

Notice of meeting and agenda

City of Edinburgh Council

10.00 am Thursday, 9th February, 2023

Main Council Chamber, City Chambers

This is a public meeting and members of the public are welcome to attend.

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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.

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1. Order of business

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

2. Declaration of interests

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

3. Deputations

- 3.1 If any

4. Minutes

- 4.1 The City of Edinburgh Council of 15 December 2022 – submitted for approval as a correct record 27 - 134

5. Leader's Report

- 5.1 Leader's report 135 - 138

6. Appointments

- 6.1 Resignation of Councillor Frank Ross/Appointments – Report by the Chief Executive 139 - 144
- 6.2 Appointments to Working Groups – Report by the Interim Executive Director of Corporate Services 145 - 168

6.3	Appointment to the Additional Parent Representative Position on the Education, Children and Families Committee – Report by the Interim Executive Director of Corporate Services	169 - 172
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7. Reports

7.1	Decision Making Framework 2023 – Report by the Interim Executive Director of Corporate Services	173 - 344
7.2	Council Diary 2023-2024 – Report by the Interim Executive Director of Corporate Services	345 - 360
7.3	Rolling Actions Log – May 2015 to December 2022	361 - 388
7.4	Independent Inquiry and Whistleblowing Culture Review – Report by the Interim Executive Director of Corporate Services	389 - 398
7.5	Appointment to Chief Officer Posts – Report by the Chief Executive	399 - 402
7.6	Public Holiday - 8 May 2023 - Celebrating His Majesty, the King – Report by the Interim Executive Director of Corporate Services	403 - 408
7.7	16 Days of Activism Against Gender-Based Violence – Report by the Chief Executive	409 - 446
7.8	Drumbrae Care Home - Status Report – Report by the Chief Officer, Edinburgh Health and Social Care Partnership	447 - 452
7.9	Motion by Councillor McVey - Tram Extension – Report by the Executive Director of Place	453 - 460
7.10	Edinburgh and Taiwan Partnership Links – Report by the Chief Executive	461 - 466
7.11	Regional Prosperity Framework Delivery Plan - referral from the Policy and Sustainability Committee	467 - 506
7.12	Treasury Management Mid-Year Report 2022/23 - referral from	507 - 522

the Finance and Resources Committee

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|-------------|--|-----------|
| 7.13 | Accounting for Service Concessions - referral from the Finance and Resources Committee | 523 - 536 |
| 7.14 | Renaming the Education and Children's Service Directorate – referral from the Education, Children and Families Committee | 537 - 542 |

8. Motions

8.1 By the Lord Provost - Firefighter Barry Martin – Condolence

“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.”

8.2 By Councillor Jenkinson - National Care Service

“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.”

8.3 By Councillor Parker - Declaring a Nature Emergency

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 & 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."

8.4 By Councillor Osler - Tree Protection Measures East and West Princes Street Gardens

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."

8.5 By Councillor Nicolson -Stolperstein

"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."

8.6 By Councillor McVey - UK Government Attack on Devolution

"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."

8.7 By Councillor Campbell - Coillesdene House Lifts

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.”

8.8 By Councillor McVey - UK Government Assault on Workers' Rights

- “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 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 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."

8.9 By Councillor Nicolson - Non-Council Run Community Spaces

"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.”

8.10 By Councillor Lang - Surface Treatment of Carriageways

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."

8.11 By Councillor Campbell - Drug and Alcohol Recovery Services in Niddrie and Craigmillar

"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."

8.12 By Councillor Mumford - Gender Recognition Reform

- "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.”

8.13 By Councillor Meagher - Energy Costs

“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.”

8.14 By Councillor Heap - Concessionary Ticket Schemes for Cultural Events

“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).”

8.15 By Councillor Younie - Muirhouse Millennium Centre

“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.”

8.16 By Councillor Jones - Flexi-Schooling

“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.”

8.17 By Councillor Miller - Care Home Contracts

“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.”

9. Congratulatory Motions

9.1 By Councillor Mumford - Atlantic Body and Soul

“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.”

