

Notice of meeting and agenda

City of Edinburgh Council

10.00 am Thursday, 23rd September, 2021

Virtual Meeting - via Microsoft Teams

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

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 Any items under "Private Business" will not be published, although the decisions will be recorded in the minute.

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1. Order of business

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

2. Declaration of interests

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

3. Deputations

- 3.1 If any

4. Minutes

- 4.1 The City of Edinburgh Council of 26 August 2021 – submitted for approval as a correct record 17 - 104

5. Leader's Report

- 5.1 Leader's Report 105 - 106

6. Appointments

- 6.1 Appointments to Outside Organisations – Report by the Executive Director of Corporate Services 107 - 110

7. Reports

- 7.1 Chief Officer Appointments – Report by the Chief Executive 111 - 114

7.2	Queen's Platinum Jubilee 2022 - Additional Leave – Report by the Executive Director of Corporate Services	115 - 118
7.3	St James Quarter GAM: Interim Payment – Report by the Executive Director of Place	119 - 132
7.4	Report in Relation to a Legal Case	133 - 142
	(a) Report by the Monitoring Officer	
	(b) Supplementary Confidential Report by the Monitoring Officer	

8. Motions

8.1 By Councillor McVey – Council Owned Care Homes – EIJB

1. “Council acknowledges the EIJB board has asked for additional information and will undertake a consultation of the future of Care Homes in Edinburgh.
2. Council requests the consultation should be as comprehensive as possible and include the Trade Unions as well as care home residents, their families and/or their support workers or carers, current care home staff and the wider public.
3. Agrees the Council will maintain the present number of care homes until the consultation outline in Para 1 is completed and as a partner is committed through the implementation of the Feeley review, as outlined by the Scottish Government, to look to expand publicly owned and operated residential care provision.
4. The Council calls on the EIJB to develop a comprehensive care plan, which include future residential care that is based on the ongoing and future needs of the elderly population in Edinburgh and put the delivery of high-quality

care at the very top of all considerations.

5. The Council calls for the Chief Officer of EIJB and Health and Social Care Partnership and Council Officers to discuss and report findings of the Care Inspectorate in order to establish what actions need to occur to fully meet the findings and recommendations.
6. Requests an update report from the Chief Officer of the EIJB within two cycles to the Policy and Sustainability Committee updating Council on these plans.”

8.2 By Councillor Macinnes – Health and Inequalities in relation to Active Travel Provision in Edinburgh

“Council:

Welcomes the recent open letter to councillors from a group of 140 health professionals from a wide variety of disciplines including, but not limited to, children’s health, emergency medicine, orthopaedics, those working in health academia, oncologists and cardiac specialists, as well as those in the front line of general practice: [active-travel-letter-060921-3.pdf \(wordpress.com\)](https://www.wordpress.com/active-travel-letter-060921-3.pdf)

Further welcomes their call to retain and extend as much of the recent improvements to active travel infrastructure as possible.

Recognises the succinct description in the letter of why active travel and actions to combat air pollution are so important and the health inequalities and outcomes they can help to address and to meet climate obligations.

Notes that this well-researched and evidenced call reflects the Council’s approach towards increased active travel options within and supports the Council’s ongoing work with the Scottish Government to make the Traffic Regulation Order process more efficient as well as wider efforts to help deliver high-quality active travel infrastructure as quickly as possible.

Requests that officers bring forward a report to the Transport and Environment Committee by March 2022 which examines the issues raised in this letter, describes the likely effect of not making significant progress towards improved sustainable transport (ie public transport and active travel) within Edinburgh and its connections with neighbouring authorities) and outlines the transport-related actions the Council is taking towards achieving a more equitable, healthier future for all those living, working and visiting Edinburgh.”

8.3 By Councillor Macinnes – Climate Charter

“Notes the ongoing work of Scotland’s Climate Assembly, bringing a representative group of people from across Scotland to propose ideas and solutions to tackle climate change, Convened by Ruth Harvey and Josh Littlejohn.

Notes that many organisations, including Living Streets Scotland, Changeworks and the Edinburgh Climate Change Institute have signed up to the Civic Charter to support Scotland’s Climate Assembly and the recommendations for action.

Agrees that Edinburgh Council sign the [Civic Charter | Climate Assembly](#) and express our support for Scotland’s Climate Assembly and the recommendations for action it has submitted to the Scottish Government and Scottish Parliament as relevant to Edinburgh’s delivery of net-zero by 2030.

