

# Minutes

## The City of Edinburgh Council

Edinburgh, Thursday 9 February 2023

Present:

### LORD PROVOST

The Right Honourable Robert Aldridge

### COUNCILLORS

Scott Arthur  
Danny Aston  
Jule Bandel  
Alan C Beal  
Marco Biagi  
Chas Booth  
Graeme Bruce  
Steve Burgess  
Jack Caldwell  
Lezley Marion Cameron  
Kate Campbell  
Christopher Cowdy  
James Dalglish  
Euan R Davidson  
Cammy Day  
Sanne Dijkstra-Downie  
Denis C Dixon  
Stuart Dobbin  
Phil Duggart  
Katrina Faccenda  
Pauline Flannery  
Catherine Fullerton  
Neil Gardiner  
Fiona Glasgow  
Margaret A Graham  
Joan Griffiths  
Dan Heap  
Euan Hyslop  
Stephen P Jenkinson  
Tim Jones  
David Key

Simita Kumar  
Kevin Lang  
Lesley Macinnes  
Martha Mattos Coelho  
Finlay McFarlane  
Ross McKenzie  
Amy McNeese-Mechan  
Adam McVey  
Jane E Meagher  
Claire Miller  
Max Mitchell  
Jo Mowat  
Alys Mumford  
Marie-Clair Munro  
Vicky Nicolson  
Kayleigh O'Neill  
Hal Osler  
Ben Parker  
Tim Pogson  
Susan Rae  
Neil J Ross  
Jason Rust  
Alex Staniforth  
Edward J Thornley  
Val Walker  
Mandy H Watt  
Iain Whyte  
Norman J Work  
Louise Young  
Lewis J Younie

## 1. Earthquake in Turkey and Northern Syria

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The Lord Provost expressed his condolences to those affected by the earthquake in Turkey and Northern Syria. He acknowledged the work of the Disaster Emergency Committee which was co-ordinating an appeal for funds and urged members through their social media accounts to encourage followers to donate to the appeal.

## 2. Firefighter Barry Martin

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The Lord Provost paid tribute to firefighter Barry Martin and the Council observed a one minute's silence in his memory.

## 3 Order of Business – Suspension of Standing Order 24.1 – Voting

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The Lord Provost ruled that Standing Order 24.1 be suspended for this meeting and that voting be taken by a show of hands and with a clear public audit trail from vote to Member.

## 4 Minutes

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### Decision

To approve the minute of the Council of 15 December 2023 as a correct record.

## 5 Leader's Report

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

- Aid for the Earthquakes in Turkey and Syria
- One year anniversary of war in Ukraine
- Council Budget – Scottish Government ministers
- Gorgie Farm update
- LGBT+ history month

The following questions/comments were made:

- |                   |   |   |
|-------------------|---|---|
| Councillor McVey  | - | Earthquakes in Turkey and Syria   |
|                   | - | Firefighter Barry Martin  |
|                   | - | Cuts in teacher numbers   |
| Councillor Lang   | - | Street lighting – failure of Scottish Power to address faults in supply network |
| Councillor Parker | - | Environmental impact of international travel                                    |

Councillor Whyte	-	Responsive and communicative service from the Council
Councillor Graham	-	Trams to Newhaven Project Final Stages - Active travel within the City
Councillor Dobbin	-	Millennium Centre
Councillor Davidson	-	Roseburn/Murrayfield - Roadworks within the city co-ordination
Councillor Mumford	-	Climate change – recurring £279,000 budget
Councillor Cowdy	-	Active Travel Action Plan delivery
Councillor Lezley Marion Cameron	-	International Women’s Day – promotion of the day and its theme of Embrace Equity -
Councillor Aston	-	Eurovision event – feedback from selection panel
Councillor Ross	-	Welcome news of transfer of funds from non-domestic rates relief
Councillor Heap	-	Gorgie farm staff looking after animals at their own expense
Councillor Munro	-	Active travel plan delivery
Councillor McFarlane	-	£9m funding gap for Edinburgh’s Kings Theatre
Councillor Miller	-	Dancebase – financial support
Councillor Doggart	-	Scottish Parliament’s Petitions Committee – Whistleblowing – alleged mishandling of child safeguarding inquiries – offer of support from this Council
Councillor Campbell	-	Cut to teacher numbers
Councillor Mitchell	-	Funding gap in Kings Theatre restoration – government lobbying

## **6 Resignation of Councillor Frank Ross/Appointments**

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Details were provided on the arrangements necessary for the resulting by-election for Ward 6, Corstorphine/Murrayfield following the resignation of Councillor Frank Ross as a councillor of the City of Edinburgh Council. The Council were also invited to appoint replacement members to the committees and outside bodies to which Councillor Frank Ross had been appointed.

## **Decision**

- 1) To note that arrangements would now be put in place for a by-election for the vacancy in Corstorphine/Murrayfield ward (no 6), with polling on 9 March 2023.
- 2) To note that officers working on preparations for the by-election, the poll, postal vote processing and the count would require to be released from normal duties.
- 3) To authorise the Chief Executive to make any revisions to polling arrangements, including polling places, as may be required, in consultation with the remaining Corstorphine/Murrayfield elected members.
- 4) To appoint Councillor Aston as a member of the Policy and Sustainability Committee.
- 5) To appoint Councillor McNeese-Mechan as a member of the Board of Edinburgh University Curators of Patronage.
- 6) To appoint Councillor Key as a member on the Board of the Lowland Reserve Forces' and Cadets' Association.
- 7) To appoint Councillor Key as a member on the Board of the Royal Company of Merchants Endowment Trust.
- 8) To appoint Councillor Kumar as a member on the Board of Capital City Partnership.
- 9) To appoint Councillor Fullerton as a member on the Board of Edinburgh International Conference Centre Ltd.

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

## **7 Appointment to Working Groups**

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Details were provided on the benefits and constraints of Working Groups and careful consideration encouraged on whether any Working Group should be appointed, recognising the pressure that a large number of Working Groups could exert on elected member and officer time and resource.

## **Decision**

To continue consideration of the report to the next meeting on 16 March 2023 to allow briefings to be held with Groups.

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

## 8 Addition to the Additional Parent Representative Position on the Education, Children and Families Committee

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The Council had agreed that an additional parent representative position be added to the membership of the Education, Children and Families Committee in a non-voting capacity. Details were provided on the nominations for the additional parent representative position representing primary school sector parents and carers on the Education, Children and Families Committee.

### Decision

- 1) To confirm the appointment of Sara Collins and Louise Collingwood (noting that the role would be undertaken on a shared basis) as the additional parent representative representing primary school parents and carers on the Education, Children and Families Committee, term of office to run from 9 February 2023 to 24 May 2024.
- 2) To note that only one of the appointed parent representatives may attend per meeting of the Committee.
- 3) To note that the appointment was conditional upon confirmation that the appointee(s) would comply with the Councillors' Code of Conduct and membership of the Protection of Vulnerable Groups (PVG) Scheme.
- 4) To note the term of office for the additional parent representative position would be from 9 February 2023 to 24 May 2024 and that a nomination process would be undertaken towards the end of that term to ensure continuity of representation on the Committee to the end of the current political administration term.

(References – Act of Council No 7 of 15 December 2022: report by the Interim Executive Director of Corporate Services, submitted)

## 9 Decision Making Framework 2023

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Details were provided on proposed changes to the key documents that supported internal controls accountability and the transparent operation of the Council to ensure that the key decision-making governance documents of the Council were comprehensive, relevant, up-to date, supported good governance and incorporated the changes required due to the changes to the political management structures agreed by the Council in December 2022.

### Motion

- 1) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve in its place Appendix 1 to the report by the Interim Executive Director of Place, such repeal and approval to take effect from 10 February 2023.

- 2) To repeal the existing Committee Terms of Reference and Delegated Functions and approve in its place Appendix 2 to the report, such repeal and approval to take effect from 10 February 2023.
- 3) To defer approval of the updated Scheme of Delegation to Officers as set out in Appendices 3 and 4 to the report, and request a workshop for members to discuss changes and any implications. To bring back the report on updated Delegated Functions and Scheme of Delegation to Officers to Council on 16 March for consideration.

- moved by Councillor Day, seconded by Councillor Watt

### **Amendment 1**

- 1) To repeal the existing Procedural Standing Orders for Council and Committee Meetings, Committee Terms of Reference and Delegated Functions and Scheme of Delegation to Officers and approve in their place appendices one to four in the report by the Interim Executive Director of Corporate Services, such repeal and approval to take effect from 10 February 2023 except for the Committee Terms of Reference and Delegated Functions which takes effect from 17 April 2023, and with the following adjustments:

#### **PROCEDURAL STANDING ORDERS FOR COUNCIL AND COMMITTEE MEETINGS**

2.1 replace all text after “with immediate effect” with “by simple majority.”

Add another sentence to the new point 12.7

“In the event of 4 or more deputations at one meeting, the Convenor will manage the 60 minutes as they deem appropriate with respect to the allotted time set out in 12.6 and 12.8 to ensure the maximum number of groups are heard.”

#### **COMMITTEE TERMS OF REFERENCE AND DELEGATED FUNCTIONS**

Adds 3.2:

“Any Agenda Planning Meetings held will be open to all committee members in respect to all executive and policy committees and will be open to Group Leaders, or their substitutes in respect of Full Council.”

Amends 4.1 to read:

“If a decision which would normally be made by the Council or a Committee requires to be made urgently between meetings of the Council or Committee, the Chief Executive or appropriate Executive Director, in consultation with the Convener, Council Leader, all members of the relevant committee and all relevant local ward councillors, may take action, subject to the matter being reported to the next meeting of the Council or Committee. In the event of

division of opinion in those consulted, the decision will not be taken until arrangements for additional committee or Council meetings are put in place and the decision has been democratically taken by elected members.”

Agrees to retain the previous wording at 7.11 and add the new text at 7.11 as 7.12 and renumber accordingly.

Removes 17.1.2

- 2) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendices one to four as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents, making them available to members for information ahead of publication.

- moved by Councillor McVey seconded by Councillor Dobbin

## **Amendment 2**

- 1) To repeal the existing “Procedural Standing Orders for Council and Committee Meetings” and “Committee Terms of Reference” and approve in their place Appendices One and Two in the report by the Interim Executive Director of Corporate Services, with the exception that the proposed new section 35, “Admission of media and members of the public” be deleted, with repeal and approval of “Procedural Standing Orders” to take effect from 10th February 2023 and for the “Committee Terms of Reference” to take effect from 17th April 2023.
- 2) Agrees to continue consideration of the “Scheme of Delegation to Officers” and “Statutory Scheme of Delegation for Local Planning Applications” until the meeting of Full Council on 16th March 2023, with engagement with political groups taking place prior to that meeting.
- 3) Notes that further revisions and changes to the Standing Orders and Terms of Reference may follow after further engagement with groups to explore how to ensure that council practices are accessible to and inclusive of all elected members, and to end systemic discrimination in council practices and culture, as part of wider work looking at promoting equality, diversity and inclusion in the Council for elected members, as agreed at Full Council on 15<sup>th</sup> December 2022.
- 4) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendices one to four as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents, making them available to members for information ahead of publication.

- moved by Councillor Parker seconded by Councillor Mumford

### **Amendment 3**

- 1) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve appendix one to the report by the Interim Executive Director of Corporate Services in its place subject to the following changes and to take effect from 10 February 2023:
  - a) SO12.4 to read - The Clerk will submit the application to the Council or relevant Committee. An application for a deputation to Council or a committee will only be submitted if it relates to an item of business on the agenda for that meeting.
  - b) SO12.8 – add ‘and each independent member’ after political group
  - c) SO 22.3 (f) – add ‘when new information comes to light during discussion or debate and subject to the consent of the Lord Provost or Convener.’
  - d) SO 20.1 and 22.7 – adjust content to reflect - mover of motions and amendments to stay as five minutes, all other speakers for three minutes and the right of reply reduced to three minutes.
- 2) To repeal the existing Committee Terms of Reference and Delegated Functions and approve appendix two to the report in its place, to take effect from 17 April 2023.
- 3) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendices one to two in the report as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents, making them available to members for information ahead of publication.
- 4) To continue consideration of the Scheme of Delegation to Officers and the Scheme of Delegation for Local Developments to the Council meeting of 16 March 2023 to allow for workshops to take place with each political group.

- moved by Councillor Whyte seconded by Councillor Mowat

In accordance with Standing Order 22(12), Amendments 1 and 3 were adjusted and accepted as amendments to the motion and Amendment 2 was accepted in full as an amendment to the motion.

In accordance with Standing Order 22(12), the Motion and Amendment 2 were accepted as amendments to Amendment 1 and Amendment 3 was adjusted and accepted as an amendment to Amendment 2



## Voting

The voting was as follows:

For the Motion (as adjusted)	-	44 votes
For Amendment 1(as adjusted)	-	17 votes

(For the Motion (as adjusted): Lord Provost, Councillors. Arthur, Bandel, Beal, Booth, Bruce, Burgess, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Doggart, Faccenda, Flannery, Graham, Griffiths, Heap, Jenkinson, Jones, Lang, McKenzie, Meagher, Miller, Mitchell, Mowat, Mumford, Munro, O'Neill, Osler, Parker, Pogson, Rae, Ross, Rust, Staniforth, Thornley, Walker, Watt, Whyte, Young and Younie.

For Amendment 1 (as adjusted): Councillors Aston, Biagi, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McVey, Nicolson, and Work.)

## Decision

To approve the following adjusted motion by Councillor Day:

- 1) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve in its place Appendix 1 to the report by the Interim Executive Director of Place, such repeal and approval subject to the following amendments to take effect from 10 February 2023:
  - a) SO12.4 to read - The Clerk will submit the application to the Council or relevant Committee. An application for a deputation to Council or a committee will only be submitted if it relates to an item of business on the agenda for that meeting
  - b) SO12.8 – add ‘and each independent member’ after political group.
  - c) SO 22.3 (f) – add ‘when new information comes to light during discussion or debate and subject to the consent of the Lord Provost or Convener.
  - d) SO 35 - To delete the proposed new section 35, “Admission of media and members of the public”.
- 2) To repeal the existing Committee Terms of Reference and Delegated Functions and approve in its place Appendix 2 to the report, such repeal and approval subject to the following amendment, to take effect from 17 April 2023:

Amends 4.1 to read:

“If a decision which would normally be made by the Council or a Committee requires to be made urgently between meetings of the Council or Committee,

the Chief Executive or appropriate Executive Director, in consultation with the Convener and Group Leaders, may take action, subject to the matter being reported to the next meeting of the Council or Committee.

- 3) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendices one to two in the report as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents, making them available to members for information ahead of publication.
- 4) To agree to continue consideration of the “Scheme of Delegation to Officers” and “Statutory Scheme of Delegation for Local Planning Applications” until the meeting of Full Council on 16th March 2023, and to request a workshop for members to discuss changes and any implications with engagement with political groups taking place prior to the meeting on 16 March 2023.
- 5) To note that further revisions and changes to the Standing Orders and Terms of Reference might follow after further engagement with groups to explore how to ensure that council practices were accessible to and inclusive of all elected members, and to end systemic discrimination in council practices and culture, as part of wider work looking at promoting equality, diversity and inclusion in the Council for elected members, as agreed at Full Council on 15<sup>th</sup> December 2022.

(References – Act of Council No 7 of 15 December 2022; report by the Interim Executive Director of Corporate Services, submitted)

## 10 Council Diary 2023-2024

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The draft Council diary for April 2023-June 2024 was presented together with proposed dates for recess periods and Council meetings from August 2024 to August 2025.

### Decision

- 1) To agree the Council Diary for April 2023 to June 2024 as set out in appendix 1 to the report by the Interim Executive Director of Corporate Services, and authorise the Chief Executive to make minor adjustments, as necessary.
- 2) To agree the recess and Council meeting dates for August 2024 to August 2025 as set out in appendix 2 to the report.

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

## 11 Rolling Actions Log – May 2015 to December 2022

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Details were provided on the outstanding actions arising from decisions taken by the Council from May 2015 to December 2022.

## Decision

1) To agree to close the following Actions:

**Action 3** – Endorsement of Plant-Based Treaty - Motion by Councillor Burgess

**Action 4** - Edinburgh's Friendship with Taiwan – motion by Councillor Day

**Action 6** - Drylaw Neighbourhood Centre – motions by Councillors Day, Osler and Nicolson

**Action 7** - Provision of Sanitary Bins in Council Buildings – motion by Councillor Staniforth

**Action 8** - Bus for Dumbiedykes – motion by Councillor Mowat

**Action 9** - Young People's Assembly – motion by Councillor Macinnes

**Action 10** - Tram Extension - Motion by Councillor McVey

**Action 11** - Support for Roseburn Businesses - Motion by Councillor Davidson

**Action 12** – Young People's Assembly

**Action 13** - Monitoring Officer Report

**Action 14** - Operation Unicorn - Motion by Councillor Mumford

**Action 16** - By Councillor Mumford - 16 Days Activism Against Gender Based Violence

**Action 19** - Emergency Motion by Councillor Graham – Drumbrae Care Home

2) To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

## 12 Independent Inquiry and Whistleblowing Culture Review

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An update on the programme of work underway to address the recommendations and observations agreed by Council in respect of both the Independent Inquiry and the Whistleblowing Culture Review was presented. Progress against timelines had been made across all five themes – Policy, Investigations, Learning, Systems and Processes, and the Redress Scheme and in order to fully address all recommendations critical dependence was placed upon funding approval for a cloud-based HR and Payroll system and a solution to all employee access to the Orb.

## **Motion**

- 1) To note the progress made in addressing the recommendations agreed at Council in respect of both the Independent Inquiry and the Whistleblowing Culture Review.
- 2) To note the criticality of considering the implementation of the recommendations in the context of also delivering the commitments in the Council's People Strategy ('Our Future Council' 2021-2024 approved in April 2021 at Policy and Sustainability Committee) to support enduring cultural transformation.
- 3) To note that the report by the Chief Executive would be referred to Policy and Sustainability Committee on 21 March 2023.
- 4) To note that a significant number of CEC employees do not have their own Council email address.
- 5) To agree to achieve meaningful, enduring cultural transformation, the provision of an individual Council email address for every employee is given priority.
- 6) To request that a clear timeline for achieving this be set out in a covering report to this report and submitted to the Policy and Sustainability Committee for consideration at its 21 March meeting.

- moved by Councillor Day, seconded by Councillor Lezley Marion Cameron

## **Amendment 1**

- 1) To note the progress made in addressing the recommendations agreed at Council in respect of both the Independent Inquiry and the Whistleblowing Culture Review.
- 2) To note the criticality of considering the implementation of the recommendations in the context of also delivering the commitments in the Council's People Strategy ('Our Future Council' 2021-2024 approved in April 2021 at Policy and Sustainability Committee) to support enduring cultural transformation.
- 3) To note that the report by the Chief Executive would be referred to Policy and Sustainability Committee on 21 March 2023.
- 4) To note the "Elected Member Reference Group" has not met in 6 months and therefore agrees to disband this group in favour of update and decision reports coming to relevant committees and council to be dealt with transparently.

- moved by Councillor McVey, seconded by Councillor Macinnes

## **Amendment 2**

- 1) To note the progress made in addressing the recommendations agreed at Council in respect of both the Independent Inquiry and the Whistleblowing Culture Review.
- 2) To note the criticality of considering the implementation of the recommendations in the context of also delivering the commitments in the Council's People Strategy ('Our Future Council' 2021-2024 approved in April 2021 at Policy and Sustainability Committee) to support enduring cultural transformation.
- 3) To note that the report by the Chief Executive would be referred to Policy and Sustainability Committee on 21 March 2023.
- 4) To include an additional appendix when this report is referred to Policy and Sustainability Committee, providing a progress update and expected completion date against every recommendation made by the Inquiry and Review.
- 5) For the circa 5000 colleagues who do not have a corporate email address / device, requests officers to provide the same information about the new Investigation Team which has been provided digitally.

- moved by Councillor Miller, seconded by Councillor Parker

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

In accordance with Standing Order 22(12) Amendment 1 was adjusted and the Motion and Amendment 2 accepted as addendums to the adjusted Amendment 1.

## **Voting**

The voting was as follows:

For the motion (as adjusted) - 44 votes  
For Amendment 1 (as adjusted) - 17 votes

(For the motion (as adjusted): Lord Provost, Councillors. Arthur, Bandel, Beal, Booth, Bruce, Burgess, Caldwell, Lezley, Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Doggart, Faccenda, Flannery, Graham, Griffiths, Heap, Jenkinson, Jones, Lang, McKenzie, Meagher, Miller, Mitchell, Mowat, Mumford, Munro, O'Neill, Osler, Parker, Pogson, Rae, Ross, Rust, Staniforth, Thornley, Walker, Watt, Whyte, Young and Younie.

For Amendment 1 (as adjusted): Councillors Aston, Biagi, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McVey, Nicolson, and Work.)

