlighted an issue that the public consultation was spammed but this was identified early on, and impacted responses were removed prior to analysis. No such statement has been made about the market research used to inform the report on the potential retention of Spaces People measures.

**Question** (1) Would the Convener consider that the following comments in the market research appear to be anomalies that need further investigation on the basis that the comments are essentially meaningless, but very similar, and while scattered, they include two sets of consecutive pairs in terms of timing of submission (respondent 321 & 322, and 370 & 371)?

**Answer** (1) These have been investigated by the Panel Providers for the market research. In surveys where free text boxes are provided, it is the case that spurious comments may be added. The entries identified have been investigated by the Market Research companies.

**Question** (2) Would the Convener agree that these comments are not identical enough (e.g. the misspelling of 'modificatiions' in row 371) to suggest that some sort of 'autofill' has been to blame, so these must have been manually and separately input somehow?

2	If you wish to make a comment about measures you would li...
321	ested modification
322	ing suggested modificatio
365	ding suggested modifications
370	ing suggested modifications
371	suggested modificatiions

**Answer** (2) These comments are not identical and therefore are unlikely to have been completed using any sort of 'autofill'.

**Question (3)** Would the Convener agree that the other responses provided by the person providing those comments are essentially very similar, so this would justify investigation?

2	Area	And finally, how many cars or vans are owned, or available for private use, by members of your household? Include any company cars or vans available for private use.	Age	Gender	Question Weight
321	Central		1 25 –44	Male	1.08698
322	Central		1 25 –44	Male	1.08698
365	Central		1 25 –44	Male	1.08698
370	Central		1 25 –44	Male	1.08698
371	Central		1 25 –44	Male	1.08698

2	Measures to provide more space and improve road safety for parents and children near schools	Measures to provide more space and improve road safety for parents and children near schools	New protected cycle lanes on main roads (e.g. Comiston Road, Ferry Road, Crewe Road, Old Dalkeith Road)	New protected cycle lanes on main roads (e.g. Comiston Road, Ferry Road, Crewe Road, Old Dalkeith Road)	Additional space for walking and/or cycling in shopping streets (e.g. Morningside, Corstorphine, Stockbridge, Gorgie)	Additional space for walking and/or cycling in shopping streets (e.g. Morningside, Corstorphine, Stockbridge, Gorgie)	Additional space for walking and/or cycling in the city centre, (e.g. Waverley Bridge closure, Mound cycle lane)	Additional space for walking and/or cycling in the city centre, (e.g. Waverley Bridge closure, Mound cycle lane)	Measures to provide more space for people to exercise. (e.g. closures to motor traffic of Silverknoes Road, Links Gardens, Braid Road, Cammo Walk)	Measures to provide more space for people to exercise. (e.g. closures to motor traffic of Silverknoes Road, Links Gardens, Braid Road, Cammo Walk)	New signed 'quiet connections' for cycling, with road closures to reduce traffic (e.g. Greenbank to Meadows, Hope Lane and Stanley St)	New signed 'quiet connections' for cycling, with road closures to reduce traffic (e.g. Greenbank to Meadows, Hope Lane and Stanley St)	Can you select the schools with Spaces for People that you are most familiar with?	Can you select the schools with Spaces for People that you are most familiar with?	Can you select the schools with Spaces for People that you are most familiar with?	Can you select the schools with Spaces for People that you are most familiar with?
321	I often use a road with traffic	Used	I occasionally Used	I occasionally Used	I am aware Not used	I occasionally Used	I occasionally Used	I often use	Used	I occasionally Used			Boroughmuir High School			
322	I often use a road with traffic	Used	I occasionally Used	I occasionally Used	I am aware Not used	I occasionally Used	I occasionally Used	I often use	Used	I occasionally Used			Boroughmuir High School			
365	I often use a road with traffic	Used	I occasionally Used	I occasionally Used	I often use	Used	I occasionally Used	I often use	Used	I occasionally Used			Boroughmuir High School			
370	I often use a road with traffic	Used	I occasionally Used	I occasionally Used	I often use	Used	I occasionally Used	I often use	Used	I occasionally Used			Boroughmuir High School			
371	I often use a road with traffic	Used	I occasionally Used	I occasionally Used	I often use	Used	I occasionally Used	I often use	Used	I occasionally Used			Boroughmuir High School			