Notes actions and obligations on Council’s to meet the recommendations require additional resource as they are adopted by the Scottish Government and endorses the Council Leader in raising this at COSLA and directly with Scottish Ministers.”

8.4 By Councillor Miller – Edinburgh Doctors for Active Travel

“This Council;

1. Welcomes the open letter to the Council signed by over 140 Edinburgh doctors, surgeons, professors of medicine and other medical professionals in support of measures to support active travel in Edinburgh;
2. Notes that the letter sets out evidence with references and the following key points;

- ‘As health professionals, we have a responsibility to protect and promote the health of the population. We have a responsibility to address inequalities and to advocate for the needs of the most deprived and disadvantaged members of the population we serve
- ‘We are concerned about the impact of the climate crisis on health, globally and locally
- ‘We are concerned about harms to health caused by air pollution in Edinburgh
- ‘Regular physical activity is associated with improved health outcomes at all ages
- ‘We support the retention, and further development and integration of infrastructures designed to support active travel and clean air for the whole population of Edinburgh, to mitigate inequalities in health, local mobility, and air quality
- ‘This includes quiet routes in the vicinity of schools to allow safe active travel for families, an integrated network of segregated safe paths for cycling, city-wide subsidised cycle hire programmes, and low-emission zones
- ‘We are concerned that suggested steps to reverse active travel measures introduced during the COVID-19 pandemic would be a retrograde and harmful step for the health of the population of Edinburgh’

3. Requests that the Council Leader and the Transport

Convenor responds to the letter on behalf of the Council and

4. Welcomes the considered professional opinion of the signatories and requests that council officers and Transport and Environment Committee takes account of these opinions when making any future relevant decisions about active travel measures.”

8.5 By Councillor Burgess - Better School Milk

“This Council;

1. Notes the recent introduction of organic school milk along with a reduction in single-use plastic containers in East Ayrshire schools;
2. Recognises that organic milk can be healthier for children and that reducing single-use plastic and packaging can create less waste and is better for the environment;
3. Notes that pupils from Edinburgh schools, including James Gillespie’s Primary School, have requested organic milk and reduced plastic packaging as long ago as 2019;
4. Therefore requests a report into the introduction of organic school milk with reduced use of single-use plastic in Edinburgh Council-run schools to the Policy & Sustainability committee within two cycles;
5. Further notes that the Council’s Single-Use Plastic Working Group has not met recently and requests that the group convenor schedules a meeting at the earliest opportunity in order to recommence this work.”

8.6 By Councillor Miller – Equal Pavements Pledge

“This Council;

1. Welcomes the ‘Equal Pavements Pledge’ aimed at improving the accessibility of footways by Transport for All the disability group focusing on transport;

2. Notes that the seven-point pledge is to;

1. Listen, and act:

Engage with and listen to the perspectives of disabled people, across the impairment groups, who have been significantly erased from the conversation. By doing this, we can move forward with accessible, inclusive, pan-impairment solutions which benefit everyone, and the environment.

2. Keep it clear:

Maintain a minimum of 1.5m clearance on all pavements, by enforcing the terms of your licenses with businesses. Issue written warnings and follow up with on-site visits to premises to enforce the terms. Use roaming 'inspectors' to ensure pavements aren't blocked.

3. Cut the clutter:

Operate a zero-tolerance approach to street clutter. Issue warnings to businesses that obstruct pavements with A-boards, and follow up with fines. Consider temporarily removing permanent fixtures, for example bollards and lamp posts, while outdoor furniture is on pavements to maintain a clear path. Electric Vehicle charging points should only be situated on a pavement as a last resort if there are no other options, and must be placed in a way that will not cause obstruction or trip hazard from trailing cables.

4. Mind the trash:

Schedule waste removal at times that will be the least disruptive, reducing the issue of bags of rubbish being left on

pavements during periods of high footfall.

5. Drop the kerbs:

Undertake a professional accessibility audit of your streetspace and install immediate short-term measures (e.g: asphalt ramps) at problem areas to ensure step-free access. This is a short term and immediate solution while more long-term solutions, including proper dropped kerbs and correct tactile paving where appropriate, are devised and installed.

6. Protect Blue Badge Bays

Do not remove parking spaces for Blue Badge holders except where supported by robust data and in consultation with disabled residents. In rare occasions where this is unavoidable, the bays must be relocated close to the original location and any plans should be consulted on with disabled residents to avoid impeding access.