## **Decision**

To approve the following adjusted motion by Councillor Day

- 1) To note the progress made in addressing the recommendations agreed at Council in respect of both the Independent Inquiry and the Whistleblowing Culture Review.
- 2) To note the criticality of considering the implementation of the recommendations in the context of also delivering the commitments in the Council's People Strategy ('Our Future Council' 2021-2024 approved in April 2021 at Policy and Sustainability Committee) to support enduring cultural transformation.
- 3) To note that the report by the Chief Executive would be referred to Policy and Sustainability Committee on 21 March 2023.
- 4) To note that a significant number of CEC employees do not have their own Council email address.
- 5) To agree to achieve meaningful, enduring cultural transformation, the provision of an individual Council email address for every employee is given priority.
- 6) To request that a clear timeline for achieving this be set out in a covering report to this report and submitted to the Policy and Sustainability Committee for consideration at its 21 March meeting.
- 7) To include an additional appendix when this report is referred to Policy and Sustainability Committee, providing a progress update and expected completion date against every recommendation made by the Inquiry and Review.
- 8) For the circa 5000 colleagues who do not have a corporate email address / device, requests officers to provide the same information about the new Investigation Team which has been provided digitally.

(References: Act of Council No 3 of 16 December 2021; report by the Chief Executive, submitted.)

## **13 Appointment to Chief Officer Posts**

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Details were provided on the outcome of the recruitment process for the Service Director, Education and Service Director, Human Resources.

## **Decision**

- 1) To approve the appointment of Lorna French as Service Director, Education.

- 2) To approve the appointment of Nareen Owens as Service Director, Human Resources.

(Reference: report by the Chief Executive, submitted)

## **14 Public Holiday – 8 May 2023 – Celebrating His Majesty, the King**

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Details were provided on the announcement by the UK and Scottish Governments of an additional public holiday to mark the Coronation of His Majesty, the King, and thus approval sought for an additional fixed day of leave for all colleagues on Monday 8 May 2023.

### **Motion**

To agree the granting of 8 May 2023 as a fixed one-off public holiday to Council employees in honour of the Coronation of His Majesty, the King.

- moved by Councillor Meagher, seconded by Councillor Griffiths

### **Amendment**

- 1) To agree the granting of 8 May 2023 as a fixed one-off public holiday to Council employees in honour of the Coronation of His Majesty, the King.
- 2) To welcome the additional day off for workers but recognises the impacts that school closures and other changes can have on people in Edinburgh, particularly those with caring responsibilities who are predominantly women.
- 3) Therefore requests that CEC works with ALEOs including Lothian buses to ensure that public information about any service changes relating to the bank holiday are communicated as soon as possible to residents and elected members.
- 4) In addition requests an in-depth equality impact assessment to be undertaken on this bank holiday as a template model for how the council should understand and respond to the impact of additional or unexpected closures and service changes in the future – which may arise for a range of reasons including national events, extreme weather conditions or industrial action - on women and other groups. This should come to Finance & Resources Committee within 2 cycles.

- moved by Councillor Mumford, seconded by Councillor Booth

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 Day:

- 1) To agree the granting of 8 May 2023 as a fixed one-off public holiday to Council employees in honour of the Coronation of His Majesty, the King.
- 2) To welcome the additional day off for workers but recognise the impacts that school closures and other changes could have on people in Edinburgh, particularly those with caring responsibilities who were predominantly women.
- 3) Therefore to request that CEC work with ALEOs including Lothian buses to ensure that public information about any service changes relating to the bank holiday were communicated as soon as possible to residents and elected members.
- 4) In addition to request an in-depth equality impact assessment to be undertaken on this bank holiday as a template model for how the council should understand and respond to the impact of additional or unexpected closures and service changes in the future – which might arise for a range of reasons including national events, extreme weather conditions or industrial action - on women and other groups. This should come to Finance and Resources Committee within 2 cycles.

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

## **15 16 Day of Activism Against Gender-Based Violence**

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In response to a motion by Councillor Mumford, details were provided on the work of the Council throughout the year on combatting gender-based violence, highlighting the work of the Council in the interagency context in which it supported and promoted work on preventing and eradicating gender-based violence through its public protection committees. A report from the Equally Safe Edinburgh Committee (ESEC) had also been presented.

### **Motion**

- 1) To note the report by the Chief Executive on the work undertaken by the Council and its public protection committees annually to prevent and eradicate gender-based violence.
- 2) To note that the Council worked in partnership with key statutory and third sector services and organisations to protect all citizens of Edinburgh from gender-based violence, including elected members, employees and workers of the Council.
- 3) To note that the report mainly outlined the work of the Council to combat genderbased violence, with a more detailed report specifically on the key highlights of the work of the Equally Safe Edinburgh Committee (ESEC)



attached as an appendix to the report, accompanied by the Equally Safe Quality Standards (performance for 2021-2022).

- moved by Councillor Watt, seconded by Councillor Graham

### **Amendment 1**

- 1) To note the report by the Chief Executive on the work undertaken by the Council and its public protection committees annually to prevent and eradicate gender-based violence.
- 2) To note that the Council worked in partnership with key statutory and third sector services and organisations to protect all citizens of Edinburgh from gender-based violence, including elected members, employees and workers of the Council.
- 3) To note that the report mainly outlined the work of the Council to combat genderbased violence, with a more detailed report specifically on the key highlights of the work of the Equally Safe Edinburgh Committee (ESEC) attached as an appendix to the report, accompanied by the Equally Safe Quality Standards (performance for 2021-2022).
- 4) Notes that any work undertaken on adult protection, child protection or violence against women and girls directly supports the safety of everyone in Edinburgh including anyone working for the City of Edinburgh Council in any capacity (as set out in 7.1 of the report).
- 5) However, further notes that the power dynamics within politics – in party groups, among elected members, and between Councillors and employees - mean that particular, targeted interventions may be appropriate within the political settings of the City Chambers and Waverley Court.
- 6) Therefore requests that all elected members and staff working closely with elected members are sent guidance on how to report inappropriate behaviour or violence, and internal communication channels including the orb and posters within these two buildings are utilised to further raise awareness of reporting processes, and to reinforce the message that gender based violence is intrinsically linked with power structures.

Additionally:

- 7) Notes with concern the ‘red’ status of the first two quality standards under priority one which state that “proactive engagement is very limited and there are single or no awareness raising campaigns” and that the partnership “did not collect or analyse data in order to understand attitudes towards VAWG.”
- 8) Therefore request a briefing note to the Policy and Sustainability Committee within 2 cycles outlining any plans on how these quality standards will be met, with particular focus on awareness raising campaigns which target groups with

particular needs and experiences relating to gender based violence including younger and older women, the LGBT community, BAME women, carers and cared-for people, refugees, disabled people and men and boys.

- moved by Councillor Mumford, seconded by Councillor Bandel

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

At this point in the meeting the following Amendment 2 was proposed:

### **Amendment 2**

To approve the motion by Councillor Watt as originally submitted.

- moved by Councillor Whyte, seconded by Councillor Mowat

### **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	52 votes
For Amendment 2 (the motion as originally submitted)	-	9 votes

(For the Motion (as adjusted): Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Biagi, Booth, Burgess, Caldwell, Lezley Marion Cameron, Campbell, Dalgleish, Davidson, Day, Dijkstra-Downie, Dixon, Dobbin, Faccenda, Flannery, Fullerton, Gardiner, Glasgow, Graham, Griffiths, Heap, Hyslop, Jenkinson, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McVey, Meagher, Miller, Mumford, Nicolson, O'Neill, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie.

For Amendment 2 (the motion as originally submitted): Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

### **Decision**

To approve the following adjusted motion by Councillor Watt:

- 1) To note the report by the Chief Executive on the work undertaken by the Council and its public protection committees annually to prevent and eradicate gender-based violence.
- 2) To note that the Council worked in partnership with key statutory and third sector services and organisations to protect all citizens of Edinburgh from gender-based violence, including elected members, employees and workers of the Council.
- 3) To note that the report mainly outlined the work of the Council to combat gender based violence, with a more detailed report specifically on the key

highlights of the work of the Equally Safe Edinburgh Committee (ESEC) attached as an appendix to the report, accompanied by the Equally Safe Quality Standards (performance for 2021-2022).

- 4) To note that any work undertaken on adult protection, child protection or violence against women and girls directly supported the safety of everyone in Edinburgh including anyone working for the City of Edinburgh Council in any capacity (as set out in 7.1 of the report).
- 5) However, to further note that the power dynamics within politics – in party groups, among elected members, and between Councillors and employees - meant that particular, targeted interventions might be appropriate within the political settings of the City Chambers and Waverley Court.
- 6) To therefore request that all elected members and staff working closely with elected members be sent guidance on how to report inappropriate behaviour or violence, and internal communication channels including the orb and posters within these two buildings be utilised to further raise awareness of reporting processes, and to reinforce the message that gender based violence was intrinsically linked with power structures.

Additionally:

- 7) To note with concern the ‘red’ status of the first two quality standards under priority one which stated that “proactive engagement is very limited and there are single or no awareness raising campaigns” and that the partnership “did not collect or analyse data in order to understand attitudes towards VAWG.”
- 8) To therefore request a briefing note to the Policy and Sustainability Committee within 2 cycles outlining any plans on how these quality standards would be met, with particular focus on awareness raising campaigns which targeted groups with particular needs and experiences relating to gender based violence including younger and older women, the LGBT community, BAME women, carers and cared-for people, refugees, disabled people and men and boys.

(References: Act of Council No 25 of 27 October 2022; report by the Chief Executive, submitted.)

### **Declaration of Interests**

Councillor Mumford made a transparency statement in respect of the above item as a former employee of a National Women’s Equality Charity.

## **16 Drumbrae Care Home – Status Report**

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### **a) Deputation- UNISON**

The deputation felt that the update provided was inaccurate in places and vague in detail. They had been advised that the EIJB Bed-based review had

been progressing since 202 but indicated that that review had been on hold for as long as the Drumbrae Care Home had been lying empty. The deputation were not aware of any meetings or discussions which had been held with care home management, staff, residents or trade unions regarding the review.

The deputation also felt that the information provided in the report was incomplete and timelines askew with events being given a different meaning. The deputation were clear that Drumbrae Care Home should remain within council control as a residential care unit and urged members to demand that the terms of the original motion as agreed be properly addressed and answered before and decisions were taken.

#### **b) Report by the Chief Officer, Edinburgh Health and Social Care Partnership**

In response to a motion by Councillor Graham, an update was provided on the current status of the Drumrae Care Home

#### **Motion**

- 1) To note the briefing by the Chief Officer, Edinburgh Health and Social Care Partnership on the status of Drumbrae Care Home.
- 2) Further to the report, Council notes that a definitive position on the immediate future of Drumbrae Care Home had not been identified by the date stated in the report, Monday 6<sup>th</sup> February, and therefore that an emergency meeting is arranged between Leader of the Council, Councillor Cammy Day, Chair of the Health and Social Care Partnership, Councillor Tim Pogson, and CEC Chief Executive, Andrew Kerr, Edinburgh HSCP Chief Executive, Judith Proctor and NHS Lothian Chief Executive, Calum Campbell.
- 3) The purpose of this meeting will be to reinforce to all parties the extreme importance attached to identifying a clear plan for bringing Drumbrae Care Home back into an active health and/or care use as soon as possible and to identify a clear, achievable timeline for delivering this outcome.

- moved by Councillor Pogson, seconded by Councillor Day

#### **Amendment 1**

- 1) To note the briefing by the Chief Officer, Edinburgh Health and Social Care Partnership on the status of Drumbrae Care Home
- 2) Asks officers to work at pace as previously instructed to open Drumbrae Care Home, and to ensure any dependencies on Edinburgh Integration Joint Board and/or Council meetings which could cause delays to delivery are briefed to members urgently.
- 3) Notes that the report references an 'amended proposal' but that the report does not provide information on these changes to the original direction and decisions

made by the Board and Council, and calls for these to be provided to the Board and Council in one cycle (not including the special budget meeting of Council).

- 4) Notes that between the publication of this status report on 3 February and this Council meeting on 9 February further decisions are being made by officers on the 'amended proposal', calls for Group Leaders and Health and Social Care group spokespeople to be briefed urgently, and for decisions to be referred to Council and the Board within one cycle, including the decision on the longer lease which has been requested by NHS Lothian.
- 5) Notes the fire safety compliance issues at Drumbrae Care Home were not notified to members when they were identified in June 2022, notes that the report does not indicate whether the issues were identified before or after the Committee decision on 7<sup>th</sup> June, and requests that officers include and comment on the timeline of decision making in the report to the Group Risk and Best Value Committee which Council instructed in December 2022.
- 6) Notes that, as stated in the report, NHS Lothian advised in October 2022 it was unable to deliver the direction set by the Board, but the report is silent on who was advised and that this communication did not result in either the Board or the Finance and Resources Committee being informed or asked to update their direction or decisions, and requests that this too is analysed in the report to the Group Risk and Best Value Committee.

- moved by Councillor Miller, seconded by Councillor Mumford

## **Amendment 2**

Council:

- 1) Notes that the update by 6<sup>th</sup> February 2023 on the amended proposal referenced in 5.1 of the report by the Chief Officer, Edinburgh Health and Social Care Partnership, was not forthcoming and members, including those on the EIJB, are yet to be furnished with any information.
- 2) Requests the information referenced in 5.1 of the report be shared with all councillors by close of play Friday 10<sup>th</sup> February 2023.
- 3) Notes that the briefing referenced in 2.1.5 of the report has not been forthcoming.
- 4) Agrees the briefing referenced in 2.1.5 of the report be produced and circulated within one cycle and should include information detailing how to proceed with disposal or lease arrangements as options.

- moved by Councillor Mitchell, seconded by Councillor Doggart

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

## Decision

To approve the following adjusted motion by Councillor Pogson:

- 1) To note the briefing by the Chief Officer, Edinburgh Health and Social Care Partnership on the status of Drumbrae Care Home.
- 2) Further to the report, to note that a definitive position on the immediate future of Drumbrae Care Home had not been identified by the date stated in the report, Monday 6<sup>th</sup> February, and therefore that an emergency meeting had been arranged between Leader of the Council, Councillor Cammy Day, Chair of the Health and Social Care Partnership, Cllr Tim Pogson, and CEC Chief Executive, Andrew Kerr, Edinburgh HSCP Chief Executive, Judith Proctor and NHS Lothian Chief Executive, Calum Campbell.

The purpose of this meeting would be to reinforce to all parties the extreme importance attached to identifying a clear plan for bringing Drumbrae Care Home back into an active health and/or care use as soon as possible and to identify a clear, achievable timeline for delivering this outcome

- 3) To ask officers to work at pace as previously instructed to open Drumbrae Care Home, and to ensure any dependencies on Edinburgh Integration Joint Board and/or Council meetings which could cause delays to delivery were briefed to members urgently.
- 4) To note that the report referenced an 'amended proposal' but that the report did not provide information on these changes to the original direction and decisions made by the Board and Council, and to call for these to be provided to the Board and Council in one cycle (not including the special budget meeting of Council).
- 5) To note that between the publication of this status report on 3 February and this Council meeting on 9 February, further decisions were being made by officers on the 'amended proposal', to call for Group Leaders and Health and Social Care group spokespeople to be briefed urgently, and for decisions to be referred to Council and the Board within one cycle, including the decision on the longer lease which has been requested by NHS Lothian.
- 6) To note the fire safety compliance issues at Drumbrae Care Home were not notified to members when they were identified in June 2022, to note that the report did not indicate whether the issues were identified before or after the Committee decision on 7<sup>th</sup> June, and to request that officers include and comment on the timeline of decision making in the report to the Group Risk and Best Value Committee which Council instructed in December 2022.
- 7) To note that, as stated in the report, NHS Lothian advised in October 2022 it was unable to deliver the direction set by the Board, but the report was silent on who was advised and that this communication did not result in either the Board or the Finance and Resources Committee being informed or asked to update

their direction or decisions, and to request that this too is analysed in the report to the Group Risk and Best Value Committee.

- 8) To note that the update by 6<sup>th</sup> February 2023 on the amended proposal referenced in 5.1 of the report by the Chief Officer, Edinburgh Health and Social Care Partnership, was not forthcoming and members, including those on the EIJB, were yet to be furnished with any information.
- 9) To request the information referenced in 5.1 of the report be shared with all councillors by close of play Friday 10<sup>th</sup> February 2023.
- 10) To note that the briefing referenced in 2.1.5 of the report had not been forthcoming.

(References: Act of Council No 20 of 15 December 2023; report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

## **17 Motion by Councillor McVey – Tram Extension**

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In response to a motion by Councillor McVey, an update was provided on Transport Scotland's Strategic Transport Projects Review (STPR2) report together with an outline of the progress being made on the development of a Strategic Business Case for the Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit.

### **Motion**

- 1) To note the progress being made on the development of a Strategic Business Case for a Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit.
- 2) To note that Transport Scotland published their final Strategic Transport Projects Review (STPR2) report on 8 December 2022. This recommends that an Edinburgh and South East Scotland Mass Transit proposition be developed.
- 3) To note the close alignment between the Council's City Mobility Plan and STPR2.
- 4) To note Transport Scotland have commenced the development of a STPR2 Delivery Plan which will set out the immediate funding priorities.
- 5) To note discussions between Transport Scotland, the Council and Regional Partners continue to help inform the final STPR2 Delivery Plan.

- moved by Councillor Arthur, seconded by Councillor Dalglish

### **Amendment 1**

- 1) To note the progress being made on the development of a Strategic Business Case for a Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit.

- 2) To note that Transport Scotland published their final Strategic Transport Projects Review (STPR2) report on 8 December 2022. This recommends that an Edinburgh and South East Scotland Mass Transit proposition be developed.
- 3) To note the close alignment between the Council's City Mobility Plan and STPR2.
- 4) To note Transport Scotland have commenced the development of a STPR2 Delivery Plan which will set out the immediate funding priorities.
- 5) To note discussions between Transport Scotland, the Council and Regional Partners continue to help inform the final STPR2 Delivery Plan.
- 6) Welcomes the ambition in STPR2 and its commitment to a vision of mass transit network for Edinburgh and South East Scotland with an expanded tram network at the heart of it, and acknowledges the key role that this council has in delivering that.
- 7) Reaffirms that the next stages in this process should be northwards to Granton and southwards to the BioQuarter.
- 8) Acknowledges however that the need for forward planning beyond the Granton to BioQuarter route and its spurs to Dalkeith and to Musselburgh, via Niddrie, in particular the potential extension beyond the Airport westwards to Newbridge, as outlined in the map at 4.7 in the report by the Executive Director of Place.
- 9) Agrees a scoping report in four cycles to the Transport and Environment Committee on the issues and options that would need to be considered around the relatively short western extension to Newbridge and beyond with a view establishing the council's support in principle for this.

- moved by Councillor Aston, seconded by Councillor Work

## **Amendment 2**

- 1) To note the progress being made on the development of a Strategic Business Case for a Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit.
- 2) To note that Transport Scotland published their final Strategic Transport Projects Review (STPR2) report on 8 December 2022. This recommends that an Edinburgh and South East Scotland Mass Transit proposition be developed.
- 3) To note the close alignment between the Council's City Mobility Plan and STPR2.
- 4) To note Transport Scotland have commenced the development of a STPR2 Delivery Plan which will set out the immediate funding priorities.
- 5) To note discussions between Transport Scotland, the Council and Regional Partners continue to help inform the final STPR2 Delivery Plan.



- 6) Notes that no funding is available to the City of Edinburgh Council to proceed with a tram extension at this time.

- moved by Councillor Munro, seconded by Councillor Cowdy

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 Day:

- 1) To note the progress being made on the development of a Strategic Business Case for a Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit.
- 2) To note that Transport Scotland published their final Strategic Transport Projects Review (STPR2) report on 8 December 2022. This recommended that an Edinburgh and South East Scotland Mass Transit proposition be developed.
- 3) To note the close alignment between the Council's City Mobility Plan and STPR2.
- 4) To note Transport Scotland had commenced the development of a STPR2 Delivery Plan which would set out the immediate funding priorities.
- 5) To note discussions between Transport Scotland, the Council and Regional Partners continued to help inform the final STPR2 Delivery Plan.
- 6) To welcome the ambition in STPR2 and its commitment to a vision of mass transit network for Edinburgh and South East Scotland with an expanded tram network at the heart of it, and acknowledged the key role that this council had in delivering that.
- 7) To reaffirm that the next stages in this process should be northwards to Granton and southwards to the BioQuarter.
- 8) To acknowledge however that the need for forward planning beyond the Granton to BioQuarter route and its spurs to Dalkeith and to Musselburgh, via Niddrie, in particular the potential extension beyond the Airport westwards to Newbridge, as outlined in the map at 4.7 in the report by the Executive Director of Place.
- 9) To agree a scoping report in four cycles to the Transport and Environment Committee on the issues and options that would need to be considered around the relatively short western extension to Newbridge and beyond with a view establishing the council's support in principle for this.

- 10) To note that no funding was available to the City of Edinburgh Council to proceed with a tram extension at this time.

(References: Act of Council No 25 of 25 August 2022; report by the Executive Director of Place, submitted.)

## 18 Edinburgh and Taiwan Partnership Link

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In response to a motion by Councillor Day, details were provided on the existing relations with the Taiwan and the developing relationship with the cultural cities of Tainan City and Kaohsiung in the southern part of Taiwan.