**Answer (3)** This has been investigated by the Panel Providers and Market Research companies.

**Question (4)** Would it concern the Convener to learn that other consecutive respondents in the market research have shown almost identical but fractionally different responses which on initial examination impacts a minimum of 13 responses?

**Answer (4)** These have been investigated by the fraud departments of the Panel Providers for the market research. Four have been identified for further investigation. However even if all 13 responses (approximately 2% of the total) were discounted, there would be no material impact on the outcome of the research.



**Thursday, 24th June, 2021**

**QUESTION NO 17**

**By Councillor Rust for answer by the  
Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 24 June 2021**

**Question**

- (1)** Please provide a full list of stakeholders who were invited to submit responses to the recent Stakeholder consultation for retaining Spaces for People measures.

- Answer** (1) The following Stakeholders were invited to submit responses to the Spaces for People Stakeholder survey.
- Cockburn Association
  - Community Councils and Residents' Association
  - Edinburgh Access Panel
  - Edinburgh Bus Users Group
  - Deaf Scotland
  - Edinburgh Hotel Association
  - Edinburgh World Heritage
  - Edinburgh Taxi Association
  - Essential Edinburgh
  - Federation of Small Business
  - First Bus
  - Guide Dogs Scotland
  - Living Streets
  - Lothian Buses
  - Police Scotland
  - RNIB
  - Scottish Ambulance Service
  - Scottish Fire and Rescue
  - Scottish Licensed Trade Association
  - Spokes
- Question** (2) Please provide a full list of stakeholders who then responded.
- Answer** (2) The responses from Stakeholders are published on the Council's website - [stakeholder-submission-summaries \(edinburgh.gov.uk\)](https://www.edinburgh.gov.uk/stakeholder-submission-summaries).

**Question** (3) Please provide a full list of any stakeholders who were not permitted to submit a response or whose response was not considered.

**Answer** (3) All stakeholders invited to take part in the survey were permitted to submit a response and their responses considered.

**Question** (4) Please provide the criteria for being considered as a stakeholder.

**Answer** (4) The Stakeholder Groups included in the consultation included representatives from the following areas:

- Accessibility advocacy
- Community Councils and residents' associations
- Emergency Services
- Business organisations
- Heritage groups
- Transport and mobility advocacy

**Supplementary Question** Noting that BEST was not invited to respond as a stakeholder in terms of answer 1, but are listed as a stakeholder having provided a response, what are the objective criteria that a new group has to fulfil to become recognised by the council as a stakeholder?

**Supplementary Answer** The Council does not have specific criteria for recognition of a group as a Stakeholder. The list of Stakeholders given in answer 1 relates to those who were invited to respond to the stakeholder consultation.

However, submissions from groups or organisations received via email, and clearly identified as a response to the consultation, were included in the summary of responses from Stakeholders included in the report to Transport and Environment Committee in June 2021.

Each of the responses are [published in full on the website](#) (after gaining permission from each stakeholder to do so). The following stakeholders were thus considered alongside

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those who were invited to make a submission:

- Better Edinburgh for Sustainable Travel
- Car Free Holyrood
- Corstorphine Primary School Travel Action Group
- Edinburgh Bus Users Group
- Low Traffic Corstorphine
- Preston Street School Parent Teacher Association

**QUESTION NO 18**

**By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

**Question**

In the market research commissioned in relation to Spaces for People, how was it technically possible for nearly 30 people (5% of the statistically representative sample) to provide the same answer for their most often, and third most often mode of transport when asked:

"During the pandemic, what forms of transport have you most often used when travelling around Edinburgh? (including for short trips to the local shop etc, and leisure trips, as well as longer journeys around town)"

and

"Thinking back before the pandemic, what forms of transport did you most often use when travelling around Edinburgh? (including for short trips to the local shop etc, and leisure trips, as well as longer journeys around town)"?