10. Questions

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| 10.1 | By Councillor McFarlane - BT Phone Boxes – for answer by the Leader of the Council | 543 - 544 |
| 10.2 | By Councillor McFarlane - Cleansing Improvement Programme Manager – for answer by the Convener of the Transport and Environment Committee | 545 - 546 |

10.3	By Councillor McVey - Forth Green Freeport Bid – for answer by the Leader of the Council	547 - 548
10.4	By Councillor Aston - EV Charging – for answer by the Convener of the Transport and Environment Committee	549 - 550
10.5	By Councillor Osler - Flood Trial Exercise Water of Leith – for answer by the Convener of the Transport and Environment Committee	551 - 552
10.6	By Councillor Lang - School Travel Plans – for answer by the Convener of the Transport and Environment Committee	553 - 554
10.7	By Councillor Dijkstra-Downie - Leaf Sweeping Plan for North Edinburgh Paths Network – for answer by the Convener of the Transport and Environment Committee	555 - 556
10.8	By Councillor Lang - Pavement Parking Ban – for answer by the Convener of the Transport and Environment Committee	557 - 558
10.9	By Councillor Lang - Royal High School Extension – for answer by the Convener of the Education, Children and Families Committee	559 - 560
10.10	By Councillor Caldwell - Deaths of People Experiencing Homelessness in 2021 – for answer by the Convener of the Housing, Homelessness and Fair Work Committee	561 - 562
10.11	By Councillor Davidson - Unplanned School Closures – for answer by the Convener of the Education, Children and Families	563 - 564

Committee

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|--------------|--|-----------|
| 10.12 | By Councillor Osler - Footway Surface Treatments and Dropped Kerbs – for answer by the Convener of the Transport and Environment Committee | 565 - 566 |
| 10.13 | By Councillor Caldwell - Food Provision in High Schools – for answer by the Convener of the Education, Children and Families Committee | 567 - 568 |
| 10.14 | By Councillor Aston - Winter Maintenance Plan – for answer by the Convener of the Transport and Environment Committee | 569 - 570 |
| 10.15 | By Councillor Mattos Coelho - Women's Liberton Rugby Club – for answer by the Convener of the Culture and Communities Committee | 571 - 572 |
| 10.16 | By Councillor Thornley - Planned Pedestrian Crossing Upgrades – for answer by the Convener of the Transport and Environment Committee | 573 - 574 |
| 10.17 | By Councillor Thornley - Traffic Management at West Craigs and Maybury – for answer by the Convener of the Transport and Environment Committee | 575 - 576 |
| 10.18 | By Councillor Parker - Hermitage Drive, Braid Road, Braidburn Terrace – for answer by the Convener of the Transport and Environment Committee | 577 - 578 |
| 10.19 | By Councillor Younie - Community Participation Requests – for answer by the Leader of the Council | 579 - 580 |

10.20	By Councillor Booth - Licensing Board – for answer by the Leader of the Council	581 - 582
10.21	By Councillor Booth - Short Term Let Enforcement – for answer by the Convener of the Planning Committee	583 - 584
10.22	By Councillor Mitchell - Goldenacre Steps – for answer by the Convener of the Transport and Environment Committee	585 - 586
10.23	By Councillor Mowat - Project Centre – for answer by the Convener of the Transport and Environment Committee	587 - 588
10.24	By Councillor Whyte - Air Quality – for answer by the Convener of the Transport and Environment Committee	589 - 590
10.25	By Councillor Whyte - Smart Bins – for answer by the Convener of the Transport and Environment Committee	591 - 592
10.26	By Councillor Bruce - Bus Deserts – for answer by the Convener of the Transport and Environment Committee	593 - 594
10.27	By Councillor Bruce - Currie Community High School Swimming Pool – for answer by the Convener of the Education, Children and Families Committee	595 - 596
10.28	By Councillor Cowdy - Integrated Impact Assessments (IIA) for each ETRO 202_ - TRO2130 – for answer by the Convener of the Transport and Environment Committee	597 - 598

- 10.29** By Councillor Cowdy - ETRO 202_ - TRO2130 – for answer by the Convener of the Transport and Environment Committee 599 - 600
- 10.30** By Councillor Booth - Introduction of a School Street at Stanwell Street – for answer by the Convener of the Transport and Environment Committee 601 - 602

Deputations

Nick Smith

Service Director, Legal and Assurance

Information about the City of Edinburgh Council

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

The City of Edinburgh Council usually meets in the Council Chamber in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the Council meeting is open to all members of the public.

Further information

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

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <https://democracy.edinburgh.gov.uk/>.

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Minutes

The City of Edinburgh Council

Edinburgh, Thursday 15 December 2022

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 Duggan
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-Claire Munro
Vicky Nicolson
Kayleigh O'Neill
Hal Osler
Ben Parker
Tim Pogson
Susan Rae
Frank Ross
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 Order of Business – Suspension of Standing Order 24.1 – Voting

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.