### **Motion**

- 1) To note the long history of cultural, scientific, and educational relationships between the City of Edinburgh and Taiwan.
- 2) To note the engagement carried out with representatives from Taipei, Tainan City, and Kaohsiung City in Taiwan to explore opportunities for building on these relationships.
- 3) To agree that development of cultural and festival links should provide the focus for the next steps in strengthening Edinburgh and Taiwan relationships.
- 4) To agree that City of Edinburgh Council will work in partnership with the Edinburgh Jazz and Blues Festival, Edinburgh International Festival, University of Edinburgh, Taiwanese officials and other stakeholders to develop a future programme of activity.
- 5) To note that the Representative Office of Taiwan have offered to fully fund an Edinburgh delegation of cultural and digital representatives to visit Taiwan to establish the appropriate partners to progress this programme.
- 6) To agree that the Council leader and one officer will represent Edinburgh at the 2023 Asian Smart City summit in Taipei, with all costs fully funded by the Government of Taiwan.
- 7) To request the guidance on Elected Members Overseas Travel is refreshed and reported to the Policy and Sustainability Committee in 2 cycles and that this considers:
  - Impact of transport on climate change
  - Payment of trips
  - Tangible outcomes for trips

- moved by Councillor Day, seconded by Councillor Walker

## **Amendment 1**

- 1) To note the long history of cultural, scientific, and educational relationships between the City of Edinburgh and Taiwan.
- 2) To note the engagement carried out with representatives from Taipei, Tainan City, and Kaohsiung City in Taiwan to explore opportunities for building on these relationships.
- 3) To agree that development of cultural and festival links should provide the focus for the next steps in strengthening Edinburgh and Taiwan relationships.
- 4) Agrees that City of Edinburgh Council will support partners such as Edinburgh Jazz and Blues Festival, Edinburgh International Festival, University of Edinburgh, Taiwanese representatives and other stakeholders to develop a future programme of activity.
- 5) Notes that the Representative Office of Taiwan have offered to fully fund an Edinburgh delegation of cultural and digital representatives to visit Taiwan to establish the appropriate partners to progress this programme and defers a decision on Council support on any visit until information is reported to Council on the full attendance list of any Edinburgh delegation, and the proposed deliverables and outcomes from any visit.
- 6) Officers to report back in one cycle, based on opportunities and the anticipated benefits that will flow to the City, those benefits to include financial, inward investment, employability and cultural.

- moved by Councillor Dobbin, seconded by Councillor Aston

## **Amendment 2**

- 1) To note the long history of cultural, scientific, and educational relationships between the City of Edinburgh and Taiwan.
- 2) To note the engagement carried out with representatives from Taipei, Tainan City, and Kaohsiung City in Taiwan to explore opportunities for building on these relationships.
- 3) To agree that development of cultural and festival links should provide the focus for the next steps in strengthening Edinburgh and Taiwan relationships.
- 4) To agree that City of Edinburgh Council will work in partnership with the Edinburgh Jazz and Blues Festival, Edinburgh International Festival, University of Edinburgh, Taiwanese officials and other stakeholders to develop a future programme of activity.
- 5) To note that the Representative Office of Taiwan have offered to fully fund an Edinburgh delegation of cultural and digital representatives to visit Taiwan to establish the appropriate partners to progress this programme.

- 6) Regrets that consideration of the environmental impact of attendance at the event was not included in the report by the Chief Executive coming to Council.
- 7) Agrees that no decision will be made on the council leader's attendance at the Smart City Summit in Taipei until Council receives an updated report detailing:
  - i) the environmental impact of attending the summit in person; ii) the goals the visit aims to achieve (including specific reference to those that can only be achieved by attending personally as opposed to remotely).

- moved by Councillor Staniforth, seconded by Councillor Parker

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

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

### **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	33 votes
For Amendment 1 (as adjusted)	-	27 votes

(For the Motion (as adjusted): Lord Provost, Councillors. Arthur, Beal, Bruce, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Doggart, Faccenda, Flannery, Graham, Griffiths, Jenkinson, Jones, Lang, McKenzie, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Ross, Thornley, Walker, Watt, Whyte, Young and Younie.

For Amendment 1 (as adjusted): Councillors Aston, Bandel, Biagi, Booth, Burgess, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Heap, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McVey, Miller, Mumford, Nicolson, O'Neill, Parker, Rae, Staniforth and Work.)

### **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To note the long history of cultural, scientific, and educational relationships between the City of Edinburgh and Taiwan.
- 2) To note the engagement carried out with representatives from Taipei, Tainan City, and Kaohsiung City in Taiwan to explore opportunities for building on these relationships.
- 3) To agree that development of cultural and festival links should provide the focus for the next steps in strengthening Edinburgh and Taiwan relationships.

- 4) To agree that City of Edinburgh Council will support partners such as Edinburgh Jazz and Blues Festival, Edinburgh International Festival, University of Edinburgh, Taiwanese representatives and other stakeholders to develop a future programme of activity.
- 5) To note that the Representative Office of Taiwan had offered to fully fund an Edinburgh delegation of cultural and digital representatives to visit Taiwan to establish the appropriate partners to progress this programme.
- 6) To agree that the Council leader and one officer would represent Edinburgh at the 2023 Asian Smart City summit in Taipei, with all costs fully funded by the Government of Taiwan.
- 7) To regret that consideration of the environmental impact of attendance at the event was not included in the report by the Chief Executive coming to Council.
- 8) To request the guidance on Elected Members Overseas Travel be refreshed and reported to the Policy and Sustainability Committee in 2 cycles and that this consider:
  - Impact of transport on climate change
  - Payment of trips
  - Tangible outcomes for trips.

(References: Act of Council No 5 of 17 March 2022; report by the Chief Executive, submitted.)

### **Declaration of Interests**

Councillor Rust declared a non-financial interest in the above item as an independent director of Edinburgh International Jazz and Blues Festival.

## **19 Regional Prosperity Framework Delivery Plan – referral from the Policy and Sustainability Committee**

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The Policy and Sustainability Committee had referred a report which presented the Regional Prosperity Framework Delivery Plan for approval, prior to being considered by the Edinburgh and South East Scotland City Region (ESESCR) Joint Committee to the City of Edinburgh Council for approval.

### **Motion**

- 1) To approve the Regional Prosperity Framework Delivery Plan.

- 2) To note the Delivery Plan would be considered by the other five constituent Local Authorities in the Edinburgh and South East Scotland City Region (ESESCR) ahead of the ESESCR Joint Committee meeting on 3 March 2023.

- moved by Councillor Day, seconded by Councillor Watt

### **Amendment**

- 1) To approve the Regional Prosperity Framework Delivery Plan, with the removal of all mentions relating to the Forth Green Port. To further agree that work on the Green Freeport is separated and contained separately to this plan to better enable scrutiny, transparency and accountability of the Green Freeports impacts to the City and region.
- 2) To note that the Delivery Plan would be considered by the other five constituent Local Authorities in the Edinburgh and South East Scotland City Region (ESESCR) ahead of the ESESCR Joint Committee meeting on 3 March 2023.

- moved by Councillor McVey, seconded by Councillor Campbell

### **Voting**

The voting was as follows:

For the motion	-	34 votes
For the amendment	-	27 votes

(For the motion: Lord Provost, Councillors. Arthur, Beal, Bruce, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Doggart, Faccenda, Flannery, Graham, Griffiths, Jenkinson, Jones, Lang, McKenzie, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Ross, Rust, Thornley, Walker, Watt, Whyte, Young and Younie.)

For the amendment: Councillors Aston, Bandel, Biagi, Booth, Burgess, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Heap, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McVey, Miller, Mumford, Nicolson, O'Neill, Parker, Rae, Staniforth and Work.)

### **Decision**

To approve the motion by Councillor Day:

(Reference: Policy and Sustainability Committee of 17 January 2023 (item 17): referral from the Policy and Sustainability committee, submitted.)

## 20 Treasury Management: Mid-Year Report 2022/2 – referral from the Finance and Resources Committee

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The Finance and Resources Committee had referred a report which provided an update on Treasury Management activity undertaken in the first half of 2022/23 to the City of Edinburgh Council for approval and subsequent remit by the City of Edinburgh Council to the Governance Risk and Best Value Committee for scrutiny.

### Decision

- 1) To note the mid-term report on Treasury Management for 2022/23.
- 2) To refer the report to the Governance, Risk and Best Value Committee for scrutiny.

(References: Finance and Resources Committee of 29 January 2023; referral from the Finance and Resources Committee, submitted.)

## 21 Accounting for Service Concessions – referral from the Finance and Resources Committee

---

The Finance and Resources Committee had referred a report which set out the outcome of the review of accounting for the Council's service concession arrangements in light of financial flexibilities introduced by the Scottish Government to the City of Edinburgh Council for approval.

### Decision

- 1) To agree to the Council exercising flexibility on accounting for Service Concessions, effective from 1 April 2023, as permitted under Finance Circular 10/2022.
- 2) To agree the retrospective benefit of £95.208m to the end of 2022/23 be transferred into the General Fund, from the Capital Adjustment Account, and its use considered as part of the budget setting process.
- 3) To note that adoption of the guidance would extend the repayment period over a longer timeframe, past the date when government grant support would cease.
- 4) To agree, for this reason, that future benefits which would accrue under the revised accounting arrangements be ring-fenced to help towards future years' costs.

(References: Finance and Resources Committee of 29 January 2023; referral from the Finance and Resources Committee, submitted.)

## **22 Renaming the Education and Children’s Services Directorate – referral from the Education, Children and Families Committee**

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The Education, Children and Families Committee had referred a report proposing that the Education and Children’s Services Directorate be renamed to “Children, Education and Justice Services” to reflect the changes within the Directorate, put children at the forefront and to be more inclusive to the City of Edinburgh Council for approval.

### **Decision**

To agree to rename the Education and Children’s Services Directorate to “Children, Education and Justice Services”.

(References: Education, Children and Families Committee of 31 January 2023); referral from the Education, Children and Families Committee, submitted.)

## **23 Firefighter Barry Martin - Condolences - 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:

- 1) Expresses its sympathy to the family of Barry Martin who sadly died fighting in a fire in the city on Friday 28 January 2023.
- 2) Council also expresses sympathy to the Scottish Fire and Rescue Service as they mourn the loss of a dedicated and brave firefighter.
- 3) Council agrees to work with Scottish Fire and Rescue Service to identify an appropriate form of joint recognition.”

- moved by the Lord Provost, seconded by Councillor Day

### **Decision**

To approve the motion by the Lord Provost.

## **24 National Care Service - Motion by Councillor Jenkinson**

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### **a) Deputation - UNISON**

The deputation indicated that they were in support of the motion b Councillor Jenkinson and believed that the National Care Bill to be so fundamentally flawed that it should be withdrawn in its entirety. They felt that for a National Care Service to be successful there needed to be a proper and meaningful engagement with the people of Edinburgh and Scotland.



The deputation also felt that the Bill was a direct attack on Local Government and democracy where democratic control and local accountability would be lost and replaced by unelected and unrepresentative quangos signalling the end of publicly run services for local communities.

The deputation urged the council to support the motion by Councillor Jenkinson and to send a clear message to Holyrood that each party believed that care services should be answerable to the democratically elected representatives.

**b) Motion by Councillor Jenkinson**

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

“Council notes:

- 1) The National Care Service (Scotland) Bill was introduced by the Scottish Government in June 2022 with the intention of reforming how social care, social work and community health services are delivered in Scotland. Currently, the National Care Service is expected to be implemented by 2026.
- 2) The proposal to create a National Care Service was based on recommendations made by the Independent Review of Adult Social Care, known as the Feeley Report, which looked specifically at the provision of Adult Social Care Services in Scotland.
- 3) The National Care Service (Scotland) Bill proposes transferring responsibility for social care, social work and some community health functions – including staff, and assets such as buildings and equipment – from local government to care boards which will be overseen by Scottish Ministers.

Council believes:

- 1) The National Care Service (Scotland) Bill as it stands has a potentially destabilising effect on current service provision, causing great uncertainty and exacerbating existing challenges in the delivery of services and the recruitment of staff.
- 2) Potentially transferring one third of all staff currently employed by The City of Edinburgh Council to a care board overseen by Scottish Ministers could impact on the pay, terms and conditions and pensions of staff and could impact the Council’s ability to perform necessary statutory functions and responsibilities.
- 3) Centralising social care and social work services could impact the ability to deliver a joined-up approach across other essential services such as:

education, housing, welfare, employment, leisure, environment, and social support.

- 4) Any move to limit the role of The City of Edinburgh Council as commissioners of services would likely result in a loss of local democratic accountability and local knowledge and risks creating a more fragmented system.
- 5) The National Care Service (Scotland) Bill does not recognise the possibilities of improvement within current local governance arrangements.

Council resolves:

- 1) To oppose in principle the transfer of powers currently delegated by The City of Edinburgh Council to the Edinburgh Integrated Joint Board to Scottish Ministers.
- 2) To work alongside COSLA, other local authorities, trade unions and professional bodies to defend and retain council services under local democratic control.
- 3) That the Leader of the Council writes to the Scottish Government requesting that the passage of the National Care Service (Scotland) Bill be “paused” while they reconsider how best to co-design legislation that delivers the social care reforms needed whilst protecting local delivery and accountability and until such time that a full Local Government impact assessment has taken place.”

## **Motion**

To approve the motion by Councillor Jenkinson.

- moved by Councillor Jenkinson, seconded by Councillor Pogson

## **Amendment 1**

- 1) Under Council notes in the motion by Councillor Jenkinson, to add:
  - 4) Creating the National Care Service is about improving people’s lives so they can thrive and lead a full life. The NCS will have equality, dignity and human rights at its heart and will empower people across Scotland to make the choices that are right for them.
- 2) To replace “Council believes” in the motion with “Council believes that principle of achieving a National Care Service is a good one, but notes:
  - a) Replaces point 1 in that section with:

- 1) The National Care Service (Scotland) Bill is complex, ambitious and requires a collaborative and whole systems approach to design and implementation with essential co-design and co-delivery at its core.
- b) Replace points 4 and 5 in that section with:
  - 4) The desirability of preserving local democratic accountability and local knowledge within a unified approach to care.
  - 5) The need to recognise and further develop the possibilities of improvement within local governance arrangements.
- c) To add to that section:
  - 6) Recognises the significant challenges to recruitment due to Brexit and acknowledges Scottish Government's campaign titled 'There is more to care than caring' to support recruitment of more adult social care workers."
- 3) Under Council resolves in the motion, deletes point 1 and deletes and replaces point 2 with:
  - "2) To work alongside COSLA, other local authorities, trade unions and professional bodies to pursue these questions further with the Scottish Government."

- moved by Councillor Nicolson, seconded by Councillor Kumar

## **Amendment 2**

- 1) In "Council Notes" in the motion by Councillor Jenkinson, insert:
  - "4) Scotland's second largest trade union Unite recently withdrew from the codesign process citing concerns about the lack of democratic accountability in the proposed bill.
  - 5) The robust submission from the Council in September 2022 in response to the call for views on the Bill which said it "lacks fundamental details" and that "the ambiguity it involves presents an immediate risk to the services, workforces and organisations it affects." The response went on to say "the proposals as they stand and the uncertainty they bring to children and adults service delivery, planning and funding decisions present an immediate and growing risk to the resilience and delivery of services to our most vulnerable citizens."
- 2) In "Council believes" in the motion, insert:
  - "6) the proposed National Care Service Bill risks replicating previous mistakes made by the Scottish Government in centralising services."

- moved by Councillor Davidson, seconded by Councillor Lang

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	43 votes
Amendment 1	-	18 votes

(For the Motion (as adjusted): Lord Provost, Councillors. Arthur, Bandel, Beal, Booth, Bruce, Burgess, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Doggart, Faccenda, Flannery, Graham, Griffiths, Heap, Jenkinson, Jones, Lang, McKenzie, Meagher, Miller, Mitchell, Mowat, Mumford, Munro, Osler, Parker, Pogson, Rae, Ross, Rust, Staniforth, Thornley, Walker, Watt, Whyte, Young and Younie.

For Amendment 1: Councillors Aston, Biagi, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McVey, Nicolson, O'Neill and Work.)

## **Decision**

To approve the following adjusted motion by Councillor Jenkinson:

- 1) To note the National Care Service (Scotland) Bill was introduced by the Scottish Government in June 2022 with the intention of reforming how social care, social work and community health services were delivered in Scotland. Currently, the National Care Service was expected to be implemented by 2026.
- 2) To note the proposal to create a National Care Service was based on recommendations made by the Independent Review of Adult Social Care, known as the Feeley Report, which looked specifically at the provision of Adult Social Care Services in Scotland.
- 3) To note the National Care Service (Scotland) Bill proposed transferring responsibility for social care, social work and some community health functions – including staff, and assets such as buildings and equipment – from local government to care boards which would be overseen by Scottish Ministers.
- 4) To note Scotland's second largest trade union Unite recently withdrew from the codesign process citing concerns about the lack of democratic accountability in the proposed bill.
- 5) To note the robust submission from the Council in September 2022 in response to the call for views on the Bill which said it "lacks fundamental details" and that "the ambiguity it involves presents an immediate risk to the services, workforces and organisations it affects." The response went on to say "the

proposals as they stand and the uncertainty they bring to children and adults service delivery, planning and funding decisions present an immediate and growing risk to the resilience and delivery of services to our most vulnerable citizens.”

- 6) To believe the National Care Service (Scotland) Bill as it stands had a potentially destabilising effect on current service provision, causing great uncertainty and exacerbating existing challenges in the delivery of services and the recruitment of staff.
- 7) To believe potentially transferring one third of all staff currently employed by The City of Edinburgh Council to a care board overseen by Scottish Ministers could impact on the pay, terms and conditions and pensions of staff and could impact the Council’s ability to perform necessary statutory functions and responsibilities.
- 8) To believe centralising social care and social work services could impact the ability to deliver a joined-up approach across other essential services such as: education, housing, welfare, employment, leisure, environment, and social support.
- 9) To believe any move to limit the role of The City of Edinburgh Council as commissioners of services would likely result in a loss of local democratic accountability and local knowledge and risks creating a more fragmented system.
- 10) To believe the National Care Service (Scotland) Bill did not recognise the possibilities of improvement within current local governance arrangements.
- 11) To believe the proposed National Care Service Bill risked replicating previous mistakes made by the Scottish Government in centralising services.
- 12) To agree to oppose in principle the transfer of powers currently delegated by The City of Edinburgh Council to the Edinburgh Integrated Joint Board to Scottish Ministers.
- 13) To agree to work alongside COSLA, other local authorities, trade unions and professional bodies to defend and retain council services under local democratic control.
- 14) To agree that the Leader of the Council write to the Scottish Government requesting that the passage of the National Care Service (Scotland) Bill be “paused” while they reconsider how best to co-design legislation that delivered the social care reforms needed whilst protecting local delivery and accountability and until such time that a full Local Government impact assessment had taken place.

## 25 Declaring a Nature Emergency - Motion by Councillor Parker

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

“Council:

- 1) Notes the body of evidence which outlines the alarming extent of the global nature and biodiversity crisis.
- 2) Recognises the inherent value of nature, as well as its crucial importance as an integral part of culture and society, and for our health, wellbeing, and economy.
- 3) Additionally, recognises the key role nature has to play in meeting climate targets, and for climate adaptation and resilience.

Further, Council:

- 4) Welcomes the revised national [Scottish Biodiversity Strategy](#) and forthcoming statutory targets for public bodies, including local authorities, required to meet the challenges of the nature crisis.
- 5) Welcomes the [Kunming-Montreal Global Biodiversity Framework \(GBF\)](#) agreed at COP15 in December 2022 and celebrates the role played by the [Edinburgh Process](#) as part of this.
- 6) Recognises the key role subnational governments and local communities will play in realising delivery of the GBF, notes the leading role Scotland played in the Edinburgh Process and at COP15 and believes that, as Scotland’s capital city, Edinburgh should play a leading role in nature recovery and restoration work going forward.

Therefore, Council agrees:

- 7) To declare a Nature Emergency, akin to the Council’s declaration of a Climate Emergency in 2019, recognising the current state of nature, its inherent value and the crucial role its recovery and restoration will play in realising climate targets.

Further, Council requests a report to Policy and Sustainability Committee within 2 cycles which:

- 8) Explores the possibility of the Council signing up to the [Berlin Urban Nature Pact](#) as the next milestone from COP15 after the Edinburgh Declaration and Montreal Pledge.
- 9) Outlines how existing Council strategies such as the Biodiversity Action Plan, forthcoming Edinburgh Adapts plan and 2030 Climate Strategy, align with the GBF, Scottish Biodiversity Strategy and Berlin Urban Nature Pact, and notes

any changes to existing strategies or additional resource required to deliver against these.