During pandemic														Pre pandemic		
	Most often	2nd most often	3rd most often	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Most often	2nd most often	3rd most often
2																
5	Cycle	Walk	Bus				Bus		Walk					Walk	Bus	Cycle
89	Cycle	Walk	Bus				Bus		Walk					Bus	Cycle	Walk
130	Cycle	Walk	Car	Car					Walk					Car	Cycle	Walk
144	Cycle	Walk	None						Walk				None	Cycle	Bus	Walk
146	Cycle	Walk	Bus				Bus		Walk					Cycle	Bus	Walk
148	Cycle	Walk	Bus				Bus		Walk					Bus	Walk	Cycle
275	Cycle	Bus	Walk				Bus		Walk					Bus	Cycle	Walk
292	Cycle	None											None	Cycle	None	
296	Cycle	Car	Cycle	Car										Walk	Cycle	Bus
321	Cycle	Bus	Cycle				Bus							Bus	Cycle	Bus
333	Cycle	Car	Walk	Car					Walk					Cycle	Car	Walk
340	Cycle	Walk	Car	Car					Walk					Cycle	Walk	Car
346	Cycle	Walk	Bus				Bus		Walk					Cycle	Walk	Bus
370	Cycle	Bus	Taxi/Private hire car	Taxi/Private	Bus									Cycle	Bus	Cycle
371	Cycle	Bus	Cycle				Bus							Bus	Taxi/Private	Cycle
372	Cycle	Bus	Cycle				Bus							Taxi/Private	Cycle	Taxi/Private
377	Cycle	Bus	Taxi/Private hire car	Taxi/Private	Bus									Cycle	Taxi/Private	Bus
379	Cycle	Bus	Cycle				Bus							Taxi/Private	Bus	Cycle
448	Cycle	Car	None	Car									None	Cycle	Car	Bus
565	Cycle	Taxi/Private	Bus				Taxi/Private	Bus						Cycle	Bus	Taxi/Private
566	Cycle	Bus	Taxi/Private hire car	Taxi/Private	Bus									Cycle	Taxi/Private	Bus
568	Cycle	Bus	Taxi/Private hire car	Taxi/Private	Bus									Cycle	Bus	Taxi/Private
580	Cycle	Bus	Taxi/Private hire car	Taxi/Private	Bus									Cycle	Taxi/Private	Cycle
581	Cycle	Bus	Taxi/Private hire car	Taxi/Private	Bus									Cycle	Car	Bus

	During pandemic													Pre pandemic		
	Most often	2nd most often	3rd most often	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Transport used during pandemic	Most often	2nd most often	3rd most often
2																
393	Car	Taxi/Private	Car	Car	Taxi/Private hire car									Car	Taxi/Private	Car
526	Car	Walk	Car	Car				Walk						Walk	None	
164	Bus	Car	Bus	Car	Bus									Bus	Car	Walk
322	Bus	Cycle	Bus		Bus				Cycle					Cycle	Bus	Cycle
344	Bus	Tram	Bus		Bus	Tram								Bus	Tram	None
503	Bus	Walk	Bus		Bus			Walk						Walk	Bus	Walk
60	Walk	Car	Walk	Car				Walk						Car	Tram	Other
115	Walk	Bus	Walk		Bus			Walk						Walk	Bus	Walk
216	Walk	Bus	Walk		Bus			Walk						Bus	Walk	Bus
467	Walk	Bus	Walk		Bus			Walk						Walk	Bus	Walk
468	Walk	Bus	Walk		Bus			Walk						Walk	Bus	Walk
472	Walk	Bus	Walk		Bus			Walk						Walk	Bus	Car
194	Bus	Car	Taxi/Private	Car	Taxi/Private	Bus								Taxi/Private	Bus	Taxi/Private
372	Cycle	Bus	Cycle		Bus				Cycle					Taxi/Private	Cycle	Taxi/Private
234	Car	Walk	Bus	Car	Bus			Walk						Car	Bus	Car
393	Car	Taxi/Private	Car	Car	Taxi/Private hire car									Car	Taxi/Private	Car
521	Car	Walk	Taxi/Private	Car	Taxi/Private hire car			Walk						Car	Walk	Car
195	Tram	Car	Bus	Car	Bus	Tram								Bus	Car	Bus
210	Car	Cycle	Walk	Car				Walk	Cycle					Bus	Cycle	Bus
338	Car	Tram	Walk	Car		Tram	Walk							Bus	Tram	Bus
365	Bus	Cycle	Taxi/Private hire car	Taxi/Private	Bus				Cycle					Bus	Cycle	Bus
512	Car	Taxi/Private	Bus	Car	Taxi/Private	Bus								Bus	Walk	Bus

