

Minutes

Culture and Communities Committee

10.00am, Tuesday 1 February 2022

Present:

Councillors Wilson (Convener), McNeese-Mechan (Vice-Convenor), Booth, Brown, Duggart, Doran, Fullerton, Mitchell, Osler, Staniforth (items 2 to 16) and Ethan Young.

1. Cemetery Management Rules

(a) Deputation

Paul Irvine (Deputation - Cemetery Management Rules) thanked the Committee for the opportunity to address the Committee. He wanted to highlight the issues which had arisen, since the burial of his three year old son, Xander Irvine, who had been tragically killed. Since flowers had been moved from Morningside Road to Morningside Cemetery, teddies and flowers had been damaged or removed from the graveside, which was very upsetting. This might have been a fox, but it was evident that there was a number of people with dogs in the cemetery and some of them were off the lead. On one visit, he saw a dog taking one of the teddies. He wanted to resolve this and had spoken to the Council's Bereavement Services. It should not be necessary to protect gravesides, however, dog walkers thought they could let their dogs run free in the cemetery on a regular basis. He liked dogs, but it was not appropriate for dogs to be in this area. This should be place of reflection and there were greenspaces nearby, suitable for dog walkers. Sometimes, dogs were annoying people coming to the cemetery, owners had lost their dogs in the cemetery and dogs were even seen fouling on headstones, sometimes with their owners knowledge. It was expressed by the depute that regulations in cemeteries clearly needed to be strengthened. Keeping dogs on leads was no solution as dogs had been seen misbehaving even when restrained. Workers and volunteers were getting covered in dog mess when undertaking work in the cemetery and Mr Irvine had plenty of photographic evidence of dogs misbehaving and this entire situation was very upsetting for him.

Decision

- 1) To agree to hear the deputation.

- 2) To thank the deputation for coming to the meeting to speak on this difficult subject.

(b) Report by the Executive Director of Place

An update was provided on the Cemetery Strategy report which was submitted to and approved by this Committee on 16 November 2021.

A set of Cemetery Management Rules were proposed (Appendix 2 of the report by the Executive Director of Place) that would regulate activities in cemeteries.

Motion

- 1) To note the report.
 - 2) To approve the draft Cemetery Management Rules as set out in Appendix 2 of the report to be issued for public inspection in accordance with section 112(4) of the Civic Government (Scotland) Act 1982.
- moved by Councillor Wilson, seconded by Councillor McNeese-Mechan.

Amendment

- 1) To note the report.
 - 2) To approve the draft Cemetery Management Rules as set out in Appendix 2 of the report to be issued for public inspection in accordance with section 112(4) of the Civic Government (Scotland) Act 1982.
 - 3) To agree that officers would report back to committee one year from implementation detailing compliance, complaints, and any enforcement actions in relation to the new management rules.
- moved by Councillor Mitchell, seconded by Councillor Brown.

In accordance with Standing Order 21(12), the amendment was accepted as an addendum to the motion.

Decision

- 1) To note the report.
- 2) To approve the draft Cemetery Management Rules as set out in Appendix 2 of the report to be issued for public inspection in accordance with section 112(4) of the Civic Government (Scotland) Act 1982.
- 3) To agree that officers would report back to committee one year from implementation detailing compliance, complaints, and any enforcement actions in relation to the new management rules.

(Reference – Culture and Communities Committee of 16 November 2021 (item 12); report by the Executive Director of Place, submitted)

Declaration of Interest

Councillor Staniforth declared a financial interest in the above item as he had worked as a cemetery tour guide.

2. Minutes

Decision

To approve the minute of the Culture and Communities Committee of 16 November 2021 as a correct record.

3. Work Programme

Decision

- 1) To note the work programme of the Culture and Communities Committee of 16 November 2021.
- 2) To agree that The Executive Director of Place would check Sports Strategy with officers and brief elected members on progress.

4. Rolling Actions Log

The Culture and Communities Committee Rolling Actions Log was presented.

Decision

To agree to close the following actions:

- **Action 5** – Open Library
- **Action 14** - Public Realm CCTV Update
- **Action 15** - Revenue Monitoring – Month Seven Position
- **Action 18** – Locality Improvement Plan
- **Action 21** – Lauriston Farm Edinburgh – Proposed Lease
- **Action 24** - Rolling Action Log
- **Action 31** - Community Centres (Update)

(Reference – Culture and Communities Committee Rolling Actions Log 1 February 2022, submitted.)