- 10) Provides an update on the development of the Vision for Nature as outlined in the Biodiversity Action Plan, including specific consideration of how the Vision for Nature will:
  - a) Adopt an [ecological coherence approach](#) to effectively identify and target actions required to tackle the nature emergency and deliver against the various strategies listed above, including through the further development of the region's Nature Network;
  - b) Adopt a partnership approach, working with Edinburgh Biodiversity Partnership project partners, including through the Edinburgh Living Landscape, to maximise opportunity for delivery of the strategies listed above, and taking learning from the partnership board model developed as part of the 2030 Climate Strategy work."

### **Motion**

To approve the motion by Councillor Parker.

- moved by Councillor Parker, seconded by Councillor Bandel

### **Amendment 1**

- 1) Welcomes the proposal outlined in the motion by Councillor Parker and notes other Councils across the UK have declared a Nature Emergency, and that the Senedd was one of the first parliaments in the world to take this step.
- 2) Notes that the Scottish Government blocked a motion for it to call a Nature Emergency in November 2020.
- 3) Agrees all points in the motion, but asks that detailed costs are provided for points 8 – 10 in the report to the Policy and Sustainability Committee.

- moved by Councillor Arthur, seconded by Councillor Graham

### **Amendment 2**

To take no action on the motion by Councillor Parker.

- moved by Councillor Jones, seconded by Councillor Bruce

In terms of Standing Order 24(4), the Lord Provost ruled that a first vote be taken for or against Amendment 2, for no action.

### **Voting**

For Amendment 2	-	9 votes
Against Amendment 2	-	51 votes

(For Amendment 2 - Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.

Against Amendment 2 – Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Biagi, Booth, Burgess, Caldwell, Lezley Marion Cameron, Campbell, Dalgleish, Davidson, Day, Dijkstra-Downie, Dixon, Dobbin, Faccenda, Flannery, Fullerton, Gardiner, Glasgow, Graham, Griffiths, Heap, Hyslop, Jenkinson, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, , McVey, Meagher, Miller, Mumford, Nicolson, O'Neill, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie.)

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

### **Decision**

To approve the following adjusted motion by Councillor Parker:

- 1) To note the body of evidence which outlined the alarming extent of the global nature and biodiversity crisis.
- 2) To recognise the inherent value of nature, as well as its crucial importance as an integral part of culture and society, and for our health, wellbeing, and economy.
- 3) To additionally, recognise the key role nature had to play in meeting climate targets, and for climate adaptation and resilience.
- 4) To welcomes the revised national [Scottish Biodiversity Strategy](#) and forthcoming statutory targets for public bodies, including local authorities, required to meet the challenges of the nature crisis.
- 5) To welcomes the [Kunming-Montreal Global Biodiversity Framework \(GBF\)](#) agreed at COP15 in December 2022 and celebrate the role played by the [Edinburgh Process](#) as part of this.
- 6) To recognise the key role subnational governments and local communities would play in realising delivery of the GBF, note the leading role Scotland played in the Edinburgh Process and at COP15 and believe that, as Scotland's capital city, Edinburgh should play a leading role in nature recovery and restoration work going forward.
- 7) To agree to declare a Nature Emergency, akin to the Council's declaration of a Climate Emergency in 2019, recognising the current state of nature, its inherent value and the crucial role its recovery and restoration would play in realising climate targets.
- 8) To note other Councils across the UK have declared a Nature Emergency, and that the Senedd was one of the first parliaments in the world to take this step.



- 9) To further request a report to Policy and Sustainability Committee within 2 cycles which:
- a) Explores the possibility of the Council signing up to the [Berlin Urban Nature Pact](#) as the next milestone from COP15 after the Edinburgh Declaration and Montreal Pledge.
  - b) Outlines how existing Council strategies such as the Biodiversity Action Plan, forthcoming Edinburgh Adapts plan and 2030 Climate Strategy, aligned with the GBF, Scottish Biodiversity Strategy and Berlin Urban Nature Pact, and note any changes to existing strategies or additional resource required to deliver against these.
  - c) Provides an update on the development of the Vision for Nature as outlined in the Biodiversity Action Plan, including specific consideration of how the Vision for Nature will:
    - i) Adopt an [ecological coherence approach](#) to effectively identify and target actions required to tackle the nature emergency and deliver against the various strategies listed above, including through the further development of the region's Nature Network;
    - ii) Adopt a partnership approach, working with Edinburgh Biodiversity Partnership project partners, including through the Edinburgh Living Landscape, to maximise opportunity for delivery of the strategies listed above, and taking learning from the partnership board model developed as part of the 2030 Climate Strategy work.
- 10) To ask that detailed costs are provided for point 9 above in the report to the Policy and Sustainability Committee.

## **26 Tree Protection Measures East and West Princes Street Gardens- Motion by Councillor Osler**

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

“Council:

- 1) Notes that in October 2022 the Culture and Communities Committee agreed the report – “Terms and conditions for Operating Events in Parks: West Princes St Gardens and the Ross Bandstand” and that Appendix I to that report contained Tree and Root protection plan guidance (“Tree Protection Plan”).
- 2) Notes that on 9th November 2022 the Development Management Sub Committee granted one year permission for the temporary change of use and siting of performance units, catering units and other associated moveable structures for Edinburgh’s Christmas Festival located in West Princes St Gardens.

- 3) Notes a condition was attached to the granting of the application at 2. above which stated:

*“No development on site may begin without written consent from Edinburgh Council Planning Authority. At least 3 days written notice shall be given to the Planning Authority of the date of commencement of the tree protection measures to be carried out. Following the completion of the tree protection measures and prior to development commencing on site the operator shall write to the Planning Authority confirming that the tree protection measures have been completed. No development shall commence on site unless and until an arboricultural specialist from the Council’s Parks and Greenspaces Section or a representative authorised by them, has inspected the completed tree protection measures and subsequently written confirmation has been received from the Planning Authority that the completed tree protection measures are acceptable.”*

- 4) Notes that on 9th November 2022 the Development Management Sub Committee granted one year permission for temporary use for a big wheel, associated rides/attractions, food, craft-concession stalls, public toilets, waste facilities, entrance features, boundary treatment, ancillary offices, stores and information signs in East Princes St Gardens.

- 5) Notes a condition was attached to the granting of the application at 4. above which stated:

*“Prior to the commencement of development, tree protection measures shall be agreed with the Council’s Parks and Greenspace team and shall be implemented prior to the installation of any structures within the vicinity of the trees. Confirmation of agreement shall be submitted to the Council as a Planning Authority.”*

- 6) Understands that a Tree Protection Plan for East Princes St Gardens with updated paths is in the process of being developed.

- 7) Notes that the Tree in City Action Plan which sets out the Council’s approach to tree management is currently being refreshed.

- 8) Agrees that each of: (i) the tree protection plan at 6. above, once completed, and (ii) the Tree in City Action Plan at 7. above, once refreshed, will be presented to the Culture and Communities Committee for approval within one cycle of such completion and refreshment.

- 9) Agrees for a report within two cycles to the Culture and Communities Committee setting out:

- a) For events covered by the applications at 2. and 4. above:

- i) what measures were put in place to ensure tree protection and recovery during and post the event, and

- ii) how compliance with such measures was monitored and enforced, including details of any non-compliance which was brought to the attention of the Council, and a timeline of this, and
- b) For future events in West Princes St Gardens and in East Princes St Gardens:
  - i) what contractual and any other protections may be put in place to ensure those events comply with the applicable Tree Protection Plan and with the Tree in City Action Plan, and
  - ii) processes by which compliance with the applicable Tree Protection Plan and the Tree in City Action Plan, effectively may be monitored and enforced, including consideration of how this might happen through the Council's auditing processes.”

- moved by Councillor Osler, seconded by Councillor Parker

### **Decision**

To approve the motion by Councillor Osler:

## **27 Stolperstein- Motion by Councillor Nicolson**

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### **a) Deputation – Edinburgh Interfaith Association (EIFA)**

The deputation supported the motion by Councillor Nicolson calling for the Stolperstein commemorative stone and plaque in honour of Jane Haining. They hoped that in the years to come when children and others passed the Stolperstein stone and plaque they too would feel pride because of this daughter of Edinburgh whose courage and bravery saved so many Jewish lives and urged the council to approve the motion as a sign of the unity of the city regarding important matters such as this one.

### **b) Motion by Councillor Nicolson**

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

“Council notes:

Holocaust victims are commemorated across Europe with small brass plaques or ‘Stolpersteine’ (stumbling stones), which are permanently placed in the pavement outside places associated with the victim.

Scotland’s most prominent holocaust victim Jane Haining died in the Auschwitz-Birkenau concentration camp in 1944. Her heroism is commemorated as Righteous Amongst the Nations at Yad Vashem in Israel but

not yet in Edinburgh where her mission to help Jewish children in Budapest was dedicated.

Her dedication service took place at St Stephen's Church, Edinburgh, on 19 June 1932.

Council Agrees:

To commemorate Jane Haining with the purchase and installation of a 'Stolperstein' outside St Stephen's Church."

- moved by Councillor Nicolson, seconded by Councillor Kumar

## **Decision**

To approve the motion by Councillor Nicolson.

## **28 UK Government Attack on Devolution- Motion by Councillor McVey**

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### **a) Deputation – The Sovereignty Research Group**

The deputation indicated that a local council had no legal standing in terms of the Scotland Act 1998 to become involved in a political settlement between Scotland and England. They felt that it would not be competent for a local Council to attempt to engage in the formal representations to either the Scottish or UK Government on a matter that involved the Scotland Act 1998 as that was a matter of law.

The deputation further indicated that the UK Government had the right to block the Scottish Gender Recognition Reform bill as it would affect UK legislation. They stressed that the Council had no part to play in this particular issue which was between Scotland and England.

### **b) Motion by Councillor McVey**

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

"Council notes that the UK Government has for the first time in Devolution used a "Section 35 order" to prevent the clear will of the Scottish Parliament receiving royal assent and becoming law in Scotland.

Council believes the case for the use of the "Section 35 order" is baseless and is tantamount to an attack on the democratic principles and foundations of the Scottish Parliament. Council also notes the opinion of eminent legal professionals including the former Lord Chancellor (Secretary of State for Justice) Lord Falconer in explaining why the UK Government's attack on democracy is illegitimate. This is in addition to comments from politicians of all

parties condemning the action including First Minister Nicola Sturgeon, Scottish Government Minister Lorna Slater, Alex Cole-Hamilton MSP, Monica Lennon MSP and Jamie Greene MSP.

Council also strongly condemns the UK Government Secretary of State for Scotland and the UK Government Secretary of State for Women and Equalities for refusing to attend the Scottish Parliament's Equalities, Human Rights and Civil Justice Committee to explain their decision to block the Scottish Parliament's law- which was overwhelmingly passed.

Council instructs the Council Leader to write to the UK Secretary of State for Scotland to condemn the UK Government's actions and demand they overturn this decision and remove any barriers to Scottish Parliament Legislation receiving Royal Assent and becoming law."

### **Motion**

To approve the motion by Councillor McVey.

- moved by Councillor McVey, seconded by Councillor Kumar

### **Amendment 1**

To replace the motion by Councillor McVey with:

"Council believes in the importance of, and commits to, protecting, promoting and safeguarding the rights of trans people and of women's rights to single sex services under the Equality Act 2010.

Council notes that:

The UK Government has for the first time since Devolution used a "Section 35 order".

The judgement of Lady Haldane and subsequent events since the passing of the Gender Recognition Reform (Scotland) Act in December 2022 by the Scottish Parliament have highlighted that the legislation is poorly drafted, especially in its interaction with the Equality Act 2010.

Council notes with concern the refusal of the UK Government Secretary of State for Scotland and the UK Government Secretary of State for Women and Equalities to attend the Scottish Parliament's Equalities, Human Rights and Civil Justice Committee to explain their decision to enact a Section 35 Order to block the legislation, passed by the Scottish Parliament in December 2022.

Council instructs the Council Leader to write to the UK Secretary of State for Scotland and the First Minister to convey the view of Council and urging them to

work constructively together with the EHRC to reach a solution which achieves the original purpose of the Bill of improving the lives of trans people; and which guarantees women's rights to single sex services under the Equality Act 2010."

- moved by Councillor Lezley Marion Cameron, seconded by Councillor Jenkinson

## **Amendment 2**

- 1) To delete the title of the motion by Councillor McVey "UK Government Attack on Devolution" and replace with "UK Government enacts s.35 of Scotland Act 1998 in the matter of Gender Recognition Reform (Scotland) Bill"
- 2) To delete all of the text in the motion by Councillor McVey and replace with:  
"Council notes:
  - 1) that the UK Government has enacted S.35 of the Scotland Act 1998 in respect of the Gender Recognition Reform (Scotland) Bill in recognition that the Bill has a number of cross-border implications including on the UK-wide operation of the Equality Act 2010;
  - 2) That S.35 has been a part of the Scotland Act since it was passed in 1998 and that there has been no attempt by any political party to remove S.35 since then; thus, it is a legitimate and necessary part of the devolution settlement;
  - 3) That the Scottish Parliament is a devolved administration and democracy is best served when the UK and Scottish Parliaments work together for the betterment of the people of Scotland rather than seeking grievance;
  - 4) And regrets that the issue of improving access to gender recognition certificates for trans people has become embroiled in a constitutional argument because of the poor process of handling the Bill through the Scottish Parliament which has did fully addressed the interaction of the Bill with the Equality Act 2010."

- moved by Councillor Mowat, seconded by Councillor Jones

## **Voting**

The voting was as follows:

For the Motion	-	39 votes
For Amendment 1	-	12 votes
For Amendment 2	-	9 votes

(For the Motion: Lord Provost, Councillors Aston, Bandel, Beal, Biagi, Booth, Burgess, Caldwell, Campbell, Davidson, Dijkstra-Downie, Dixon, Dobbin, Flannery,

Fullerton, Gardiner, Glasgow, Heap, Hyslop, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McVey, Miller, Mumford, Nicolson, O'Neill, Osler, Parker, Rae, Ross, Staniforth, Thornley, Work, Young and Younie.

For Amendment 1: Councillors Arthur, Lezley Marion Cameron, Dalgleish, Day, Faccenda, Graham, Griffiths, Jenkinson, Meagher, Pogson, Walker and Watt.

For Amendment 2: Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

## **Decision**

To approve the motion by Councillor McVey.

## **29 Coillesdene House Lifts - Motion by Councillor Campbell**

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### **a) Deputation – Coillesdene House Residents Association**

The deputation expressed concern that in their 10 storey block of 41 flats which were serviced by 2 lifts, one for odd numbered floors and the other for even numbered floors, one of the lifts had not been working since 9 November 2022 and the other had continually broken down during that time. The residents had been advised to contact the Council who were the factors for the building regarding the breakdowns, but no responses had been received.

The deputation indicated that there were a number of elderly residents living in the block who were unable to leave the building causing frustration and fear and that there were also problems with deliveries, carers and medical professional accessing properties due to the lifts being out of action. The deputation stressed that they felt they were now in a state of emergency and urged the council to take action to remedy the situation.

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

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

“Council

Notes that the even lift at Coillesdene House, an eleven-storey block of flats, has been out of order since before Christmas, and the odd lift has only been working intermittently during this time and that the council is the responsible factor.

Notes that residents have had issues raising the frequent breakdowns with the council and have not been kept updated as to how long it is likely to take to resolve, what the issues are and when scheduled repairs are delayed.

Notes that the lifts at Coillesdene House are some of the oldest in the city, but that they are not scheduled for renewal until later in the capital programme.

Agrees to bring a report in one cycle to the Housing Homelessness and Fair Work Committee which:

- Provides a list of council maintained lifts in the city which includes the following information covering the last five years:
  - The age of the lifts
  - The location of the lifts
  - The number of times the lifts have been out of action and required repairs
  - The number of days each lift has not been working each year
  - The number of days it has taken for each breakdown to be repaired
  - The number of days any building has had both the odd and evens lifts out at the same time
  - The cost of repairs to each lift on an annual basis
- Provides details of the current lift contract and a contract management assessment of how the contract holders are performing against the previous contract holder and their agreed KPIs
- Provides information on when each lift is scheduled into the capital programme for renewal
- Includes any actions that are being taken as a result of the most recent prolonged breakdown at Coillesdene House and any other lifts that have been out of action across the city
- Includes an assessment of whether the current capital programme is aligned to the information we have on the reliability of the lifts, or whether this should be reprofiled.
- Includes an assessment of how our current reporting mechanisms and communication with residents can be improved.”

## **Motion**

To approve the motion by Councillor Campbell.

- moved by Councillor Campbell, seconded by Councillor Mattos Coelho



### **Amendment 1**

- 1) To amend paragraph 4 of the motion by Councillor Campbell as follows:

“Agrees to bring an update in the Business Bulletin to the Housing, Homelessness and Fair Work Committee meeting on 9 March 2023 and a report to the Committee in two cycles and which:”

- 2) To add at the end of the motion:

“Council notes with concern the health and safety implications for tenants, residents and visitors in terms of safe access; their health and wellbeing; and the impact upon maintaining the cleaning of communal spaces; and

Calls for the report to the Housing, Homelessness and Fair Work Committee to set out a clear procedure for the reporting, prioritising and undertaking of lift repairs; and for tenants and residents to be informed of lift repair timescales and kept updated throughout the lift repair completion process

- moved by Councillor Meagher, seconded by Councillor Lezley Marion Cameron

### **Amendment 2**

To delete:

“Agrees a report in one cycle to the Housing, Homelessness and Fair Work committee” from the motion by Councillor Campbell and

replace with:

“Notes the report on 4 August 2022 titled ‘Repairs, Maintenance and Investment to Lifts in Multi Storey Tower Blocks’ points 2.2, 2.4, 3.1, 4.8 and 5.2 where all high rise lifts have undergone a census and assessment as part of an ongoing upgrade.

“Requests an update to the Housing, Homelessness and Fair Work committee in one cycle on the ongoing Lift Replacement Programme, an update on where this could be accelerated where possible along with the following information.”

- moved by Councillor Flannery, seconded by Councillor Caldwell

### **Amendment 3**

To add to the motion by Councillor Campbell:

“Provides the following information in one cycle -

For each Council maintained block of flats, what is the percentage of flats which are privately owned and what percentage are Council owned?

- 1) What is the total cost of lift maintenance for each block of flats on an annual basis to include lift repairs and lift replacement?
- 2) What percentage, if any, of the costs for maintenance/repairs/replacement is paid by both private owners and Council tenants.”

- moved by Councillor Jones, seconded by Councillor Bruce

In accordance with Standing Order 22(12), Amendment 1 was accepted as an amendment to the motion, Amendment 2 was adjusted and accepted as an addendum to the motion and Amendment 3 was accepted as an addendum to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Campbell:

- 1) To note that the even lift at Coillesdene House, an eleven-storey block of flats, had been out of order since before Christmas, and the odd lift had only been working intermittently during this time and that the council was the responsible factor.
- 2) To note that residents had had issues raising the frequent breakdowns with the council and had not been kept updated as to how long it was likely to take to resolve, what the issues were and when scheduled repairs were delayed.
- 3) To note that the lifts at Coillesdene House were some of the oldest in the city, but that they were not scheduled for renewal until later in the capital programme.
- 4) To agree to bring an update in the Business Bulletin to the Housing, Homelessness and Fair Work Committee meeting on 9 March 2023 and a report to the Committee in two cycles and which:
  - Provided a list of council maintained lifts in the city which included the following information covering the last five years:
    - The age of the lifts
    - The location of the lifts
    - The number of times the lifts have been out of action and required repairs
    - The number of days each lift has not been working each year
    - The number of days it has taken for each breakdown to be repaired
    - The number of days any building has had both the odd and evens lifts out at the same time
    - The cost of repairs to each lift on an annual basis.

- Provided details of the current lift contract and a contract management assessment of how the contract holders were performing against the previous contract holder and their agreed KPIs.
  - Provided information on when each lift was scheduled into the capital programme for renewal.
  - Included any actions that were being taken as a result of the most recent prolonged breakdown at Coillesdene House and any other lifts that had been out of action across the city.
  - Included an assessment of whether the current capital programme was aligned to the information we had on the reliability of the lifts, or whether this should be reprofiled.
  - Included an assessment of how the current reporting mechanisms and communication with residents could be improved.
- 5) To note with concern the health and safety implications for tenants, residents and visitors in terms of safe access; their health and wellbeing; and the impact upon maintaining the cleaning of communal spaces.
  - 6) To call for the report to the Housing, Homelessness and Fair Work Committee to set out a clear procedure for the reporting, prioritising and undertaking of lift repairs; and for tenants and residents to be informed of lift repair timescales and kept updated throughout the lift repair completion process.
  - 7) To note the report on 4 August 2022 titled 'Repairs, Maintenance and Investment to Lifts in Multi Storey Tower Blocks' points 2.2, 2.4, 3.1, 4.8 and 5.2 where all high rise lifts had undergone a census and assessment as part of an ongoing upgrade.
  - 8) To provide the following information in one cycle -

For each Council maintained block of flats, what was the percentage of flats which were privately owned and what percentage were Council owned?

- 1) What was the total cost of lift maintenance for each block of flats on an annual basis to include lift repairs and lift replacement?
- 2) What percentage, if any, of the costs for maintenance/repairs/replacement is paid by both private owners and Council tenants.