**Answer**

The Market Research company confirmed that, as the survey included the option to provide a 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> option for the modes of transport used, it is possible that some respondents only had two answers to give and so therefore may have repeated the mode of transport used in more than one answer.

**QUESTION NO 19**

**By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

**A - Market research agency role and costs**

In the report to Transport and Environment Committee "*Potential retention of Spaces for People measures*" it refers to Social Marketing Gateway (SMG) and Jump carrying out the research.

**Question** (1) Please can you clarify the roles and responsibilities each of these agencies had.

**Answer** (1) The Council commissioned SMG and Jump Research jointly to carry out market research on the potential retention of Spaces for People measures. The two companies share the work and responsibilities for all partnership projects.

**Question** (2) Please can you clarify all costs associated with the work these agencies did on the market research including analysis and presentation.

**Answer** (2) The cost of the market research was £11,805.

**Question** (3) Please can you clarify if all costs were incurred directly by the council, or did third parties such as Sustrans or Transport Scotland pay any costs directly.

**Answer** (3) The costs associated with the Market Research will be paid by the Council, using the funding provided for Spaces for People through Sustrans.

**B - Consultation**

**Question** (4) In answers to my questions to Full Council on 11<sup>th</sup> March 2021 the total costs of the consultation were expected to be approximately £60,000. Those anticipated costs were before it was known that the consultation would attract such a significant level of responses (c.17,600) which must impact analysis time. Please can you confirm if there are any changes to costs and officer time involved in anything to do with managing the consultation.



**Answer** (4) While it is expected that the overall cost of the analysis will be greater than originally anticipated, it is not possible to confirm the total cost at this stage. The overall cost increase will be contained within the funding available for this work, which is being paid for from the grant allocated by from Transport Scotland/Sustrans.

**Supplementary Question** In relation to answer 2, these costs seem to have increased by nearly £2,000 from £10,000 since the costs were provided in answers to questions previously. Why is this?

**Supplementary Answer** The cost of the market research increased from the original cost expected due to changes in the complexity and length of the survey which were requested by Council officers. [In particular, this related to the introduction of opportunities for participants to provide free text answers and the requirement to then analyse these responses.]

**QUESTION NO 20**

**By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

**Question**

In an answer to a supplementary question at a previous council meeting in April 2021 by the Finance and Resources Convener, it was stated that Transport Scotland had paid Sustrans directly to design the Lanark Road, Longstone, Murrayburn Road, Slateford Road and Braid schemes. Please can the Convener explain this rather unusual funding arrangement and why design of these schemes was not covered by the Council through Spaces for People funds.

**Answer**

Spaces for People funding was provided by Scottish Government through Transport Scotland and was administered by Sustrans.

The cost of the design resource for the schemes mentioned above is paid directly via the Transport Scotland grant to Sustrans and therefore this funding did not require to be claimed by the Council.