5. Business Bulletin

The Culture and Communities business bulletin was presented.

Decision

- 1) To note the business bulletin.
- 2) To note that the post for the City Arts Stars Schools Programme was funded for years and that the trustees were impressed with the programme.
- 3) To note the letter from the Secretary of State for Levelling Up on plans to the Queen's Platinum Jubilee and the Executive Director of Place to provide update to members on the suggested approach for these plans.
- 4) To agree that the Director of Place would address concerns about the impact of inflation and possible slippage on the Centre, to note that the reporting process was taking place and although costs had gone up, so too had the financial commitment for the Dunard Fund. The project itself was therefore in a strong place.
- 5) To agree that The Executive Director of Place would ensure that schools and parents were aware of the Scottish Cycle Repair Scheme, in order to allow individuals to obtain funding for repairs so that they could take part in the outdoor programme.

(Reference – Culture and Communities Committee Business Bulletin 1 February 2022, submitted.)

6. Presentation - PLace Programme

Julia Amour and Sabrina Leruste (Creative Scotland) gave a presentation on the PLace Programme. The presentation included the following elements:

Platforms for Creative Excellent Programme

- Intended Outcomes and Impacts
- Improved Innovation Capacity
- Increased Quality Opportunities and Reputation

Place Interim Evaluation

- Key Findings 2021 – (BOP) Consulting

Place Interim Evaluation

- Creative Opportunity Findings – (BOP) Consulting

Examples – programme innovation and creative community opportunities

- Edinburgh Jazz and Blues Festival
- Edinburgh International Book Festival: Citizen
- Children’s Festival/Imagine

Place Interim Evaluation

- Fundraising Leverage

Platforms for Creative Excellence Programme

- What’s Next?

Edinburgh’s Festival’s Community and Education Showcase

- August 2021

Decision

- 1) To note the presentation
- 2) To send link to members of video on dance piece and to circulate presentation to officers and members for reference.
- 3) To clarify wording on second slide of the presentation, regarding Place Interim Evaluations, in respect of flexibility and open-mindedness in use of funds as essential.

7. Collaborative Working with Community Councils

The report by the Executive Director of Corporate Services responded to the call from the Governance, Risk and Best Value (GRBV) Committee on 9 November 2021 for details of the Council’s framework for collaboration with community councils. This was to detail current arrangements, funding and how this linked into wider community planning responsibilities with any actions for improvement identified.

Decision

- 1) To note the report as requested by the Governance, Risk and Best Value Committee on 9 November 2021.
- 2) To agree to refer the report to the Governance, Risk and Best Value Committee.
- 3) To check with officers what steps were being taken to re-form the Wester Hailes Community Council.

(Reference –report by the Executive Director of Corporate Services, submitted.)

8. Meadows Jawbone Arch Conservation Project

It was reported that the Meadows Jawbone Arch Conservation project had reached a critical stage, financially and technically, and could not proceed without approval of the recommendations of the report by the Executive Director of Place.

Decision

- 1) To agree to commission and install a high quality, sustainable replica of the Jawbone Arch in the Meadows (utilising recently made 3D scans).
- 2) To agree that a suitable, free and publicly accessible indoor space should be identified to display the original bones, with costs to be met from the original fundraising exercise.
- 3) To agree that officers should progress discussions with stakeholders and potential funders on the proposed approach and to report back to Committee once these discussions are concluded.
- 4) To agree to hold discussions with partners regarding a location for the original Jawbone in a safe and suitable location.
- 5) To agree to provide an update on progress with arrangements for hosting the original Jawbone partners in the next Business Bulletin.

(Reference - report by the Executive Director of Place, submitted)

9. Fields in Trust Protected Public Parks and Green Spaces

The City of Edinburgh Council had an opportunity to strengthen its commitment to protect and improve its public parks by supporting the creation of Minutes of Agreement with Fields in Trust for a further 25 parks and green spaces. This would bring the total number of Edinburgh parks and green spaces protected through this mechanism to 61, serving communities who did not already have a safeguarded space close to home and ensuring that almost everyone in the city lived no more than a 10-minute walk from a protected park or green space. In making this commitment the City of Edinburgh Council would become the first local authority in Scotland to adopt such a bold vision for their public green spaces.