## 30 UK Government Assault on Workers' Rights- Motion by Councillor McVey

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

- “1) Council notes the UK Government is progressing the Strikes (Minimum Service Levels) Bill which will have a seriously negative impact on worker’s rights in Edinburgh.
- 2) Council condemns this as an assault on workers’ rights in areas like health, education, blue light services and transportation.
- 3) Council notes repeated reports of Tory Minsters avoiding and evading taxes, with ministers or their families using loopholes such as non-dom status, off-shore holding companies and securing “loans” instead of gifts - all of which has reportedly cost the taxpayer tens of millions in lost revenue from UK Government cabinet ministers alone.
- 4) Council agrees Conservative cabinet ministers paying the correct taxation would mean more money for public services, improving Government’s ability in every sphere to meet the pay expectations of hard-working public sector staff and this would be a better course of action than the regressive anti-worker legislation being proposed.
- 5) Council instructs the Council Leader to write to the Prime Minister, within 5 working days, calling for the immediate withdrawal of this bill and for the devolution of employment law matters to Scotland.
- 6) Further agrees this letter should request all Conservative cabinet members pay the taxes owed and commit to not using legal and illegal instruments to hide money from being fairly taxed.”

### **Motion**

To approve the motion by Councillor McVey

- moved by Councillor McVey, seconded by Councillor Campbell

### **Amendment 1**

To replace all of the motion by Councillor McVey with:

“Council condemns the UK Government for progressing the Strikes (Minimum Service Levels) Bill, which has the potential to negatively impact the rights of all workers throughout the UK; and notes that the leader of the Opposition has committed to fighting this bill and, if passed, repealing it at the earliest opportunity.

Council further notes that workers, who kept our key services operating throughout the pandemic (many of whom were publicly applauded for doing so), are being denied a fair pay settlement by the Scottish and UK Governments.

Council asks the Council Leader to write to the Prime Minister, within five working days, calling for the immediate withdrawal of this bill and for a fair pay settlement for all public sector workers.”

- moved by Councillor Watt, seconded by Councillor Faccenda

### **Amendment 2**

To delete paragraphs 5) and 6) in the motion by Councillor McVey and insert;

- “5) Council calls on all Members of the UK Parliament to reject the new Bill, for which there is no electoral mandate, and to introduce new legislation which removes the unfair tax loopholes which allow wealthy individuals to avoid paying their fair share of tax.
- 6) Council agrees that all those in public office have a duty to pay the taxes owed and to not use legal and illegal instruments to hide money from being properly taxed.
- 7) Council also recognises that one of the best ways to support striking public sector workers is for the Scottish Government to show leadership and deliver the funding required to deliver a fair wage increase that responds properly to the cost of living crisis.”

- moved by Councillor Lang, seconded by Councillor Beal

### **Amendment 3**

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

“Council:

- 1) Notes the Strikes (Minimum Services Levels) Bill was introduced to the House of Commons on 10 January 2023 and expands on a manifesto commitment of the party which won the 2019 General Election, and the intention is to ensure that public services have a minimum service level.
- 2) Recognises that the Trade Union and Labour Relations (Consolidation) Act 1992 will continue to be the main Act regarding the calling and conduct of strikes and continues to support the right to strike as a last resort, balanced against the rights of the wider public and to allow for proper planning.
- 3) Understands that many countries across the world currently have minimum service agreements.

- 4) Notes that devolution of employment tribunals is currently planned to take place, but agrees that UK employment law should remain a reserved matter allowing the labour market to work most effectively across Great Britain and ensuring there is not a significant additional burden for businesses or disadvantage to workers by suppressing the free flow of labour.
- 5) Considers that all taxpayers, including politicians, should properly meet all their tax obligations and comply with all relevant taxation legislation.”

- moved by Councillor Rust, seconded by Councillor Mitchell

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

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

### **Voting**

The voting was as follows:

#### **First Vote**

For the Motion (as adjusted)	-	26 votes
For Amendment 1 (as adjusted)	-	25 votes
For Amendment 3	-	9 votes

(For the Motion (as adjusted): Councillors Aston, Bandel, Biagi, Booth, Burgess, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Heap, Hyslop, Kumar, Macinnes, Mattos Coelho, McFarlane , McVey, Miller, Mumford, Nicolson, O’Neill, Parker, Rae, Staniforth and Work.

For Amendment 1 (as adjusted): Lord Provost, Councillors. Arthur, Beal, Caldwell, Lezley Marion Cameron, Dalglish, Davidson, Day, Dijkstra-Downie, Faccenda, Flannery, Graham, Griffiths, Jenkinson, Lang, McKenzie, Meagher, Osler, Pogson, Ross, Thornley, Walker, Watt, Young and Younie.

For Amendment 3: Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

There being no overall majority, Amendment 3 fell and a second vote was taken between the Motion (as adjusted) and Amendment 1 (as adjusted).

#### **Second Vote**

For the Motion (as adjusted)	-	26 votes
For Amendment 1 (as adjusted)	-	25 votes
Abstentions	-	9

(For the Motion (as adjusted): Councillors Aston, Bandel, Biagi, Booth, Burgess, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Heap, Hyslop, Kumar, Macinnes, Mattos Coelho, McFarlane, McVey, Miller, Mumford, Nicolson, O'Neill, Parker, Rae, Staniforth and Work.

For Amendment 1 (as adjusted): Lord Provost, Councillors. Arthur, Beal, Caldwell, Lezley Marion Cameron, Dalglish, Davidson, Day, Dijkstra-Downie, Faccenda, Flannery, Graham, Griffiths, Jenkinson, Lang, McKenzie, Meagher, Osler, Pogson, Ross, Thornley, Walker, Watt, Young and Younie.

Abstentions: Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

## **Decision**

To approve the following adjusted motion by Councillor McVey:

- 1) To note the UK Government was progressing the Strikes (Minimum Service Levels) Bill which would have a seriously negative impact on worker's rights in Edinburgh.
- 2) To condemn this as an assault on workers' rights in areas like health, education, blue light services and transportation.
- 3) To note repeated reports of Tory Ministers avoiding and evading taxes, with ministers or their families using loopholes such as non-dom status, off-shore holding companies and securing "loans" instead of gifts - all of which had reportedly cost the taxpayer tens of millions in lost revenue from UK Government cabinet ministers alone.
- 4) To agree Conservative cabinet ministers paying the correct taxation would mean more money for public services, improving Government's ability in every sphere to meet the pay expectations of hard-working public sector staff and this would be a better course of action than the regressive anti-worker legislation being proposed.
- 5) To call on all Members of the UK Parliament to reject the new Bill, for which there was no electoral mandate, and to introduce new legislation which removed the unfair tax loopholes which allowed wealthy individuals to avoid paying their fair share of tax.
- 6) To agree that all those in public office had a duty to pay the taxes owed and to not use legal and illegal instruments to hide money from being properly taxed.
- 7) To also recognise that one of the best ways to support striking public sector workers was for the Scottish Government to show leadership and deliver the funding required to deliver a fair wage increase that responded properly to the cost of living crisis.

- 8) To condemn the UK Government for progressing the Strikes (Minimum Service Levels) Bill, which had the potential to negatively impact the rights of all workers throughout the UK; and note that the leader of the Opposition had committed to fighting this bill and, if passed, repealing it at the earliest opportunity.
- 9) To further note that workers, who kept our key services operating throughout the pandemic (many of whom were publicly applauded for doing so), were being denied a fair pay settlement by the Scottish and UK Governments.
- 10) To ask the Council Leader to write to the Prime Minister, within five working days, calling for the immediate withdrawal of this bill and for a fair pay settlement for all public sector workers.

### **31 Non-Council Run Community Spaces - Emergency Motion by Councillor Nicolson**

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The following motion by Councillor Nicolson was submitted in terms of Standing Order 17 and verbally adjusted in terms of Standing Order 22.5:

“Council notes:

Community spaces such as neighbourhood centres run by management committees across Edinburgh are increasingly unable to raise grant funding to cover core costs such as heating, lighting, staffing and other overheads. As a result, such organisations face an uncertain future and some face imminent closure, exacerbated by increased costs for energy.

Such organisations are providing lifeline services to people during the cost-of-living crisis such as food banks, clothing banks and warm banks. In addition, such centres provide youth work, older peoples’ groups and other activities which provide fellowship to local people and prevent social isolation.

In June 2022, Council agreed that due to the number of community-run centres facing closure due to financial strain, that a report is brought to Council in one cycle identifying those under financial strain and where additional resources can be made available to keep valuable community resources open.

Council agrees:

To commission the previously requested report within one cycle identifying what can be offered in the way of strategic and financial support for such organisations.”

#### **Motion**

To approve the motion by Councillor Nicolson.

- moved by Councillor McFarlane, seconded by Councillor Fullerton



## **Amendment**

- 1) To insert in "Council notes" in the motion by Councillor Nicolson:  
  
"delays in providing funding where Council has agreed it, as in the case of Drylaw Neighbourhood Centre."
- 2) To add at the end of the motion:  
  
"This report should come to the Culture and Communities committee and include details regarding the process which must be undertaken when financial support is agreed, and what requirements to secure it are placed upon management committees."

- moved by Councillor Thornley, seconded by Councillor Osler

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 Nicolson:

- 1) To note community spaces such as neighbourhood centres run by management committees across Edinburgh were increasingly unable to raise grant funding to cover core costs such as heating, lighting, staffing and other overheads. As a result, such organisations faced an uncertain future and some faced imminent closure, exacerbated by increased costs for energy.
- 2) To note that such organisations were providing lifeline services to people during the cost-of-living crisis such as food banks, clothing banks and warm banks. In addition, such centres provided youth work, older peoples' groups and other activities which provide fellowship to local people and prevented social isolation.
- 3) To note that in June 2022, Council agreed that due to the number of community-run centres facing closure due to financial strain, that a report be brought to Council in one cycle identifying those under financial strain and where additional resources could be made available to keep valuable community resources open.
- 4) To note the delays in providing funding where Council had agreed it, as in the case of Drylaw Neighbourhood Centre.
- 5) To agree to commission the previously requested report within one cycle identifying what could be offered in the way of strategic and financial support for such organisations.

This report should come to the Culture and Communities Committee and include details regarding the process which should be undertaken when

financial support was agreed, and what requirements to secure it were placed upon management committees.

### **Declaration of Interests**

Councillor Nicolson declared a non-financial interest in the above item as a trustee of a Neighbourhood Centre named in one of the amendments and left the meeting during the Council's consideration of the above item.

Councillor Rust declared a non-financial interest in the above item as Chair of Oxfangs Neighbourhood Centre.

## **32 Surface Treatment of Carriageways - Motion by Councillor Lang**

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

“Council

- 1) notes the significant investment made each year in ‘chip and spray’ carriageway surface treatment in order to extend the life of roads throughout Edinburgh and maintain the city’s Road Condition Index (RCI) rating.
- 2) is concerned at issues arising from the quality of the delivery of this work over the last year, specifically that;
  - i) some of the work undertaken by the contractor was inconsistent with that agreed with Council officers and covered by relevant traffic orders,
  - ii) the materials caused issues in terms of blocking gullies which added to localised flooding,
  - iii) a significant amount of time passed before important road markings were repainted, causing safety concerns,
  - iv) some roads are already seeing the new surface wear away, just months after the work was carried out and,
  - v) a number of roads have not had sufficient road sweeping since their treatment, with substantial amounts of loose chippings remaining on roads and footways.
- 3) Seeks a report to the Governance, Risk and Best Value Committee within two cycles, looking at whether the Council’s spend on surface treatment continues to represent best value given the issues which have arisen.”

## **Motion**

To approve the motion by Councillor Lang.

- moved by Councillor Lang, seconded by Councillor Dijkstra-Downie

## **Amendment**

To add to the motion by Councillor Lang:

- “4) recognises that ‘chip and spray’ surface treatment is an interim solution to allow quick treatment to improve road and footpath surfaces.
- 5) notes the recent significant increases in the cost of Bitumen, associated with the rise in oil prices as a result of Russia’s illegal war in Ukraine.
- 6) recognises that new road surfacing technologies offer reduced carbon and longer life than traditional bitumen.
  - for example, a Scottish company pioneering the development of more sustainable bitumen products that deliver extended life through reducing the content of oil based bitumen by adding a significant proportion of plastic waste, namely single use plastic bags and plastic drinks bottles.
- 7) Requests a report to the Transport and Environment Committee within three cycles on the feasibility of assessing and testing ‘sustainable road surfacing’ in order to determine the viability and cost effectiveness of such technologies.”

- moved by Councillor Dobbin, seconded by Councillor Aston

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 Lang:

- 1) To note the significant investment made each year in ‘chip and spray’ carriageway surface treatment in order to extend the life of roads throughout Edinburgh and maintain the city’s Road Condition Index (RCI) rating.
- 2) To note concern at issues arising from the quality of the delivery of this work over the last year, specifically that;
  - i) some of the work undertaken by the contractor was inconsistent with that agreed with Council officers and covered by relevant traffic orders,
  - ii) the materials caused issues in terms of blocking gullies which added to localised flooding,

- iii) a significant amount of time passed before important road markings were repainted, causing safety concerns,
  - iv) some roads were already seeing the new surface wear away, just months after the work was carried out and,
  - v) a number of roads had not had sufficient road sweeping since their treatment, with substantial amounts of loose chippings remaining on roads and footways.
- 3) To seek a report to the Governance, Risk and Best Value Committee within two cycles, looking at whether the Council's spend on surface treatment continued to represent best value given the issues which had arisen.
  - 4) To recognise that 'chip and spray' surface treatment was an interim solution to allow quick treatment to improve road and footpath surfaces.
  - 5) To note the recent significant increases in the cost of Bitumen, associated with the rise in oil prices as a result of Russia's illegal war in Ukraine.
  - 6) To recognise that new road surfacing technologies offered reduced carbon and longer life than traditional bitumen.
    - for example, a Scottish company pioneering the development of more sustainable bitumen products that delivered extended life through reducing the content of oil based bitumen by adding a significant proportion of plastic waste, namely single use plastic bags and plastic drinks bottles.
  - 7) To request a report to the Transport and Environment Committee within three cycles on the feasibility of assessing and testing 'sustainable road surfacing' in order to determine the viability and cost effectiveness of such technologies.

### **33 Drug and Alcohol Recovery Services in Niddrie and Craigmillar - Motion by Councillor Campbell**

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

"Notes that there are currently no drug and alcohol recovery drop-in services in Niddrie and Craigmillar since provision that was in place was stopped during the pandemic and has not been resumed.

Notes that this means that service users are expected to travel to Leith to access Medically Assisted Treatment and drop-in services. Which is a lengthy bus journey away and not suitable for people with anxiety, physical and other issues brought about by addictions.

Agrees that this is totally unacceptable and instructs officers to work with the Health and Social Care Partnership and the Edinburgh Alcohol and Drug Partnership to reinstate services as a matter of urgent priority.

Agrees that an update will be reported back to Council within one cycle.”

### **Motion**

To approve the motion by Councillor Campbell

- moved by Councillor Campbell, seconded by Councillor McFarlane

### **Amendment 1**

To add at the end of the motion by Councillor Campbell:

“Council condemns the recent Scottish Government decision to cut £1 million in funding for Drug and Alcohol Services despite very little progress being made in bringing record levels of drug deaths down.

Council therefore requests that the Leader writes to the Scottish Government expressing our dismay at the cuts and requesting for greater support for bodies tackling this public health emergency.”

- moved by Councillor Davidson, seconded by Councillor Younie

### **Amendment 2**

To remove paragraphs 1-4 of the motion by Councillor Campbell and replace with:

“Notes that building closures occurred as an operational decision initially because of the pandemic and, latterly, due to leasing arrangements and the ability to restart.

- 1) Understands that work is already underway to reinstate these services.
- 2) Recognises that residents and patients seeking Medication Assisted Treatment in the area can do so via their GP.
- 3) Understands that those who cannot travel or require additional support are assisted to services by outreach workers.
- 4) Agrees a briefing note will be circulated to all councillors within two cycles on progress of reopening services.”

- moved Councillor Mitchell, seconded by Councillor Doggart

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	51 votes
For Amendment 2	-	9 votes

(For the Motion (as adjusted): Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Biagi, Booth, Burgess, Caldwell, Lezley Marion Cameron, Campbell, Dalgleish, Davidson, Day, Dijkstra-Downie, Dixon, Dobbin, Faccenda, Flannery, Fullerton, Gardiner, Glasgow, Graham, Griffiths, Heap, Hyslop, Jenkinson, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McVey, Meagher, Miller, Mumford, Nicolson, O'Neill, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie.

For Amendment 2: Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

## **Decision**

To approve the following adjusted motion by Councillor Campbell:

- 1) To note that there were currently no drug and alcohol recovery drop-in services in Niddrie and Craigmillar since provision that was in place was stopped during the pandemic and had not been resumed.
- 2) To note that this meant that service users were expected to travel to Leith to access Medically Assisted Treatment and drop-in services. Which was a lengthy bus journey away and not suitable for people with anxiety, physical and other issues brought about by addictions.
- 3) To agree that this was totally unacceptable and instruct officers to work with the Health and Social Care Partnership and the Edinburgh Alcohol and Drug Partnership to reinstate services as a matter of urgent priority.
- 4) To agree that an update would be reported back to Council within one cycle.
- 5) To condemn the recent Scottish Government decision to cut £1 million in funding for Drug and Alcohol Services despite very little progress being made in bringing record levels of drug deaths down.
- 6) To therefore request that the Leader write to the Scottish Government expressing the Council's dismay at the cuts and request for greater support for bodies tackling this public health emergency.

## 34 Gender Recognition Reform - Motion by Councillor Mumford

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### a) Deputation – The Sovereignty Research Group

The deputation indicated that a local council had no legal standing in terms of the Scotland Act 1998 to become involved in a political settlement between Scotland and England. They felt that it would not be competent for a local Council to attempt to engage in the formal representations to either the Scottish or UK Government on a matter that involved the Scotland Act 1998 as that was a matter of law.

The deputation further indicated that the UK Government had the right to block the Scottish Gender Recognition Reform bill as it would affect UK legislation. They stressed that the Council had no part to play in this particular issue which was between Scotland and England.

### b) Deputation – Evidence Based Social Work Alliance (EBSWA)

The deputation urged the Council not to support motion by Councillor Mumford which supported the Gender Recognition Reform Bill passed by the Scottish Parliament in December 2022 and was now subject to a S35 Scotland Act order by the Westminster Government which prevented its implementation. They believed that there was no evidence to support the existence of gender identity or to the right to give people the right to choose what gender they identified with, that the laws and policies based on self-identification and sex were full of risk and that the resistance of debate and vilification of those who challenged any of these points had allowed the situation to develop.

The deputation were concerned that belief in “gender identity” had led to unsafe practices being adopted in many care settings and that it was essential for the safe care of children and vulnerable adults that the sex of the provider and of the recipient were known and respected. They stressed that Claims about gender identity and the denial of the reality of sex should be open to challenge in the Council Chamber and properly exposed to professional and public discussion and debate.

### c) Deputation - Concerned Adults Talking Openly about Gender Identity Ideology

The deputation urged the Council to reject the motion by Councillor Mumford begin a review of current strategy in relation to the services currently in place and how these impacted both women and trans identifying males. They believed that the council should ensure engagement with lobby groups and interest groups be approached with great caution, as they felt that some groups had provided organisations with inaccurate representations of the law.

The deputation asked that the council ensure a balanced and diverse set of views be canvassed including parents and families and educators, social workers to specifically include views of people who had transitioned and then

de-transitioned thereafter. They also asked that provision be made available for services to ensure that all parents who wished to meet to discuss issues relating to children at schools (not only on this issue) had access to space in a local venue to meet, in a reasonable time frame and should not have to wait for extended periods to meet for this purpose.

**d) Deputation -Scottish Trans**

The deputation were in support of the motion by Councillor Mumford and indicated that they focussed on improving the equality, human rights and inclusion of trans people across Scotland.

The deputation felt that during a time at which trans people and communities were being increasingly stigmatised, the Council reiterating its support for gender recognition reform would send a positive message to trans people living in Edinburgh and even more importantly, supporting the motion and agreeing to work with organisations and communities to ensure that Edinburgh was a safe and welcoming place for trans people to live, work in, and visit, would make a real and meaningful impact.

**e) Motion by Councillor Mumford**

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

- “1) Council welcomes the passing of the Gender Recognition Reform Bill by the Scottish Parliament and reaffirms our response to the Scottish Government consultation in 2020 which stated: *“The Council supports the proposals which improve the process by which to gain legal gender recognition. The Council agrees that the proposals do not impact on access to single sex spaces and facilities. Introducing a revised system for obtaining legal gender recognition will enable transgender people to obtain legal rights without having to go through an overly intrusive system established by the current Gender Recognition Act. The proposals also support the rights of young people.”*
- 2) Council therefore Requests that the council leader writes to relevant ministers in the Scottish and UK Government to reiterate the Council's agreed position of support for the proposals in the Gender Recognition Reform Bill.