**Supplementary Question**

What was the cost of the design work covered by the grant?

**Supplementary Answer**

There was no charge to the City of Edinburgh Council Spaces for People grant for design works which were carried out by Sustrans in-house.

**QUESTION NO 21**

**By Councillor Booth for answer by the Leader of the Council at a meeting of the Council on 24 June 2021**

- Question** (1) Further to his answer to my question on this subject on 27 May, please can the council leader outline:
- a) On what dates and times within the last two months has he discussed the issue of Gaelic Medium Education with any Scottish Government minister or Cabinet Secretary;
  - b) In each case, what was the conclusion of the discussion.
- Answer** (1) Position is as reported to Council on 27 May 2021, although I understand a date is now set for a meeting between the Cabinet Secretary and Education Convenor as agreed by Education, Children and Families on 28 May 2021.
- Question** (2) Can the council leader please also outline what future calls, meetings or discussions he has planned with any Scottish Government minister or Cabinet Secretary on the subject of GME over the next two months?
- Answer** (2) See answer 1. I won't rule out further meetings involving myself as Council Leader over that time period.
- Question** (3) Can the council leader also clarify whether he made clear to the Cabinet Secretary for Education, when he spoke to her in May, that the council's preferred option of Liberton is supported by only 15% of parents surveyed by Comann nam Pàrant?
- Answer** (3) See answer to follow up question on 27 May 2021.
- Question** (4) Can the council leader also clarify how the Liberton location is seen to be consistent with the SNP manifesto commitment for "the creation of a standalone GME secondary school in central Edinburgh."?

**Answer** (4) Whether proposals meet parents' aspirations for the future of GME in the City and meet the requirements for the young people's attainment is a matter for the consultation. I won't second-guess the views of parents but I would highlight the recommendations of the Education Children and Families committee of 28<sup>th</sup> of May, where the Convenor will clarify the Government's position in advance of that consultation being launched.

**Supplementary Question** I thank the Council Leader for his answer. Can I ask for some clarity on one point? He says that meeting parents' aspirations for the future of Gaelic Medium Education is one of his overriding concerns. If that's the case, will he agree to meet with Gaelic parents before the Education Committee in August to hear their concerns first hand?

**Supplementary Answer** Of course I'm happy to meet parents to hear their views but it's important that views are given through the consultation to ensure a full and arcuate picture.

**QUESTION NO 22**

**By Councillor Booth for answer by  
the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 24 June  
2021**

**Question**

**(1)** The following central locations have been suggested for a Gaelic Medium Education secondary school:

- a) the current Princess Alexandra Eye Pavilion;
- b) the old Royal High School;
- c) the old Tynecastle High School;
- d) the Lothian Buses depot on Annandale Street;
- e) the former Royal Victoria Hospital site; and
- f) the council's former depot at Russell Road;

Please can the Convenor outline the distance of each of these from:

- i) Bun-sgoil Taobh na Pàirce
- ii) James Gillespie's High School and
- iii) Darroch annexe

**Answer**

(1) Please see the table below.

**Distances to GME HS Options (In Miles)**

<b>Location</b>	<b>Bun-sgoil Taobh na Pàirce</b>	<b>JGHS</b>	<b>Darroch Annexe (6 Gillespie Street)</b>
Princess Alexandra Eye Pavilion	2.5	0.6	0.6
Old Royal High School	1.6	1.7	1.7
Old Tynecastle High School	3.4	1.5	1.1
Lothian Buses depot, Annandale Street	0.9	2.1	2.2
Former Royal Victoria Hospital Site	2.3	2.2	1.9
Russell Road Depot (Former)	3.4	1.5	1.2

**Question**

(2) Please can the Convenor outline the proportion of the current TnP school roll who live within 3 miles of each potential site?

- Answer** (2) Please see the estimates below. Values are approximate due to equivalent buffers used in the sampling instead of individual routes for all pupils.