2 Order of Business – Statement by the Lord Provost - Doddie Weir

The Lord Provost made the following statement in regard to the Late Doddie Weir:

“On behalf of this Council, and the citizens of Edinburgh, I want to offer my condolences on the news of the recent passing of Doddie Weir. We extend our deepest sympathies to Doddie’s Family and Friends at this very difficult time.

This Council acknowledges the enormous contribution Doddie made to the City. His determination and dedication to sport, to fundraising, and some might say to fashion, is an inspiration to us all and I have no doubt that his legacy will be outstanding and enduring.

Born in Edinburgh in July 1970, George Wilson or “Doddie” Weir attended Stewart’s Melville College and the Scottish Agricultural College before his professional rugby career took off. And what a career it was.

He won championships with his two club sides, Melrose and Newcastle Falcons, and represented the British and Irish Lions on their successful tour to South Africa in 1997 - the first tour since the end of the apartheid regime and the first tour since rugby union turned professional.

Doddie was also, of course, a mainstay of the Scotland team throughout the 1990s and a firm favourite of the Murrayfield crowd. He went on to win 61 International caps for Scotland and was part of the 1999 Five Nations Championship-winning squad.

In 2017, Doddie announced that he had Motor Neurone Disease. He spoke out about his diagnosis on social media to promote Global MND Awareness Day and subsequently set up the My Name’s Doddie Foundation to raise funds for research into a cure for MND and to provide grants to people living with the condition and I’d like to ask all members to consider making a contribution to that Foundation or indeed to invite their supporters on social media to do so and I’ve asked if our media team could send a link to members so that they could encourage their supporters to do so.

As many colleagues will recall, Doddie received the Edinburgh Award in 2018. The Edinburgh Award, nominated by the public, allows us the opportunity to honour and

celebrate one outstanding individual for their contribution to our city’s reputation both at home and abroad. Doddie was undoubtedly one such individual, a larger-than-life character whose equally large hands are now preserved in the Quadrangle stone, and whose name adorns the halls of the City Chambers here.

Renowned for his tartan suits, it was a great honour that Doddie chose to wear a City of Edinburgh Council tartan suit for the presentation ceremony event itself in November 2018.

Each year, people may be aware, we invite the Edinburgh Makar to write a special poem for the presentation event, in honour of the Edinburgh Award recipient and I know you will all agree that Alan Spence’s poem for Doddie Weir, Flower of Scotland, beautifully captured the man himself and his journey, and I would like to finish by sharing the final verse:

**“We sing, When will we see your like again?
Doddie, when will we see *your* like again?”**

3 Minutes

Decision

To approve the minute of the Council of 24 November 2022 as a correct record.

4 Leader’s Report

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

- Success of Christmas Market
- Ukrainian Community Events and Awards
- 16 Days of Action Against Gender Based Violence
- City Plan

The following questions/comments were made:

- | | |
|--------------------|--|
| Councillor Aston | - Living Rent members – 70-72 Lochend Road South |
| Councillor Lang | - Further extensions to Edinburgh Trams - funding |
| Councillor Mumford | - Overseas workers in the Health Service |
| Councillor Whyte | - Chief Executive’s appraisal process |
| Councillor Meagher | - Auditor General’s report on the underspend of the Scottish Government – potential of funding being diverted to Edinburgh |

Councillor McVey	- Welcome colleagues from Kyiv
	- What a Labour Government would deliver
Councillor Neil Ross	- Scottish Government short term let licensing scheme delay
Councillor Parker	- Council Business Plan – ecological emergency omission
Councillor Doggart	- Share of £1.5billion from UK Government to Edinburgh for Education and Social Care
Councillor Lezley Marion Cameron	- Advice to members convening/chairing meetings with regard to comfort breaksto support members and staff
Councillor Gardiner	- Local grants scheme
Councillor Younie	- Bus routes in the rural west area of Edinburgh – value for money and provision of services
Councillor O’Neill	- Transphobia in universities and colleges in Edinburgh
Councillor Arthur	- Commitment to climate change - funding
Councillor Campbell	- Governance issue in the Administration – transparency
Councillor Heap	- Warm Spaces – expansion of the scheme

5 Appointment to Committees Boards and Outside Organisations etc

Decision

- 1) To appoint Councillor Jenkinson to the Lothian Valuation Joint Board in place of Councillor Griffiths.
- 2) To appoint Councillor McNeese-Mechan to the Board of Imagine in place of Councillor Fullerton.