Council also

- 3) Recognises with regret and concern that incidences of hate crime against members of the transgender community in Scotland have trebled since 2014/15.
- 4) Reaffirms our statement of November 2022 that *“Edinburgh should be a welcoming and safe place for trans people, where they are able to*



*access employment, education, housing and healthcare, and live their lives free from discrimination and fear.”*

- 5) Requests a report to Full Council in two cycles bringing together existing strategies and policies – across service areas – to support our trans residents and visitors, and making recommendations for additional strategies and policies to fill any gaps identified. This should involve engagement with third sector organisations with expertise in these issues for example Scottish Trans Alliance.
- 6) Finally requests that Council Communications channels be used to publicly share a statement of support for the trans community in Edinburgh at this time.”

### **Motion**

To approve the motion by Councillor Mumford.

- moved Councillor Mumford, seconded by Councillor Heap

### **Amendment 1**

- 1) To amend ‘welcomes’ and ‘reaffirms’ in paragraph 1 of the motion by Councillor Mumford, to ‘recognises’ and ‘notes’.
- 2) To amend paragraph 2 of the motion as follows:

“Council therefore Requests that the council leader writes to relevant ministers in the Scottish and UK Government to reiterate the Council's agreed position of support for the proposals in the Gender Recognition Reform Bill providing always that they do not impact on access to single sex spaces and facilities, as stated in Council’s response to the consultation.”

- 3) To amend paragraph 6 of the motion as follows:

“Finally, requests that Council publicly issues a statement of support for the trans community in Edinburgh at this time.”

- moved by Councillor Jenkinson, seconded by Councillor Lezley Marion Cameron

### **Amendment 2**

To delete paragraph 5) of the motion by Councillor Mumford and insert:

- “5) recognises the importance of hearing more about the lived experience of trans people, and therefore agrees that the Council Leader should arrange a round table meeting in the next five weeks, involving representatives of the trans community, members of political groups and relevant senior officers. This will have the purpose of discussing practical actions which the Council could take within its services to directly help and support trans people. Council agrees the

outcome of this event will be reported to the Policy and Sustainability Committee.”

- moved by Councillor Lang, seconded by Councillor Davidson

### **Amendment 3**

To delete paragraphs 1 to 3 of the motion by Councillor Mumford and replace paragraph 5 of the motion, renumbering accordingly such that the amended motion reads:

“Council:

- 1) reaffirms that “Edinburgh should be a welcoming and safe place for trans people, where they are able to access employment, education, housing and healthcare, and live their lives free from discrimination and fear.”
- 2) requests a report to Full Council that:
  - a) Sets out any Council strategies and policies that Chief Executive considers do not currently support trans people.
  - b) Recommends any additional strategies and policies that Council should consider to further support trans people.
- 3) requests that Council Communications channels be used to publicly share a statement of support for the trans community in Edinburgh at this time.”

- moved by Councillor Munro, seconded by Councillor Cowdy

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)	-	38 votes
For Amendment 1	-	12 votes
For Amendment 3	-	9 votes

(For the Motion (as adjusted: Lord Provost, Councillors Aston, Bandel, Beal, Biagi, Booth, Burgess, Caldwell, Campbell, Davidson, Dijkstra-Downie, Dixon, Dobbin, Flannery, Gardiner, Glasgow, Heap, Hyslop, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McVey, Miller, Mumford, Nicolson, O’Neill, Osler, Parker, Rae, Ross, Staniforth, Thornley, Work, Young and Younie.)

For Amendment 1: Councillors Arthur, Lezley Marion Cameron, Dalglish, Day, Faccenda, Graham, Griffiths, Jenkinson, Meagher, Pogson, Walker and Watt

For Amendment 3: Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

## **Decision**

To approve the following adjusted Motion by Councillor Mumford:

- 1) To welcome the passing of the Gender Recognition Reform Bill by the Scottish Parliament and reaffirm the response to the Scottish Government consultation in 2020 which stated: *“The Council supports the proposals which improve the process by which to gain legal gender recognition. The Council agrees that the proposals do not impact on access to single sex spaces and facilities. Introducing a revised system for obtaining legal gender recognition will enable transgender people to obtain legal rights without having to go through an overly intrusive system established by the current Gender Recognition Act. The proposals also support the rights of young people.”*
- 2) To therefore request that the council leader write to relevant ministers in the Scottish and UK Government to reiterate the Council's agreed position of support for the proposals in the Gender Recognition Reform Bill
- 3) To also recognise with regret and concern that incidences of hate crime against members of the transgender community in Scotland have trebled since 2014/15.
- 4) To reaffirm the statement of November 2022 that *“Edinburgh should be a welcoming and safe place for trans people, where they are able to access employment, education, housing and healthcare, and live their lives free from discrimination and fear.”*
- 5) To recognise the importance of hearing more about the lived experience of trans people, and therefore agree that the Council Leader should arrange a round table meeting in the next five weeks, involving representatives of the trans community, members of political groups and relevant senior officers. This would have the purpose of discussing practical actions which the Council could take within its services to directly help and support trans people. To agree the outcome of this event would be reported to the Policy and Sustainability Committee.
- 6) To finally request that Council Communications channels be used to publicly share a statement of support for the trans community in Edinburgh at this time.

## **Declaration of Interests**

Councillor Mumford made a transparency statement in respect of the above item as a former employee of a National Women's Equality Charity.

## 35 Energy Costs - Motion by Councillor Meagher

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

“Council:

Notes with concern reports of a sharp increase in the number of struggling households being forced onto more costly prepayment meters.

Further notes that, according to Citizens Advice data, 3.2 million people in the UK were left in cold and dark homes in 2022 after running out of prepay credit.

Agrees that the Leader will write to Ofgem in support of their investigation of energy companies and calling on Ofgem to take legal action if its investigation proves that companies are failing to take proper due care of vulnerable households; and ask for the introduction of social tariffs to be mandated for all suppliers.

Further agrees that the Council Leader will write to the main energy suppliers calling on them to intervene to demonstrate they are reputable, caring companies, to stop this practice and to seek fairer tariffs that reflect the decreasing wholesale costs of energy.”

### **Motion**

To approve the motion by Councillor Meagher.

- moved by Councillor Meagher, seconded by Councillor Graham

### **Amendment**

1) At the end of paragraph 1 of the motion by Councillor Meagher, to insert:

“, sometimes by forced entry. In other cases smart meters are being converted to prepayment meters without the knowledge of occupants.”

2) At the end of paragraph 2 of the motion, to insert:

“Levels of self disconnection are not published by utility companies so there is little scrutiny of the relevant policies.”

- moved by Councillor Beal, seconded by Councillor Caldwell

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 Meagher:

- 1) To note with concern reports of a sharp increase in the number of struggling households being forced onto more costly prepayment meters, sometimes by forced entry. In other cases smart meters were being converted to prepayment meters without the knowledge of occupants.
- 2) To further note that, according to Citizens Advice data, 3.2 million people in the UK were left in cold and dark homes in 2022 after running out of prepay credit. Levels of self disconnection were not published by utility companies so there was little scrutiny of the relevant policies.
- 3) To agree that the Leader would write to Ofgem in support of their investigation of energy companies and calling on Ofgem to take legal action if its investigation proved that companies were failing to take proper due care of vulnerable households; and ask for the introduction of social tariffs to be mandated for all suppliers.
- 4) To further agree that the Council Leader would write to the main energy suppliers calling on them to intervene to demonstrate they were reputable, caring companies, to stop this practice and to seek fairer tariffs that reflected the decreasing wholesale costs of energy.

## 36 Concessionary Ticket Schemes for Cultural Events - Motion by Councillor Heap

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

“Council

- 1) Notes that a number of cultural organisations and events in the city, including several Festivals and Capital Theatres venues, offer free and/or reduced tickets for groups identified as requiring low or no-cost access to cultural events.
- 2) However, further notes that not all organisations and events, including some held in partnership with the Council, offer low or no-cost access to cultural events.
- 3) Believes that the cost-of-living crisis means that Council must re-double efforts to ensure that city residents' personal financial situation is not a barrier to accessing cultural events.
- 4) Requests a report to the Culture and Communities Committee within two cycles which:
  - a) Summarises current levels of provision of free and low-cost cultural events in the city, including, but not limited to:

- i) Festivals under the Festivals Edinburgh brand;
  - ii) Events held on Council land or in Council buildings;
  - iii) Events held as part of Council contracts, including but not limited to, Edinburgh's Christmas and Edinburgh's Hogmanay;
  - iv) Events in receipt of Council grant funding.
- b) Explores what steps the Council can take to expand the provision of free and low-cost tickets, including, but not limited to the types of events mentioned in 4(a)."

### **Motion**

To approve the motion by Councillor Heap.

- moved by Councillor Heap, seconded by Councillor Rae

### **Amendment 1**

To add at end of the motion by Councillor Heap:

"5) Notes that not all barriers to events are financial and asks within the same report that information be gathered as to what organisations are doing to make venues, performances and events accessible for all to enjoy."

- moved by Councillor Osler, seconder by Councillor Thornley

### **Amendment 2**

To remove paragraphs 1-4 of the motion by Councillor Heap and replace with:

- 1) Notes that many cultural institutions, events, and festivals offer free and/or discounted tickets.
- 2) Understands that not all cultural institutions, events, and festivals are able to offer free and/or discounted access.
- 3) Deeply regrets the financial pressures and external challenges facing residents in accessing cultural events, and cultural institutions and festivals trying to deliver cultural events.
- 4) Requests that:
  - i) a briefing note is circulated to the Culture and Communities Committee prior to summer recess summarising current provision of free and discounted access to the city's festivals and other cultural events in association with the Council.

- ii) The Festivals and Events APOG holds a meeting with the specific purpose of looking at affordability, access, and inclusion with invitations extended to relevant operators and stakeholders.

- moved Councillor Mitchell, seconded by Councillor Bruce

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

## **Decision**

To approve the following adjusted motion by Councillor Heap:

- 1) To note that a number of cultural organisations and events in the city, including several Festivals and Capital Theatres venues, offered free and/or reduced tickets for groups identified as requiring low or no-cost access to cultural events.
- 2) However, to further note that not all organisations and events, including some held in partnership with the Council, offered low or no-cost access to cultural events.
- 3) To believe that the cost-of-living crisis meant that Council must re-double efforts to ensure that city residents' personal financial situation was not a barrier to accessing cultural events.
- 4) To deeply regret the financial pressures and external challenges facing residents in accessing cultural events, and cultural institutions and festivals trying to deliver cultural events.
- 5) To request a report to the Culture and Communities Committee within two cycles which:
  - a) Summarised current levels of provision of free and low-cost cultural events in the city, including, but not limited to:
    - i) Festivals under the Festivals Edinburgh brand;
    - ii) Events held on Council land or in Council buildings;
    - iii) Events held as part of Council contracts, including but not limited to, Edinburgh's Christmas and Edinburgh's Hogmanay;
    - iv) Events in receipt of Council grant funding.
  - b) Explored what steps the Council could take to expand the provision of free and low-cost tickets, including, but not limited to the types of events mentioned in 4(a).

- 6) To request that a briefing note be circulated to the Culture and Communities Committee prior to summer recess summarising current provision of free and discounted access to the city's festivals and other cultural events in association with the Council.
- 7) To request the Festivals and Events APOG hold a meeting with the specific purpose of looking at affordability, access, and inclusion with invitations extended to relevant operators and stakeholders.
- 8) To note that not all barriers to events were financial and ask within the same report that information be gathered as to what organisations were doing to make venues, performances and events accessible for all to enjoy.

### **Declaration of Interests**

Councillor Rust declared a non-financial interest in the above item as an independent director of Edinburgh International Jazz and Blues Festival.

## **37 Muirhouse Millennium Centre - Motion by Councillor Younie**

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### **a) Deputation – LIFT (Low Income Families Together)**

The deputation urged the Council to support the motion by Councillor Younie to find away of sourcing funding to keep the Millennium Centre open as it provided much needed support and services for those living within the community.

### **b) Motion by Councillor Younie**

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

“Council;

- 1) Notes the tremendous community support facilitated by the Muirhouse Millennium Centre, with a number of groups basing themselves within the centre and providing services and aid to many from vulnerable and disadvantaged backgrounds.
- 2) Notes that Muirhouse Millennium Centre, like many other community centres in Edinburgh, has faced years of declining financial support, despite demand for their services from local residents continuing to increase.
- 3) Expresses deep concern at the future of the Centre being in doubt as a result of substantial financial pressures and recognises how the loss of the Centre would be a devastating blow to the local community.



- 4) Regrets that the information requested last year by Council concerning the financial status of community centres throughout the City was not collected.
- 5) Agrees that officers should engage with the Muirhouse Millennium Centre Board to provide advice and support on how the centre can continue on a sustainable financial basis, and for outcomes of this work to be reported via a business bulletin to the Culture and Communities Committee and ward councillors.”

- moved Councillor Younie, seconded by Councillor Work

### **Decision**

To approve the motion by Councillor Younie.

## **38 Flexi-Schooling - Motion by Councillor Jones**

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

“Council notes that:

- 1) Some parents may choose to home educate, with attendance at school on a part-time basis, which may need the Council’s consent; this is known as flexi-teaching.
- 2) Council requests that the Executive Director for Education provides a report in one cycle to the Education, Children and Families Committee setting out of the number of children who attend flexi-teaching for every primary school in Edinburgh; how many pupil days are spent in flexi-teaching for each school and the proportion of time spent overall in flexi-teaching for each school and for the City of Edinburgh Council as a whole.
- 3) Council requests a detailed report for each school as to the impact on assessment of the expected levels of attainment for the Curriculum for Excellence, if any.
- 4) The report should also include details of the impact on class management and the challenges for teachers and pupils arising from the operation of flexi-teaching.”

### **Motion**

To approve the motion by Councillor Jones.

- moved by Councillor Jones, seconded by Councillor Cowdy

## **Amendment**

To add at the end of the motion by Councillor Jones:

- “5) Council notes a significant increase in the volume of all types of home-schooling applications since the beginning of the Covid-19 pandemic and therefore requests that the report should include information on the impacts this has had on wellbeing and attainment levels.”

- moved by Councillor Davidson, seconded by Councillor Young

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 Jones:

- 1) To note that some parents might choose to home educate, with attendance at school on a part-time basis, which might need the Council’s consent; this was known as flexi-teaching.
- 2) To request that the Executive Director for Education provide a report in one cycle to the Education, Children and Families Committee setting out of the number of children who attended flexi-teaching for every primary school in Edinburgh; how many pupil days were spent in flexi-teaching for each school and the proportion of time spent overall in flexi-teaching for each school and for the City of Edinburgh Council as a whole.
- 3) To request a detailed report for each school as to the impact on assessment of the expected levels of attainment for the Curriculum for Excellence, if any.
- 4) The report should also include details of the impact on class management and the challenges for teachers and pupils arising from the operation of flexi-teaching.
- 5) To note a significant increase in the volume of all types of home-schooling applications since the beginning of the Covid-19 pandemic and therefore request that the report should include information on the impacts this had had on wellbeing and attainment levels.

## **39 Care Home Contracts - Motion by Councillor Miller**

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

“Council:

- 1) Notes multiple decisions have recently been taken under urgency powers regarding contracts for council care home staffing.

- 2) Notes health and social care spokespeople were not consulted by the relevant officers in the run up to these decisions being taken nor directly informed after the decisions were taken.
- 3) Notes that the end points of the contracts and the service requirements were known in advance, allowing for reports to be brought to the relevant committee(s), which would have avoided the risks associated with invoking urgency powers.
- 4) Calls for a report to Policy and Sustainability Committee in March detailing social care contracts, with details of the procurement procedures and decision making processes for each contract:
  - a) Which have been procured or extended during the last 12 months.
  - b) Currently going through any stage of procurement, extension or alteration.
  - c) Which are expected to begin procurement or may require extension or alteration within the next 12 months.
- 5) Requests that the Chief Executive reviews and considers process improvements it can make regarding the use of urgency powers and provide a briefing note to elected members on improvements to be introduced.”

### **Motion**

To approve the motion by Councillor Miller.

- moved by Councillor Miller, seconded by Councillor Mumford

### **Amendment**

- 1) To insert in the motion by Councillor Mumford:

“2) recognises the current difficulties in recruiting and retaining sufficient staff in the social care sector and finding sufficient beds for those requiring care.”

and re number accordingly.

- 2) To insert in the new 5) after "procedures":

", the reasons for the delays in resolving the provision of care in the facilities".

- moved by Councillor Doggart, seconded by Councillor Mitchell

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 Miller:

- 1) To note multiple decisions had recently been taken under urgency powers regarding contracts for council care home staffing.
- 3) To note health and social care spokespeople were not consulted by the relevant officers in the run up to these decisions being taken nor directly informed after the decisions were taken.
- 4) To note that the end points of the contracts and the service requirements were known in advance, allowing for reports to be brought to the relevant committee(s), which would have avoided the risks associated with invoking urgency powers.
- 5) To call for a report to Policy and Sustainability Committee in March detailing social care contracts, with details of the procurement procedures, the reasons for the delays in resolving the provision of care in the facilities and decision making processes for each contract:
  - a) Which had been procured or extended during the last 12 months.
  - b) Currently going through any stage of procurement, extension or alteration.
  - c) Which were expected to begin procurement or may require extension or alteration within the next 12 months.
- 6) To request that the Chief Executive review and considers process improvements it could make regarding the use of urgency powers and provide a briefing note to elected members on improvements to be introduced.

## 40 Atlantic Body and Soul - Motion by Councillor Mumford

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

“Council:

Congratulates ‘Atlantic Body and Soul’ team, all members of the Eastern Amateur Coastal Rowing Club in Portobello, who successfully sailed 3,000 miles across the Atlantic Ocean. In doing so they raised over thirty-five thousand pounds for Body and Soul, a frontline charity that provides support for people of all ages who have experienced grave trauma in childhood, and The Junction who offer services and support for young people in Edinburgh.”

- moved by the Lord Provost, seconded by Councillor Lezley Marion Cameron

## **Decision**

To approve the motion by Councillor Mumford.

### **41 Six Nations Rugby Tournament - Scotland Wins the Calcutta Cup for an Historic Third Time in a Row – Emergency Motion by Councillor Lezley Marion Cameron**

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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 Lezley Marion Cameron was submitted in terms of Standing Order 17:

“Council congratulates the Scottish Rugby team on its 29-23 victory over England in the Calcutta Cup 2023 match at Twickenham, achieving three consecutive Calcutta Cup wins.

To mark this historic achievement, Council requests that the Lord Provost conveys Council's warmest congratulations to Scottish Rugby; and that Scotland's Calcutta Cup winning teams 2021, 2022 and 2023 are celebrated in an appropriate manner.”

- moved by the Lord Provost, seconded by Councillor Lezley Marion Cameron

## **Decision**

To approve the motion by Councillor Lezley Marion Cameron.

### **42 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 42 of 9 February 2023)

### QUESTION NO 1

By Councillor McFarlane for answer  
by the Leader of the Council at a  
meeting of the Council on 9 February  
2023

**Question** (1) Has he continued to meet with BT to discuss the removal of redundant phone boxes from Edinburgh's streets?

**Answer** (1) Yes, a final meeting with BT is arranged for later in the month.

If members would like to get in touch with BT directly, they can do so at [customer.serv.payphones@bt.com](mailto:customer.serv.payphones@bt.com)

**Question** (2) Can the Council Leader update us on progress towards the removal of redundant phone boxes?

**Answer** (2) Council officers continue to discuss phone boxes in the city with BT. As noted in my response to a similar question in October 2022, the Council has limited powers to instruct BT to undertake any work or removals.

Where phone boxes that are in a dilapidated condition or are considered dangerous are identified or reported to the Council, these are reported to BT Defective Apparatus.

Council officers are organising to meet with BT to discuss the ongoing repair and/or removal of redundant phone boxes around the city. These discussions will also cover the process for removal of phone boxes and BT's programme of works for this.

**Question** (3) Has the Council made any requests itself to date for the removal of phone boxes that are no longer required since the relaxation of Ofcom's legislation?

**Answer**

- (3) In certain circumstances where a phone box is deemed to be a hazard or danger to the public, the Council will make a request for removal. Council officers have requested that the phone box on Hanover Street that has been damaged be removed and BT are making arrangements for this now.

**QUESTION NO 2**

**By Councillor McFarlane for answer  
by the Transport and Environment  
Committee at a meeting of the  
Council on 9 February 2023**

**Question**

To ask the Convener of the Transport and Environment Committee for an update on the appointment of a Cleansing Improvement Programme Manager agreed at Committee on October 6 and to ask whether any Street Litter Control Notices have been served since Committee approved their use.

**Answer**

Following an internal recruitment process, an appointment is expected to be made shortly for a cleansing Service Improvement Team Leader (this is the post referred to in the October report as a Cleansing Improvement Programme Manager).

In addition, the service is expected to begin an organisational review in March 2023 which will propose creating a dedicated Graffiti Officer and 2 Technical Officers to focus on service improvements.

Officers are in the process of developing a robust approach to evidencing and issuing Street Litter Control Notices prior to commencing enforcement.

To date, there have been no Street Litter Control notices issued. If there is a particular situation which you feel is not being dealt with appropriately, I would be happy to discuss it with you.