Decision

- 1) To agree to support the execution of Minutes of Agreement with Fields in Trust for a further twenty-five public parks and green spaces, thereby protecting these as recreational open spaces for current and future generations.
- 2) To agree to instruct officers to process the Minutes of Agreement subject to the appropriateness of title restrictions.

Tuesday, 1st February, 2022

- 3) To note that, as set out in paragraph 4.19 of the report of the Executive Director of Place, the appropriate Committee would be asked to consider any proposal for an unsympathetic development, change to Minute of Agreement terms, or land disposal, prior to formal permission being sought from Fields in Trust.

(References – Culture and Communities Committee of 16 November 2021 (item 7); report by the Executive Director of Place, submitted).

10. Third Party Cultural Grants Funding 2022/23

An update was provided on the third-party cultural grants fund 2021/22 and approval requested for funding to be allocated in 2022/23, alongside an extension of the Strategic Partnership funding duration from three to four years.

The on-going impacts of COVID-19 on the cultural sector reinforced the need for continued proactive support and retention actions to contribute to the stability, retention and recovery of the city's cultural sector. This strategy reflected the Council's vital partnership role with stakeholders, Strategic Partners, communities and creative practitioners to achieve this.

Decision

- 1) To note the on-going impact of COVID-19 on the cultural sector and the importance of continuing the cultural grant funding programme.
- 2) To note the update on the cultural grants fund in 2021/22.
- 3) To approve the continuation of Strategic Partnership, flexible and project funding recommendations for 2022/23, as set out in Appendix 1 of the report by Executive Director of Place.
- 4) To approve the extension of the duration for Strategic Partnership funding from three to four years, given the impacts of COVID-19 on planning, stability and programmes.
- 5) To approve, in principle, the commitment of revenue funding to the multi-cultural festival, establishing the event in the city's festivals calendar.

(References – Culture and Communities Committee of 16 November 2021 (item 8); report by the Executive Director of Place, submitted).

11. Council Companies – Edinburgh Leisure Annual Report 2020/21

Details were provided of the annual performance report of Edinburgh Leisure, which was prepared as a requirement of the Services and Funding Agreement and the Council's policy on Arm's Length External Organisations (ALEOs).

The report by the Executive Director, Education and Children's Services covered the unprecedented period of the Covid-19 global pandemic and detailed the measures taken by Edinburgh Leisure and the Council to ensure the company was able to remain afloat and continue to provide services for communities across Edinburgh.

Decision

- 1) To note the performance of Edinburgh Leisure during 2020/21.
- 2) To recognise the efforts that Edinburgh Leisure had made to support vulnerable groups throughout the Pandemic and to consider inviting colleagues from Edinburgh Leisure to a future committee to demonstrate the good work of the Active Communities Team.
- 3) To recognise the work of the Trips and Falls class which helped older people to be mobile and to recommend this class to individuals.

(References – Finance and Resources Committee – 18 August 2021 (item 18); report by the Executive Director of Education and Children's Services, submitted)

12. People's Network and Open Plus

Details were provided of the requirement to update the hardware which sat on the People's Network (PN) which provided free public access to computing and internet services through the city's libraries and an update on the Open Libraries solution (Open Plus) which the Council provided funding of £350,000 for in 2017.

The report by the Executive Director Place sought approval to reallocate the Open Plus funding to contribute towards an upgrade to the People's Network.

Decision

- 1) To note the information provided on the People's Network (PN) and Open Plus.
- 2) To note that the infrastructure to support the PN was no longer fit for purpose and that the service could no longer be available from July 2022.
- 3) To note the intention to reallocate £350,000 of capital funding (from Open Plus) to the PN, in order to update the hardware for the existing free public access to computing and internet service across the city.
- 4) To refer the report to the Council on 24 February 2022 to approve the proposed reallocation of capital funding as set out in paragraph 1.1.3 of the report.
- 5) To note that the report had to be referred to Council and to check with officers if the report could be considered at the Council meeting of 10 February 2022 rather than the Council Budgetary meeting on 24 February 2022.