**Percentage of BS-TNP Pupils Within 3 Miles of Potential Sites**

<b>Location</b>	<b>Bun-sgoil Taobh na Pàirce Pupils</b>	<b>Bun-sgoil Taobh na Pàirce Pupils (%)</b>
Princess Alexandra Eye Pavilion	263	62.9%
Old Royal High School	289	69.1%
Old Tynecastle High School	91	21.8%
Lothian Buses depot, Annandale Street	296	70.8%
Former Royal Victoria Hospital Site	222	53.1%
Russell Road Depot (Former)	101	24.2%

- Question** (3) Please can the Convener also outline which, if any of these potential sites have been discussed with a) the current owner, if not the council; and b) the Scottish Government, with a view to assessing the feasibility of each of these sites for a central, standalone GME secondary school?

- Answer** (3) None of these sites have been discussed with the current owner or the Scottish Government in relation to assessing their feasibility for a central, standalone GME secondary school.

- Supplementary Question** I thank the Convener for his answer. Many Gaelic parents will be disappointed to hear that none of these options has been discussed with the Scottish Government. Will the Convener clarify whether that discussion will take place before the Education Committee meeting in August, and whether the report will reflect those discussions?

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**Supplementary  
Answer**

As agreed at the Education, Children and Families Committee on the 28 May, I have written to the Cabinet Secretary and requested a meeting to discuss GME. If a meeting is forthcoming then this issue of the Scottish Government making a site available for development of a GME secondary school will be raised.

The Executive Director has met with the parents group to review their concerns and to focus on their ambitions. This engagement will continue and be an opportunity for feeding back any further information to parents.



**QUESTION NO 23**

**By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 24 June 2021**

**Question**

The Convener was quoted in the Edinburgh Evening News as stating *inter alia*: “45 per cent of the people in this city do not have access to a car”.

However, in the Council’s statistically representative market research sample, only 167 out of 583 people said they had no access to a car. That is only 29%.

Is the 45% quoted incorrect or this sample not statistically representative?

**Answer**

The 45% is based on the 2019 citywide travel behaviour survey of 5,172 residents undertaken across all wards. Results of the market research survey were weighted by the age and gender of respondents to give a result that was broadly representative of the Edinburgh population. It would have been possible to similarly weight the results of the Market Research Survey by car ownership of respondents. If weighting is applied, support for all types of measure increases – e.g. 1% up for protected cycle lanes, 3% up for extra space in the city centre.

However, in order to avoid any concerns that officers had attempted to manipulate the results of the survey, this weighting was not carried out.

**Supplementary Question**

If the survey was, as claimed, statistically representative of the Edinburgh population, why is the figure of car access not in agreement with the 45% figure (+/- the 4% survey margin of error)?

**Supplementary Answer**

As stated above, the market research survey was only weighted by age and gender of respondents to be broadly representative of the Edinburgh population. There was no weighting applied for car ownership.

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**QUESTION NO 24**

**By Councillor Johnston for answer  
by the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 24 June 2021**

**Question**

Can the Convener advise when an independent safety audit will be carried out on the Lanark Road and Longstone Spaces for People measures and what scope there is for local people to feed in to said audit?

**Answer**

A road safety audit (RSA) is undertaken when physical changes are proposed and/or implemented to the Council's road network. The purpose of an RSA is to review the safety implications that may result from these changes for all road users.

The Council requests that all RSAs are undertaken in accordance with GG119, the Road Safety Audit guidelines. In line with this guidance, the appointed RSA team must remain independent from the conception, design, construction and operation of the scheme being audited. Therefore, to ensure an RSA remains free of bias, it is not possible for residents or anyone outwith the appointed RSA team, to feed into the process.

A stage 3 post-construction RSA for the Lanark Road and Longstone Spaces for People scheme is currently underway. The necessary site visits were undertaken week beginning 14 June 2021 and the draft report is currently being reviewed by the audit team. Upon completion of this review, the audit report will be issued to the City of Edinburgh Council.