**QUESTION NO 3**

**By Councillor McVey for answer by  
the Leader of the Council at a  
meeting of the Council on 9 February  
2023**

In 2022, Labour, Conservative and LibDem Councillors voted to support the Forth Green Freeport bid, which subsequently was selected and will now progress.

**Question** (1) What guarantees were provided by the UK Government that aspects of the additional “Green” and “fair work” aspects unique to the Scottish bids would be enforced and controlled by the UK Government, where they fall under UK authority?

**Answer** (1) The Green Freeport bidding prospectus clearly states that this is a joint initiative between the UK and Scottish Government. All policy commitments were agreed between both Governments.

**Question** (2) What analysis has been done on loss of overall tax take to the public purse by officers in Edinburgh or anywhere else on the impact of the Forth bid?

**Answer** (2) The full tax benefits for investors have been agreed between the UK and Scottish Governments. The assessment of the loss in tax revenue (due to the incentives offered) versus the wider benefits achieved has been agreed at Government level prior to the publication of the prospectus.

The Forth Green Freeport (FGFP) bid contained an initial analysis of likely impact on Non Domestic Rates, which will be further reviewed as part of the development of the FGFP business case.

**Question** (3) What analysis has been done with colleagues in regulatory services on any impact of any loss of controls on goods entering through the green freeport?

**Answer** (3) This analysis, and associated mitigations, will form part of the development of the FGFP business case.

**Question** (4) What guarantees have been provided to the Council and other Forth local authorities on the need to register companies locally to improve controls?

**Answer** (4) This will form part of the development of the FGFP business case. The registered location of any companies involved will be publicly available.

**Question** (5) What guarantees have been secured from the UK Government that private pensions of those working for companies registered overseas will be paid and there are adequate controls, checks and enforcement to make sure this is the case?

**Answer** (5) Green Freeport status does not negate the UK's employment law requirements. Any company, including those registered overseas, who employ staff in the UK have a minimum legal obligation to provide a number of key benefits, including the legal requirement of pension auto-enrolment.

#### QUESTION NO 4

**By Councillor Aston for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023**

Action 9 of the Parking Action Plan is to develop a commercially sustainable model for delivering publicly available EV charging hubs at strategic locations in the city. As part of the scoping for this the council will assess what infrastructure is required in Edinburgh up to 2026.

**Question** (1) Can the convener confirm if that will include an assessment of the demand for provision of 150 kW and 350 kW EV chargers within the city?

**Answer** (1) The forecast demand for EV chargers in the city is based on the need to meet the expected growth of plug in vehicles by 2026. To satisfy demand and a range of different EV users, the Council's approach considers the need for a mix of different charge points, including ultra-rapid 150kW and 350kW. The approach will also include installing charge points that serve areas where the majority of households lack off street parking and where the private sector is unable or unwilling to meet this demand.

**Question** (2) Does the convener believe it is necessary to provide rapid charger provision if we are to encourage more people to switch to electric vehicles?

**Answer** (2) I am considering the issue of charging rate and duration as part of the drafting to the EV Charging Plan which I hope to table at the next TEC.

The provision of charging infrastructure is paramount to encouraging people to switch to electric vehicles. Currently, the approach being progressed is to provide suitable charging infrastructure for the location:

- Home charging – which favours a greater number of 7kW charge points as vehicles are parked for long periods;

- Destination charging - with a greater number of fast 22kW and rapid chargers, depending on the vehicle dwell time at each location; and
- On-route charging – which relies on rapid and ultra-rapid chargers as speed is all important for those recharging mid-journey.

**QUESTION NO 5**

**By Councillor Osler for answer by  
the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 9 February 2023**

On 21 November 2019, I asked the following question of the then Convener of Transport and Environment Committee:

*“Considering the volume of rainfall and subsequent flooding experienced in Edinburgh this year when is the next trial of the demountable barrier at Falshaw Bridge due to be carried out as there has not been one since 2013?”.*

The following answer was provided:

*“It is intended to carry out a flood trial exercise across the city in April/May 2020. The proposed trial will take account of the constructed flood defences on the Water of Leith, including closure of some flood gates and demountable defences. During preparation of the exercise, consideration will be given to including Falshaw Bridge barriers as part of the trial.”*

Appreciating that much has happened that was not anticipated since the answer was provided, not least COVID-19, and recognising also that more flooding sadly has occurred since then, most recently on 30 December 2022, can the Convener please confirm:

**Question** (1) When is the next flood trial exercise for the Water-of-Leith due to be carried out?

**Answer** (1) There are no immediate plans for a widescale flood trial, and any future trial would be dependent on resources (as it is an extensive exercise requiring input from numerous teams and external agencies).

Regular checks are undertaken on individual components of the flood protection scheme, including 3-monthly checks of most flood gates. Less frequent checks are undertaken on components with much higher flow triggers (such as the gates on Warriston Road and the lifting bridge at Bell Place).

It has been identified that, as Phase 1 of the Water of Leith flood protection scheme around Stockbridge approaches 10 years old, a renewed focus on maintenance is required and this is being incorporated into a current organisational review of some areas of transport.

**Question** (2) Will operating the Falshaw Bridge barriers be part of that trial?

**Answer** (2) The last full test of the Falshaw barriers was carried out in 2013, with a smaller scale trial in 2015. The barriers are securely stored on designated trailers and inspected every 3-months.

The importance of erecting the Falshaw Bridge barrier is acknowledged, however, that there are no immediate plans for trialling its operation. Erection of the barrier is only required in the most extreme flood events (a long duration storm in excess of a 1:200 return period). For comparison, the event on 30 December 2022 was less than 1:100.

**Question** (3) In addition, a recent communication with CEC Flood Officers indicated that work is underway to provide more information on the Council website regarding how and when the flood defences for the Water of Leith are activated. In that regard, can the Convenor please confirm when will this be made available?:

**Answer** (3) This content has been drafted and is expected to be published on the Council website by the end of February 2023.

**QUESTION NO 6**

**By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023**

**Question**

When will be the 10 school travel plans which have been signed off for delivery be published on the 'Streets Ahead' website and provided directly to ward councillors, as agreed by the Convener at the 30 June 2022 and 27 October 2022 meetings of the Council and the 8 December 2022 meeting of the Transport and Environment Committee?

**Answer**

These School Travel Plans will be published by the time the schools return from mid-term break (20 February 2023). Officers will also contact Ward Councillors directly.

**Supplementary Question**

Paragraph 4.10.3 of report 8.5 "School Travel Plan update" was before the Transport and Environment Committee on 8 December 2022. It said that 10 schools travel plans had been formally signed off and were being taken forward for delivery.

Can the Convener clarify why it is taking until 20 February to have these plans published online?

**Supplementary Answer**

The delay in publishing these plans is a combination of workload pressures and annual leave.

**QUESTION NO 7**

**By Councillor Dijkstra-Downie for  
answer by the Convener of the  
Transport and Environment  
Committee at a meeting of the  
Council on 9 February 2023**

**Question** (1) How often are the paths scheduled to be cleared of fallen leaves each autumn/winter season, given that a build up of wet leaves can cause a serious hazard to cyclists in particular?

**Answer** (1) The paths are inspected weekly and cleared when required during the leaf fall season. This is priority work during the leaf fall season, with resources directed to the paths most in need of clearance due to the health and safety implications.

**Question** (2) Which method or machinery is used to complete this work?

**Answer** (2) The paths are swept by a mixture of large and small mechanical sweepers (dependant of access and path widths). Some larger wind-blown debris is cleared by manual brushing.

**Question** (3) On which occasions have the paths been cleared of leaves this past season, using which method?

**Answer** (3) These paths are prioritised based on volumes of leaves and health and safety assessments following inspections. They are generally cleared early on Saturday and Sunday mornings to avoid conflicts with pedestrians and cyclists.

**Question** (4) Are any further clean ups scheduled for this season?

**Answer** (4) The paths continue to be inspected and where there is a requirement for sweeping (following high winds for example), this will be prioritised to ensure these are kept in an acceptable condition.



**QUESTION NO 8**

**By Councillor Lang for answer by the  
Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 9 February 2023**

**Question**

Following the 16 November decision of the Scottish Parliament to approve the regulations which set out the Exemption Order Procedures on the planned pavement parking ban, can the Convener confirm if there are any outstanding barriers to officers commencing the work associated with motion 8.6 as approved by Council on 25 August 2022?

**Answer**

The Exemption Orders Procedures came into force on 9 December 2022. These allow local authorities to start putting any formal exemption orders in place. Transport Scotland are allowing local authorities 12 months to assess and put these in place before the prohibitions go live.

Transport Scotland are currently working through the new enforcement powers. They expect that these will be in place by December 2023 so that local authorities have all the powers they require to issue penalties for the new prohibitions (pavement parking, parking at drop kerbs and double parking).

The Council is well-prepared for the introduction of the new parking prohibitions and the start of enforcement, having already assessed all of our roads. We are currently considering the final results of that assessment, any possible impacts that may arise from the introduction of the new legislation and any mitigation measures that may be required.

**QUESTION NO 9**

**By Councillor Lang for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 9 February 2023**

**Question** (1) When is work expected to commence on the extension to the Royal High School following planning approval 22/03164/FUL?

**Answer** (1) The current estimated construction programme is that site mobilisation and enabling works will begin before the end of February 2023. However, there are ongoing archaeology works and this has the potential to delay the works if anything of significance is found.

**Question** (2) When is this extension expected to be available for use?

**Answer** (2) Subject to no delays to the construction programme the new block would be available for use by the school in August 2023. However, all capital projects continue to experience issues once on site due to the current economic circumstances and in particular labour and material supply difficulties. Regular updates will be provided to the school community as the project progresses.

**Supplementary Question** Can the Convener clarify when the archaeological works are likely to be complete to allow for any impact on the project delivery to become known?

**Supplementary Answer** The final report from the archaeological works is expected to be received by the middle of March 2023.

**QUESTION NO 10**

**By Councillor Caldwell for answer by the Convener of the Housing, Homelessness and Fair Work Committee at a meeting of the Council on 9 February 2023**

The National Records of Scotland estimated 44 people experiencing homelessness died in Edinburgh in 2021, a shocking 100% increase since records began in 2017.

At Leader's Questions on 15<sup>th</sup> December 2022, the Housing, Homeless and Fair Work Convener confirmed that the Council are investigating circumstances around every single one of the estimated 44 individuals who passed away while experiencing homelessness in 2021.

Can the Housing, Homeless and Fair Work Convener please confirm;

**Question** (1) When are the investigations targeted for completion?

**Answer** (1) In every case where a death is notified to the Council's Homelessness team, the circumstances are reviewed to understand if there are any lessons which can be learned for future. However, it is important to note that the cause of death is not always provided to the Council and that, in over 40% of deaths, the people had underlying health conditions (including cancer).

**Question** (2) What, if any, third sector organisations or agencies are the Council working with to complete the investigations?

**Answer** (2) The Council is in regular contact with third sector partners.

**Question** (3) Will the investigations include a recommendations report to be presented to the Housing, Homeless and Fair Work Committee?

**Answer** (3) There is no plan to present a recommendations report. As reported in answer 1, officers review the circumstances of every death which is reported to the Council. The findings of these reviews are used to identify if there are any lessons which the Council can learn.

**Question** (4) What steps are being taken to ensure the privacy and dignity of these passed-away Edinburgh residents are retained in the investigation, when published?

**Answer** (4) As noted above, the information provided to the Council is for internal use only and will not be published.

**QUESTION NO 11**

**By Councillor Davidson for answer  
by the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 9 February  
2023**

**Question** (1) How many schools have experienced unplanned closures since the start of December?

**Answer** (1) Six schools and one early years setting.

**Question** (2) How many of these closures were due to buildings issues related to severe weather?

**Answer** (2) All, please see details below:

- Liberton High School – no heating
- St Crispin’s Special School – no heating
- Corstorphine Primary School – no heating
- St John’s RC Primary School – no heating
- Brunstane Primary School – fractured pipe, no water
- Sighthill Early Years Centre – frozen pipes

**Question** (3) What steps is the Administration taking to reduce the frequency of these closures?

**Answer** (3) The administration is working closely with colleagues in Corporate Property to ensure schools remain open wherever possible when impacted over the winter period.

Corporate Property are currently looking at how the supply of temporary heaters to schools can be increased where needed.

Where it is required (and possible) temporary boilers can be put into schools (if the boiler issue is long term).

All schools have a fully embedded risk assessment process in place where the headteacher completes a closure risk assessment if the school is at threat of closure due to for example boiler issues. The objective of the process is wherever it is safe to do so to be able to keep the school open. Any closure needs to be managed between the Headteacher and Senior Education Manager including the advice of Corporate Property colleagues. The Senior Education Manager makes the closure decision with the Headteacher.

Where there is no option other than closure schools switch to remote learning using contingency learning grids.

Annually all Headteachers and Business Managers attend "Ready for Winter" training (in October). This training briefs colleagues on the closure risk assessment process as well as the support available for colleagues with guidance on how to manage a potential or actual closure. We ask that school colleagues rehearse their own winter scenario plans as part of this briefing and guidance to agree, embed and understand response roles and responsibilities and ensure the service Severe Weather Contingency Arrangements are shared and understood.

School closures decisions are only ever a last case scenario resort where there is risk to life and limb. The balance of risk means the objective is to keep schools open wherever this is safely possible.

**QUESTION NO 12**

**By Councillor Osler for answer by  
the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 9 February 2023**

On 9 January 2023 Ward Councillors from a number of Wards were advised by Officers that footway surface treatments works were to be carried out on a number of streets within their respective Wards (Ref TCD/000082/02/fm) over a 20-week period starting 16<sup>th</sup> January 2023.,

For each street listed in that communication please can the Convenor confirm:

- Question** (1) a) Whether or not existing drop kerbs will be upgraded as part of those works?
- b) If “yes”, when will such upgrades take place?
- Answer** (1) a) I am afraid that dropped kerbs will not be upgraded as part of the works.
- b) N/A
- Question** (2) a) Whether or not new drop kerbs will be installed as part of those works?
- b) If “yes” when will such installations take place?
- Answer** (2) a) I am afraid that dropped kerbs will not be installed as part of the works.
- b) N/A
- Question** (3) And, for each of those streets in respect of which the answer was “no” to either question 1 or question 2 above, why not?
- Answer** (3) Footway slurry sealing forms part of the Council’s preventative maintenance regime. It is applied to footways that are in a fair condition and is used to extend the life of an existing asphalt surface in a cost effective and sustainable manner. It involves the application of a thin layer of bituminous slurry material which will seal the surface to

delay further deterioration and provide a uniform walking surface. There may be some patching work undertaken in advance of the slurry sealing.

Kerbing works are generally undertaken when the work requires the excavation and replacement of the footway when it has reached the end of its design life and has deteriorated to an extent that slurry sealing would not be appropriate.

I would be happy to discuss reviewing this policy with you within the context of our proposal to drop at least 400 kerbs per year as part of the Active Travel Action Plan.



**QUESTION NO 13**

**By Councillor Caldwell for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 9 February 2023**

Can the Convener please confirm;

**Question** (1) How many mainstream state secondary schools in Edinburgh are providing Breakfast Clubs for pupils?

**Answer** (1) 21

**Question** (2) How many special state secondary schools in Edinburgh are providing Breakfast Clubs for pupils?

**Answer** (2) 4

**Question** (3) How many mainstream state secondary schools in Edinburgh are providing other structured free food distribution for pupils?

**Answer** (3) 11

**Question** (4) How many special state secondary schools in Edinburgh are providing other structured free food distribution for pupils?

**Answer** (4) 4

**Question** (5) Does the Convener agree with me that the rising evidence of hunger across Edinburgh is detrimental to young people's wellbeing, education and opportunities?

**Answer** (5) Yes, I am concerned that any young person should go hungry and by providing breakfast clubs and free food goes some way to ensure that pupils get a good start to the school day.

**QUESTION NO 14**

**By Councillor Aston for answer by  
the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 9 February 2023**

**Question** (1) Was the winter maintenance plan followed adequately during the cold snap of 15-16 January?

**Answer** (1) Yes, I have been informed winter maintenance plan was adequately followed on 15 and 16 January 2023. The action taken was as follows:

- There was a treatment decision for full Priority 1 treatment for the whole city on the mornings of 15 and 16 January;
- Priority 2 routes were issued on 16 January; and
- Priority 1 pre-grit was issued on the evening of 16 January.

**Question** (2) Were there any instances of injury reported to the Council during this time or subsequently, relating to icy conditions for pedestrians in mid-January?

**Answer** (2) There have been no injuries reported to the Winter Weather mailbox in respect of these dates (15 and 16 January).

At the time of writing, Insurance Services are not aware of any injury claims for 15 or 16 January 2023. However, there may be some actively in progress as there is often a time lag in receiving these.

There were two reports of falls/injuries received by the mailbox in the preceding week, but they do not specify the date the accidents occurred, and on the limited information provided these were not on footpaths prioritised for treatment. In addition, in line with policy, the Council cannot treat every road and footpath and so operate a prioritisation system.

I am sure you will appreciate that staff work very hard to spread a limited budget as far as possible. Indeed, I am certain all Councillors would prefer this service to be better funded.

**QUESTION NO 15**

**By Councillor Mattos Coelho for  
answer by the Convener of the  
Culture and Communities Committee  
at a meeting of the Council on 9  
February 2023**

It has been claimed Liberton Rugby Club can no longer accommodate the “additional needs” of a women’s rugby team, resulting on the extremely sad decision of the women’s rugby team to disband.

**Question** (1) What engagement has the Convener had with the club committee and relevant Council officers on this decision which will have a negative impact on women’s access to sport?

**Answer** (1) I engaged with Council officers who confirmed that there has been no formal contact with the Liberton Rugby Club (RFC) about their decision.

Double Hedges, which Liberton RFC use as their home matches, is managed by Edinburgh Leisure on behalf of the Council. The Council does not, at present, work with the club on the delivery of projects or services in the city.

**Question** (2) Will the convener write to the Liberton Rugby Club Committee, making clear the need for clubs to accommodate the women’s game? And seeking a full explanation for the community on the factors that led the Women’s team feeling they had no option but to disband?

**Answer** (2) Council officers have been in touch with Edinburgh Leisure, who have not had any contact with Liberton RFC. It is understood that the additional needs which have been reported relate to coaching and administration rather than facility provision.

We understand that Leith Rugby Club have offered an opportunity for the women’s team to play under their club colours. They are still working through governance

arrangements etc but the team have trained at Leith Academy and the club have provided coaching support.

I'm happy to follow up and keep Councillor Mattos Coelho informed.

**QUESTION NO 16**

**By Councillor Thornley for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023**

On 19<sup>th</sup> January, traffic lights at the pedestrian crossing at St Thomas' Church on Glasgow Road were removed as part of the upgrade programme. As of 29<sup>th</sup> January, these had still not been replaced, despite promises otherwise.

To ask the Convener:

- Question** (1) What notification was undertaken to inform members of impending work?
- Answer** (1) As these works were expected to be minor in nature and were taking place as part of planned maintenance on existing infrastructure, there was no prior notification to Elected Members.
- Question** (2) What temporary measures or alternatives were put in place to cover the crossing for the period that there were no lights?
- Answer** (2) As the planned duration of the works was expected to be short (usually a maximum of 5 days) and additional traffic management would have impacted on local residents and access to driveways, when the works commenced pedestrians were diverted to other crossings that are in the proximity of the crossing that was being worked on. However, unforeseen difficulties were experienced on site which resulted in the duration of the works being extended. On 30 January 2023, a temporary crossing was put in place and remained in place until the crossing was brought into operation on 1 February 2023.
- Question** (3) Which other pedestrian crossings are planned for upgrade, by ward, over the next three months?

**Answer**

**(3)** Over the next 3 months we will renew the following pedestrian crossings to make them safer and more accessible:

- Holyrood Road/St John's Street
- Holyrood Road/Hammermen's Entry
- Causewayside at Sciennes House
- Captains Road at Gracemount Drive
- Howdenhall Road at Balmwell Terrace
- Buccleuch Street at Gifford Park
- West Coates at Wester Coates Road
- West Coates at Devon Place
- Roseburn Terrace at Roseburn Gardens

**QUESTION NO 17**

**By Councillor Thornley for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023**

**Question** (1) With new and planned development increasing traffic at the Maybury junction, what plans are in place to manage traffic flow from those developments?

**Answer** (1) As part of the preparation of the 2016 Local Development Plan, the proposed allocated development sites were considered, and proportionate improvements identified for the three junctions. These works are outlined within the Local Development Plan Action Programme 2021. The range of actions proposed focus not just on capacity at the key junctions on Maybury Road but also improved active travel connections and public transport permeability along Craigs Road/ Turnhouse Road.

**Question** (2) Were there Section 75 contributions from developers, and what have they been used for?

**Answer** (2) There are a range of contributions (£4.038M) provided on a cumulative basis to mitigate the transport implications from the development on the three principle junctions on Maybury Road.

In addition, there are on site works that have taken place for provision of active travel connections, footpaths and a new active travel bridge over the railway is proposed.