6 Appointment to Chief Officer Posts

Details were provided on the recommendations of the Recruitment Committee to appoint to the roles Executive Director of Corporate Services and Service Director, Housing and Homelessness.

Decision

- 1) To appoint Dr Deborah Smart as Executive Director, Corporate Services subject to satisfactory required pre-employment checks.
- 2) To appoint Derek McGowan as Service Director, Housing and Homelessness subject to satisfactory required pre-employment checks.

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

7 Review of Political Management Arrangements 2022

Details were provided on the options for the political management arrangements of the City of Edinburgh Council. All three models were variations of the traditional committee system and the next steps for associated governance documentation and business processes were provided.

Motion

Council:

- 1) Accepts option 1 as detailed in paragraphs 4.19 - 4.20.6 of the report by the Interim Executive Director of Corporate Services.
- 2) Adds a recommendation at 4.20.7 of the report to 'Transfer Fair Work to the new Policy and Sustainability Committee'
- 3) Adds a recommendation 4.20.8 to the report to 'Agree to rename the Policy and Sustainability Committee to the Climate Emergency, Policy and Sustainability Committee and to rename the Housing Homelessness and Fair Work Committee to the Housing, Homelessness and Poverty Prevention Committee'
- 4) Adds a recommendation 4.20.9 to the report to 'Agree to add Economy to the remit of the Finance and Resources Committee and rename to the Finance and Economy Committee.'

- 5) Adds a recommendation 4.20.10 to the report to 'Agree to rename the Transport and Environment Committee to the City Mobility and Neighbourhood Services Committee.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To agree to progress with the Political Management Arrangements in option 1 to come into force following Easter recess in 2023, however acknowledging the significant remit of the renamed "Transport and Neighbourhood Services", agrees that the committee cycles for this committee will be every 4 weeks (excluding public holidays), rather than 8 weeks as with other executive committees.
- 2) To agree to appoint one independent non-voting member to the Governance, Risk and Best Value Committee.
- 3) To agree to add an additional parent representative to the Education, Children and Families Committee
- 4) To note that associated governance documentation and best practice guidance will be submitted to Council in February 2023.

- moved by Councillor McVey, seconded by Councillor Aston

Amendment 2

- 1) To agree option 1 as detailed in 4.19-20 of the report by the Interim Executive Director of Corporate Services and in appendix one, with regard to the political management arrangements of the Council to come into force following Easter recess in 2023 but
 - retaining the current name of the Transport and Environment Committee.
 - retaining the scrutiny of EIJB services within the remit of Policy & Sustainability Committee.
- 2) Agrees:
 - a) to appoint a vice-convener of the Governance, Risk and Best Value Committee.
 - b) not to appoint independent non-voting member(s) (up to two members) to the Governance, Risk and Best Value Committee.

- 3) Agrees to add an additional parent representative to the Education, Children and Families Committee
- 4) To note that any changes in membership and frequency will be reflected in the governance documentation and approved in February 2023 for commencement following Easter recess in 2023.
- 5) To note that associated governance documentation and best practice guidance will be submitted to Council in February 2023.

- moved by Councillor Lang, seconded by Councillor Young

Amendment 3

Amends the recommendations in the report by the Interim Executive Director of Corporate Services in **bold/underline** as follows:

1.1.1 To agree **an amended version of Option 1 as detailed in the Appendix of this amendment (below)**, with regard to the political management arrangements of the Council to come into force following Easter recess in 2023.

1.2 Agrees to

1.2.1 **Not** appoint a Vice-Convenor to Governance, Risk and Best Value Committee from any political group

1.2.2 **Receive a further briefing and report for decision setting out in greater detail how independent non-voting members of Governance, Risk and Best Value committee would be appointed, what role description would be associated with the role, learning from other Local Authorities about whether the roles should be remunerated and further detail about the level of resourcing required to recruit / train members**

1.3 **Agrees to add** an additional parent representative to the Education, Children and Families Committee

Also adds in **bold/underline**:

1.5 Notes that associated governance documentation and best practice guidance will be submitted to Council in February 2023 **and agrees that a core purpose of this guidance should be to ensure that council practices are accessible to and inclusive of all elected members, and to end systemic discrimination in council practices and culture;**

- 1.6 Further notes and welcomes the intention that this work will involve engagement with all elected members and requests this engagement happens at the earliest opportunity, prior to February 2023;
- 1.7 Further notes that both the Tanner Report and the Best Value Audit Report highlighted the need for culture change within the City of Edinburgh Council, and recognises that the aforementioned best practice guidance forms part of a larger project to improve and embed a culture of inclusion and accessibility in the council, including work to remove barriers to elected office;
- 1.8 Therefore requests that the papers brought to February Full Council include an overview of all of the initiatives pertaining to equality, diversity, inclusion and culture change within CEC, their remits and how they interlink, and brings recommendations for a programme of future work to embed these principle.