(References - Act of Council No 2 of 9 February 2017; report by the Executive Director of Place, submitted)

13. Grants to Third Parties: Third Sector Interface and Equality and Rights Network 2022/23

Details were provided of the City of Edinburgh Council's proposed funding for the Third Sector Interface (TSI) and Equalities and Rights Network (EaRN) for 2022/23.

Decision

To approve the financial proposals set out in paragraphs 4.2 and 4.6 of the report by the Executive Director of Corporate Services.

(References – Culture and Communities Committee of 16 March 2021 (item 6); report by the Executive Director of Corporate Services, submitted)

14. Ash Dieback Action Plan

Ash dieback was a serious tree disease epidemic caused by a fungal pathogen. It would kill around 80% of ash trees across the United Kingdom (UK), change the British landscape forever and threaten many species that relied on ash for their existence.

The disease caused dieback of shoots and branches, early leaf-fall, and ultimately the death of ash trees. Affected trees quickly became brittle and may drop branches or fall over, which increased the risk of injury, property damage, road traffic accidents and, potentially, fatality.

Many thousands of ash trees across Edinburgh would need to be felled in the next five to 10 years, having a direct impact on the city's ambition to become a Million Tree City, and at significant additional resource cost to the Council.

An Ash Dieback Action Plan had been drafted to manage this process in a coordinated and programmed manner, a key element of which was the replanting of trees to offset anticipated losses.

Decision

- 1) To support the implementation of the Ash Dieback Action Plan.
- 2) To note that implementing the Ash Dieback Action Plan would lead to an unavoidable financial pressure for the Place directorate which officers would be required to contain within existing budgets.
- 3) To agree to provide an update to the Committee once the position had been finalised for operational budget, to provide funding for the serious tree disease, Ash Dieback.
- 4) To agree that the Convener to write to the Secretary of State and the appropriate department of the Scottish Government to consider providing a national pot of funding to mitigate the effect of Ash Dieback.

- 4) To note that the removal of leaf litter round ash trees, to prevent the spread of Ash Dieback, was being carried out for single trees in iconic locations and to extend this process.

(References – Transport and Environment Committee of 12 January 2016 (item 21); Culture and Communities of 26 January 2021 (item 15); report by the Executive Director of Place, submitted)

15. Revenue Monitoring Update – 2021/22 Month Six Position

The projected month six revenue monitoring position for Place Directorate services, which were under the remit of this Executive Committee, was presented. This was based on an analysis of actual expenditure and income to the end of September 2021 with expenditure and income projections for the remainder of the 2021/22 financial year.

Decision

- 1) To note that the overall Place revenue budget month six position for the 2021/22 financial year was a projected £0.440m overspend (excluding Covid-19 impact). Services within the remit of the Committee are forecasting a balanced position (excluding Covid-19 impact).
- 2) To note that General Fund Covid-19 costs of £12.420m had been forecast for the overall Place Directorate at month six with £1.940m relating to services within the remit of the Committee.
- 3) To note that the Executive Director of Place was taking measures to address budget pressures and risks. Progress would be reported to Committee at agreed frequencies.

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

16. Internal Audit: Overdue Findings and Key Performance Indicators as at 5 November 2021 – referral from the Governance, Risk and Best Value Committee

On 14 December 2021, the Governance, Risk and Best Value Committee considered a report on the Internal Audit: Overdue Findings and Key Performance Indicators as at 5 November 2021. The report confirmed the three-month completion date extension agreed by the GRBV Committee in September 2021 had been applied to all open and overdue agreed management actions, with revised dates reflected.

The Governance, Risk and Best Value Committee agreed:

- (a) To note the status of the overdue Internal Audit findings as at 5 November 2021;
- (b) To note that the three-month completion date extension agreed at the September 2021 Committee reflecting ongoing Covid-19 pressures across the

Tuesday, 1st February, 2022

Council had now been applied to all open and overdue agreed management actions;

- (c) To note the status of IA Key Performance Indicators for audits that were either completed or in progress as at 5 November 2021;
- (d) To refer the report to the relevant Council committees for ongoing scrutiny of their relevant overdue management actions;
- (e) To refer the report to the Edinburgh Integration Joint Board Audit and Assurance Committee for information in relation to the current Health and Social Care Partnership position.

Decision

To note the report.

(References – Governance, Risk and Best Value Committee of 14 December 2021 (item 5); the report by the Executive Director of Corporate Services, submitted)