Overall, these actions are being taken forward across a range of Council projects and improvements. Some works have already been carried out directly by the developers

**Question** (3) Do these include plans to maintain access to Maybury junction for the existing housing in West Craigs?



**Answer** (3) As part of the proposals, it was considered that a bus gate may be necessary on Turnhouse Road to support the promotion of public transport through the site. This matter is being investigated and will consider both the bus gate and hours of operation.

**Question** (4) Will these plans be circulated to affected ward members?

**Answer** (4) Absolutely, the details of these improvements will be circulated to Ward Members.

**QUESTION NO 18**

**By Councillor Parker for answer by  
the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 9 February 2023**

**Question** (1) Why was the tender for the permanent works to introduce a pedestrian and cycle crossing at Hermitage Drive / Braid Road / Braidburn Terrace (incorporating works along Braidburn Terrace, Comiston Road / Greenbank Place and Braidburn Crescent) delayed from 6<sup>th</sup> January to 30<sup>th</sup> January?

**Answer** (1) The tender took longer to issue than was originally anticipated as a new Framework contract became available which could be utilised for this work. In addition, to ensure that all aspects of the work had been appropriately incorporated, additional resources were secured to support the development of the design and tender documentation together with managing the contract process and providing daily on-site supervision.

The tender documents were published on Public Contracts Scotland on 23 December 2022, with a return date of 23 January 2023.

The Braidburn scheme tender requires specific materials which will be supplied externally and therefore an extended period (to 30 January 2023) was agreed for the return of tenders for this element of the works.

However, as a number of questions have been received in response to the tender publication, a further extension was agreed to 3 February 2023.

**Question** (2) Has the tender now been agreed? If it has not, why not and when will it be?

**Answer** (2) See answer 1 above. It is anticipated that the tenders will be awarded by mid-late February 2023.

**Question** (3) Are the final drawings for the works publicly available and where can these be found?

**Answer** (3) The final drawings are not yet publicly available, but officers have confirmed that they will be available shortly, and I have asked for them to be shared publicly ASAP.

**Question** (4) Since May 2022:

a) What communications have happened with residents to explain about the permanent works programme detailed in 1)?

b) What communications have happened with residents to explain about delays to the permanent works programme as detailed in 1)?

Additionally, in relation to both a) and b):

c) What form(s) have those communications taken (notices, letters, social media etc)?

d) Where relevant, which addresses have been included in those communications (if any)?

**Answer** (4) The communications with residents have been via email, with a message sent in August 2022 which explained progress, delays to date and set out the proposed timeline as expected at that time.

The emails were sent to the residents in Braidburn Terrace.

**Question** (5) From February 2023 onwards:

a) What plans are there in place for communications with residents about the permanent works programme detailed in 1)?

b) What form(s) will those communications take (notices, letters, social media etc)?

c) Where relevant, which addresses will be included in those communications (if any)?

**Answer**

- (5) a) A simplified drawing of the general layout is currently being prepared and will be uploaded to the Council's website (Active Travel pages) so that it can be easily accessed by residents.

Once published, the link will be provided to the Ward Members and residents.

In addition, an e-mail will be sent to residents who have previously been in contact with the Council with an update on the contract award, with details of the programmed start date and contact information for the contractor and site staff.

An e-mail will also be sent to the Church with details of the programmed start date and contact information for the contractor and site staff.

b) & c) In addition to the email, a letter drop will be arranged to residents of the streets within the scope of the works.

The letter drop will include residents in

- Braidburn Terrace
- Affected sections of Braid Road
- Affected sections of Hermitage Drive
- Affected sections of Greenbank Crescent
- Affected section of Greenbank Terrace (Comiston Road)
- Braid Crescent
- Greenbank Place
- Braidburn Crescent

**QUESTION NO 19**

**By Councillor Lewis Younie for  
answer by the Council Leader at a  
meeting of the Council on 9 February  
2023.**

**Question** (1) What statutory responsibility exists to report community participation requests to Council?

**Answer** (1) Section 32 of the Community Empowerment (Scotland) Act 2015 requires that each public service authority must publish a report each year setting out:

- the number of requests received
- the number of requests agreed and refused
- the number of requests which resulted in changes to a public service provided by, or on behalf of, the public service authority
- any action taken by the public service authority to promote and support the use of participation requests

Annual reports cover each year from 1 April to 31 March and must be published by 30 June.

**Question** (2) How many such reports have been made to Council in each of the last five years?

**Answer** (2) One report has been published each year since 2017 when the legislation was enacted. The reports can be found here:

[Council participation requests reports – The City of Edinburgh Council](#)

**QUESTION NO 20**

**By Councillor Chas Booth for answer  
by the Council Leader at a meeting of  
the Council on 9 February 2023.**

Further to his answer to my question at full council on 15 December 2022, the council leader will recall that his changes to the licensing board reduced the membership of the board from 10 members to 9, while also appointing a new position of vice-convener, and that 6 of the 9 current members are new members of the board.

**Question**

Please can the council leader therefore outline how the reduction in the size of the board, coupled with the appointment of a new vice-convener, delivers on the public health agenda, and what the reasons were for these changes?

**Answer**

I would expect all members of the Licensing Board, regardless of their number, experience or position to uphold the Licensing Objectives set out in the 2005 act, namely:

- Preventing crime and disorder;
- Securing public safety;
- Preventing public nuisance;
- Protecting and improving public health; and
- Protecting children and young people from harm.

**QUESTION NO 21**

**By Councillor Booth for answer by the Convener of the Planning Committee at a meeting of the Council on 9 February 2023.**

- Question** (1) Please can the Convener set out the action the council is taking to ensure that applications for short term lets and enforcement action against potential breaches of planning control of short term lets are sufficiently resourced, following the introduction of the short term let control area last year?
- Answer** (1) The Planning Service has put in place a team to progress short-term let planning applications, certificates of lawfulness and enforcement. Recruitment is underway to ensure this team has adequate resources. Workload is monitored and information is provided to Planning Committee on performance via business bulletins.
- Question** (2) In particular, please can the Convener set out whether the council will consider working with the Lothian Valuation Joint Board and other relevant organisations to proactively identify potential breaches of the short term let control area, and take appropriate proactive enforcement action in such cases?
- Answer** (2) In accordance with the [Planning Enforcement Charter](#), the Council does not actively monitor the implementation of consents or search for breaches of planning control and relies on members of the public to report potential breaches. This approach allows the Council to focus its resources on those cases that the public are most concerned about. It also means that it is less likely that time will be spent investigating situations which are not breaches of planning control or where there is insufficient evidence to demonstrate that it is in the public interest to take enforcement action.
- Question** (3) In addition, what plans does the council have to publicise the short term let control area, and the mechanisms by which members of the public may report potential breaches?

**Answer**

- (3) The short-term let control area was publicised in accordance with the requirements of the Regulations at prior to its introduction on 5 September 2022. Information on this is on the Council's website.

Suspected breaches of planning control can be reported via the Council's webpage:

<https://www.edinburgh.gov.uk/reportworkwithoutplanningpermission>



**QUESTION NO 22**

**By Councillor Mitchell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023.**

**Goldenacre Steps**

Please could the Convener confirm:

**Question** (1) The date of the last inspection of the steps.

**Answer** (1) 1 February 2023.

**Question** (2) Any defects and/or repairs logged for action.

**Answer** (2) There were no defects logged.

**Question** (3) Any upcoming scheduled improvements.

**Answer** (3) There are no improvements scheduled.

**Supplementary Question** Clarification on points 1-3 please.

Please could the Convener clarify what level of inspection that was done given the recent reports of residents falling done the Goldenacre Steps and as many as three of the steps requiring replacement, and why no repairs/improvements felt necessary.

**Supplementary Answer** A visual inspection was carried out by an Inspector from the Council's Roads and Infrastructure team. Following this inspection, they have not identified any repairs or improvements required. However, I have asked officers to offer to meet with Councillor Mitchell to discuss the inspection process and his concerns about the steps.

**QUESTION NO 23**

**By Councillor Mowat for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023.**

**Project Centre Contract**

To ask the Convener:

**Question** (1) When Project Centre were contracted by the Council to carry out work for the Council?

**Answer** (1) Project Centre services are provided through the parking enforcement contract, which commenced in October 2014.

**Question** (2) What work they have been contracted to carry out?

**Answer** (2) Project Centre are contracted to provide project support and transport consultancy services.

**Question** (3) What the value of the Contract is?

**Answer** (3) The parking contract has an overall annual value of over £7m.

**Question** (4) Whether this is a rolling contract or if each new piece of work is contracted separately?

**Answer** (4) Each piece of work is priced separately.

**Question** (5) What is the value of contracts with Project Centre in each of the last 5 fiscal years?

**Answer** (5) As summary of the Council's spend with Project Centre is provided in the table below.

	2018-19	2019-20	2020-21	2021-22	2022-23 (to date)
<b>Parking Team - Revenue Spend</b>  (e.g. TRO support and consultation / engagement services)	£47,140.00	£50,347.39	£89,252.00	£125,434.40	£137,544.51
<b>Parking Team - Strategic Review of Parking Spend</b>	£104,571.00	£375,241.14	£386,718.00	£224,062.13	£25,825.26
<b>Parking Team - Grant Funded Spend</b>  (e.g. Footway parking surveys and EV related work)	£12,130.00	£0.00	£2,950.00	£100,486.00	£174,188.00
<b>Other Council Teams / Project Spend</b>  (e.g. Travelling Safely, CBR, Active Travel)	£0.00	£13,415.74	£112,653.00	£335,367.31	£161,531.05
<b>Total Spend</b>	£163,841.00	£439,004.27	£591,573.00	£785,349.84	£499,088.82

**Question** (6) Who approved and is paying the £15 participation fee for a focus group on City Car Club and what is the total being paid for this?

**Answer** (6) This fee was agreed by Council officers as an incentive to encourage attendance at the focus group sessions. The total cost for the participation fees is projected to be c. £750.

**QUESTION NO 24**

**By Councillor Whyte for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023.**

**Question**

Why does the Council website information on the Low Emission Zone state:

“there are still areas where certain pollutants, including nitrogen dioxide (NO<sub>2</sub>), are higher than the legal standard.”

[Low Emission Zone \(LEZ\) – The City of Edinburgh Council](#)

When all except one of the 185 monitoring stations were within the legal standard for NO<sub>2</sub> in 2020 and the results in Air Quality Management Areas show that pollution was well below the legal limit in 2022 for both PM<sub>2.5</sub> and PM<sub>10</sub>?

**Answer**

The impact of the COVID-19 pandemic was significant for air quality during 2020. Restrictions on travel resulted in a significant drop in nitrogen dioxide concentrations at almost all locations across the city with just one location within the Central Air Quality Management Area (AQMA) breaching the legal objective for nitrogen dioxide.

Monitoring data from 2020 is unlikely to be representative in terms of long-term trends. For the purpose of the Council’s Draft Air Quality Action Plan and the development and implementation of the Low Emission Zone, consideration has rightly also been given to pre-pandemic pollution concentrations to account for more typical travel behaviour while emerging from the pandemic.

All political parties approved Draft Air Quality Action Plan, and it will soon be subject to a three month consultation.

Hence, information on the Council’s website remains accurate insofar that there continues to be a breach of the nitrogen dioxide (annual mean) legal standard as determined through monitoring. Please note - monitoring is undertaken at a specific location and judgement must be applied to the extent of the area and problem.

The statutory Local Air Quality Management (LAQM) Review and Assessment process must take account of all breaches and areas 'at risk' of being breached. Modelling undertaken by SEPA for the purpose of developing the Low Emission Zone also identified a number of areas where there are these risks. The Central AQMA was approved to be a priority for action.

The LAQM system will ensure a constant review of the AQMA designations is undertaken. To date, it has been agreed that the Inverleith Row AQMA will be revoked as the objectives have been met for an appropriate amount of time in this area.

**QUESTION NO 25**

**By Councillor Whyte for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023.**

**Question** (1) What information has been gleaned from the data gathered to date following the roll out of Smart Bin technology and what changes in practice have been, or are planned as a result?

**Answer** (1) As part of Phase 1 of the Smart Cities Operations Centre programme, smart waste sensors will be placed in litter and residential communal bins around Edinburgh. This will enable service teams to track bin fill levels, temperature and other variables, enabling more proactive management of waste across the city and support wider resilience plans.

To date, 2,800 sensors have been installed and are sending data to the smart cities test platform. From this, detailed platform dashboards are being created to enable efficient analysis of the data provided to identify trends/areas for investigation and to support effective service planning.

**Question** (2) Does the Convener consider that this has been a cost effective use of Council resources? If yes, why and what implications does it have for future service costs, street cleanliness and working practices?

**Answer** (2) The sensor installation is supported by a European Regional Development Fund (ERDF) grant as part of the 'Scotland's 8th City – the Smart City' programme. City of Edinburgh Council will deliver three projects budgeted at £6.4m, of which £2.5m is part of the ERDF grant.

I feel that the scheme could contribute to street cleanliness, but any gain will not be sufficient to make good the underfunding of this service.

**QUESTION NO 26**

**By Councillor Bruce for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023.**

**Question** (1) Why has the Public Transport Action Plan failed to propose any specific measures to solve the problem of bus deserts, for example, in Ratho, Dumbiedykes and Meadowfield/Willowbrae?

**Answer** (1) The draft Public Transport Action Plan was approved by Transport and Environment Committee on 2 February 2023 for consultation. When finalised, it will be a strategic policy document that is focussed on measures that will improve public transport over a 10 year period.

Within the Public Transport Action Plan, proposed Action PG1 (Bus Network Review) will consider challenges and opportunities in the bus network, including areas where commercial services are currently unviable.

**Question** (2) What does the Convener propose is done to solve the problem?

**Answer** (2) The Council currently spends £1.549million per annum to support bus services.

£500,000 is allocated to the Service 20, that operates between Chesser and Ratho. I am aware of current dissatisfaction with the service in the Ratho community and have met and communicated with a representative of the community a number of times. In response to this, Council officers are currently investigating alternative and improved provision.

In respect of Dumbiedykes and Meadowfield/Lady Nairne/Willowbrae, as agreed by Transport and Environment Committee on 8 December 2022, a proposal to invest in supported bus services in these areas will be considered as part of the Council Budget process for 2023/24.

**QUESTION NO 27**

**By Councillor Bruce for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 9 February 2023.**

**Currie Community High School Swimming Pool**

**Question** (1) When did the pool close for pupils and swimming groups?

**Answer** (1) The swimming pool was closed in April 2022.

**Question** (2) How much has been spent so far on repairing the pool?

**Answer** (2) The cost of repairing the pool so far has been £60,000.

**Question** (3) What works are required to make the pool operational again for pupils and swimming groups?

**Answer** (3) An inspection of the ceiling is required to determine what further works are required.

**Question** (4) How much will these extra works cost?

**Answer** (4) The inspection will cost £22,000. Only after the inspection will an estimate of the cost for the works be able to be prepared.

**Question** (5) When do you expect the pool to re-open?

**Answer** (5) It is not possible to provide a timescale to reopen the swimming pool until the inspection of the ceiling is complete and an understanding of the scale of the works required is determined.

**Supplementary Question** Do you think there is a risk that with increasing costs, there is a danger that the swimming pool may never be operational again even with at least 2 years before the new school is built?



**Supplementary  
Answer**

Due to the location of the area that requires inspection being inaccessible without scaffolding, it is impossible to tell the level and cost of repair that will be required in advance of the inspection results. However, the inspection itself comes at a considerable cost and it is therefore the intention that full repairs will be carried out to make the swimming pool operational again, otherwise the inspection would not be proceeding. It is the potential scale of the works rather than the current economic inflation issues which pose the greatest risk to the repairs being able to be delivered within acceptable timescale and cost parameters.

**QUESTION NO 28**

**By Councillor Cowdy for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023.**

**Integrated Impact Assessment (IIA) for each ETRO 202\_ - TRO/21/30**

IIAs for schemes installed as a temporary emergency response should be different from IIAs for schemes moving to permanency. In the original IIAs for various Spaces for People schemes, there is mention of intended benefits for people with disabilities. However, the reality was that after installation several disability groups emphasised there are many negative impacts for people with disabilities. Spaces for People was raised as an example of eco-ableism by Inclusion Scotland at COP26 and Council Officers graded around two thirds of schemes as having a negative impact for disabled people.

Can the Convener confirm that:

- |                 |  |
|-----------------|--|
| <b>Question</b> | (1) An IIA has been carried out for <b>each</b> of the proposed ETROs  |
| <b>Answer</b>   | (1) The IIA published for the installation of the Spaces for People Measures remains relevant. No material change has taken place as a function of the current Travelling Safely Experimental Traffic Regulation Order (ETRO) trial.   |
| <b>Question</b> | (2) These IIAs considered the impact of reductions in parking and lack of any kerbside parking, now that council officers claim kerbside blue badge spaces can no longer be installed on some streets?   |
| <b>Answer</b>   | (2) The current IIA makes reference to changes in parking arrangements, access for people with disabilities and those with impaired mobility. The draft document for scheme retention, subject to future committee approval, will also make further reference to accessibility for all road users. Current trial road layouts, with segregated cycle lanes, can accommodate disabled persons parking places within established parking bays. |

- Question** (3) The IIAs have been updated from those created under Spaces for People to reflect any differences in the ETRO schemes from those implemented under SfP?
- Answer** (3) The existing IIA is under revision to consider possible permanent retention, which is likely to be reviewed at committee in late 2023. There are no material differences between the Spaces for People and current Travelling Safely schemes.

**QUESTION NO 29**

**By Councillor Cowdy for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023.**

**ETRO 202\_ - TRO/21/30**

The report (Item 7.7 Active Travel Measures – Travelling safely update) to Transport and Environment Committee in Aug 2022 stated:

**6.3** *“Sustrans funding was not available for removal of schemes and reinstatement of previous road layouts. Therefore any such costs will require re-prioritisation of spend from the Council’s transport capital programme, with potential to bring funding forward from future Financial Years. The estimated cost of removing and reinstating all current schemes is just over £1m.”*

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|-----------------|--|
| <b>Question</b> | (1) Is implementing Experimental TROs lawful when there is no ring-fenced budget for removal suggesting they are already being treated as permanent?   |
| <b>Answer</b>   | (1) There is no requirement in the relevant legislation for there to be a budget ring-fenced for removing experimental measures before they are introduced. Nevertheless, as the quote from the August 2022 Committee Report above implies, funding could (if necessary) be found from the Council’s transport capital programme |
| <b>Question</b> | (2) Has approval been sought from the council’s own Internal Auditor and/or Audit Scotland that the practice is acceptable?  |
| <b>Answer</b>   | (2) No, officers have not considered this necessary for the reasons outlined above. Individual Councillors, however, can choose to raise this issue.   |
| <b>Question</b> | (3) Can the Convener provide estimates for the cost of reinstating each individual scheme?   |
| <b>Answer</b>   | (3) The table below contains estimates of the cost of removal and reinstatement of Travelling Safely projects.   |

<b>Travelling Safely Programme - Scheme Removal and reinstatement estimate</b>	
<b>Project Name</b>	<b>Project Reinstatement Estimate</b>
A1 (including London Road)	£50,000
Arboretum Place	£10,000
Braid Road pedestrian crossing, junction and modal filter	£25,000
Broughton Street	£25,000
Broughton Street Roundabout	£10,000
Buccleuch Street / Causewayside	£50,000
Cammo Walk	£1,000
Cockburn Street	£2,500
Comiston Road	£75,000
Craigmillar Park, Mayfield Gardens and Minto Street	£75,000
Craigs Road traffic calming	£1,000
Crewe Road South	£25,000
Drumbrae North	£25,000
Duddingston Road	£25,000
Duddingston Road West	£20,000
Ferry Road	£40,000
Fountainbridge / Dundee Street	£50,000
Gilmerton Road	£25,000
Inglis Green Road, Longstone Road and Murrayburn Road	£40,000
Kings Place	£5,000
Lanark Road	£100,000
Maybury Road	£5,000
Mayfield Road	£50,000
Meadowplace Road	£40,000
Meadows to Greenbank quiet connection	£10,000
Old Dalkeith Road	£20,000
Orchard Brae roundabout	£10,000
Pennywell Road, Muirhouse Parkway and Silverknowes Parkway	£75,000
Princes Street East End	£5,000
Queensferry Road	£40,000
Seafield Street	£1,500
Silverknowes Road (north section)	£50,000
Silverknowes Road (south section)	£25,000
Slateford Road	£40,000
Stanley Street / Hope Street	£1,000
Teviot Place / Potterow	£20,000
The Mound	£10,000
Victoria Street	£2,500
Waverley Bridge	£5,000
West Shore Road	£5,000
<b>TOTAL</b>	<b>£1,094,500</b>

**QUESTION NO 30**

**By Councillor Booth for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 9 February 2023.**

**Question** (1) Please can the convener outline progress towards the introduction of a school street at Stanwell Street to serve Bun-sgoil Taobh na Pairce?

**Answer** (1) Discussions are ongoing with the school around this as part of finalising their School Travel Plan. It is anticipated that the Plan will be signed off prior to the Easter Holidays. Once details are finalised, the Plan will be shared online and with ward councillors.