7. Work with disabled experts

We want to see local authorities and transport providers commit to a co-production model built on the views and expertise of a wide range of disabled voices. Work with representatives from a pan-impairment organisation who can train your team and work with you to embed the Social Model of Disability to ensure all future streetspace schemes are delivered with accessibility at their core.

3. Notes that the pledge is supported by RNIB, Living Streets and Sustrans and has already been taken by the London Assembly and the City of Westminster;
4. Recognises that as lockdown restrictions gradually begin to lift there is an opportunity to improve accessibility for disabled people;

Therefore agrees that City of Edinburgh council takes this pledge and that the Transport Convenor writes to Transport for All to convey support for the pledge.”

8.7 By Councillor Doggart - Edinburgh Integration Joint Board Bed Based Review

“Council:

1. Notes the Edinburgh Integration Joint Board (EIJB) has still not received a clear and detailed proposal regarding the potential closure of City of Edinburgh Council care homes;
2. Regrets the uncertainty caused by this delay to residents, their families and to council employees in the three months since the proposal was first put to the EIJB;
3. Regrets public statements by councillors setting out their conclusions without fully understanding what will be contained in the final Bed Based Review;
4. Instructs the Chief Officer to report to the Policy and Sustainability Committee within one cycle explaining the current situation and including an explanation for any departure from existing Council policies in relation to consultation with employees, residents’ families and the wider population of the city.”

9. Congratulatory Motions

9.1 By Councillor Corbett – Hearts Fan Ownership

“Council

Congratulates the Foundation of Hearts on becoming the majority shareholder of Heart of Midlothian PLC as of 30 August 2021, making Hearts the largest fan-owned club in the UK; recognises that Edinburgh’s major football clubs enjoy a vigorous rivalry but have a common interest in maintaining a long and proud history at the centre of the communities in which they were first formed; notes the previous “Fans First” campaign by Lothian MSP Alison Johnstone to provide football fans with greater say in the running and ownership of their clubs; and welcomes the Foundation of

Hearts' success as an important step in giving supporters that primary voice.”

10. Questions

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| 10.1 | By Councillor Neil Ross – EV Charging Points – for answer by the Convener of the Transport and Environment Committee | 143 - 144 |
| 10.2 | By Councillor Neil Ross – Communal Bins and Fly Tipping – for answer by the Convener of the Transport and Environment Committee | 145 - 146 |
| 10.3 | By Councillor Neil Ross – Group Support Staff – for answer by the Convener of the Finance and Resources Committee | 147 - 148 |
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answer by the Convener of the Regulatory Committee

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| 10.9 | By Councillor Osler – Extension of Temporary Toilet Facilities – for answer by the Convener of the Transport and Environment Committee | 159 - 160 |
| 10.10 | By Councillor Rust – Spaces for People Market Research – for answer by the Convener of the Transport and Environment Committee | 161 - 162 |
| 10.11 | By Councillor Mowat – High School - Spaces for Pupils – for answer by the Convener of the Education, Children and Families Committee | 163 - 164 |
| 10.12 | By Councillor Douglas – Queen's Drive Closure Times – for answer by the Convener of the Transport and Environment Committee | 165 - 166 |
| 10.13 | By Councillor Webber – On-Street Residential Chargepoint Scheme – for answer by the Convener of the Transport and Environment Committee | 167 - 168 |
| 10.14 | By Councillor Johnston – SFP Removal Budget Follow Up and ETROS - Future proof for any change in Administration – for answer by the Convener of the Transport and Environment Committee | 169 - 170 |
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| 10.16 | By Councillor Webber – SfP/Travelling Safely - Personal Injury and Accident Claims – for answer by the Convener of the Transport and Environment Committee | 173 - 174 |
| 10.17 | By Councillor Doggart – Potential Closure of City of Edinburgh Care Homes as Proposed by EIJB – for answer by the Convener of the Finance and Resources Committee | 175 - 176 |
| 10.18 | By Councillor Whyte – Tram Project - Leith Walk – for answer by the Convener of the Transport and Environment Committee | 177 - 178 |

Nick Smith

Service Director, Legal and Assurance

Information about the City of Edinburgh Council

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

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

Further information

If you have any questions about the agenda or meeting arrangements, please contact Gavin King, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4239, email gavin.king@edinburgh.gov.uk.

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