Appendix: Option 1 with Green group amendments

Summary of Green group amendments to Option 1:

- At Policy & Sustainability Committee, recognise remit should be for “Sustainability, climate emergency and adaptation policy, strategy and governance” not “Sustainability and climate change, governance, policy and strategy”
- Adding Participatory Budgeting to Culture & Communities
- Health (not including EIJB services) moved to Education, Children & Families from Culture & Communities
- Renaming “Transport and Neighbourhood Services”, “Transport, Active Travel and Neighbourhood Services” committee
- Adding Active Travel explicitly to the remit of Transport, Active Travel and Neighbourhood
- TROs retained at Transport, Active Travel and Neighbourhood Services committee, not moved to Regulatory

Proposed Committee remits in full with changes **highlighted in bold/underline** below:

Committee	Remit
Policy & Sustainability	Council objectives Corporate policies including HR Best Value Sustainability, <u>climate emergency and</u>

	<p>adaptation policy, strategy and governance Equality and diversity Major economic policy and strategy and cross-cutting regeneration Oversight of City Region Deal</p>
Culture & Communities	<p>Community safety Cultural development, festivals and events Sport and Recreation Arts and Museums Libraries and Community Centres Parks and Green Spaces Community and Locality planning Community Councils Community empowerment Community asset transfers Police and Fire scrutiny 20 Minute neighbourhood Participatory budgeting</p>
Education, Children & Families	<p>Education, Children and Families services Lifelong Learning Major capital programmes or projects, asset planning and facilities management for Education, Children and Families services Health (not incl IJB services) Scrutiny of EIJB Council services Criminal and community justice</p>
Finance & Resources	<p>Council's revenue and capital budgets Council's expenditure and budget policy Monitoring the Council's Treasury Management policies and practices Council's long term financial plan Procurement and contracts Monitoring of Council debt and debt recovery Common Good Fund Human resources (not including policy) ICT Disposal and development of Council owned property and land transactions All charitable and other trust funds vested in the Council except where the Council has expressly made other arrangements</p>
Housing, Homelessness and Fair Work	<p>Housing Homelessness and housing support Employability and fair work Economic development projects and</p>

	<p>policies that are not reserved to the Policy and Sustainability Committee</p> <p>External relations and inward investment</p> <p>Inclusive growth</p>
<p>Transport, <u>Active Travel</u> and Neighbourhood Services</p>	<p>Strategic Transport Planning</p> <p>Traffic management, roads and parking</p> <p>Public transport</p> <p><u>Active travel</u></p> <p>Public Realm Projects</p> <p>Flood prevention</p> <p>Waste services</p> <p>Street cleaning and open space maintenance</p> <p><u>Traffic Regulation Orders (statutory process)</u></p>
<p>Planning</p>	<p>Exercise the functions of the Council as planning, building standards and statutory addressing authority</p> <p>Development frameworks including public realm for place making</p> <p>Strategic Infrastructure</p> <p>Non-statutory planning guidance</p> <p>Designate and review conservation areas</p> <p>Management plans for world heritage sites</p>
<p>Regulatory</p>	<p>Exercise the functions of the Council as Licensing authority under the Civic Government (Scotland) Act 1982</p> <p>Exercise the functions of the Council on all licensing functions which are not reserved to the Council, its officers or delegated to another Committee</p> <p>Road construction consent</p> <p>Table and chairs on footways</p> <p>Environmental health and trading standards</p>

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 4

Council:

- 1.1 Agrees option 2 as detailed in 4.21 -24 of the report by the Interim Executive Director of Corporate Services and in appendix one, but without the change to membership outlined in 4.29.1, with regard to the political management arrangements of the Council to come into force following Easter recess in 2023.

- 1.2 Notes that there has not been a skills audit of the current GRBV Committee and until this has been undertaken any skills gap amongst members is unknown; that consideration needs to be given as to whether any external members of the Committee would be remunerated and what costs this would involve or, alternatively, whether this role could be filled by expert advisers on specific subject areas.

Therefore agrees:

- a) in the first instance to complete the skills audit;
 - b) that prior to deciding on the need for external membership/advisers that a short report be brought forward in one cycle detailing what the estimated costs of a recruitment and appointment process would be for each and from which budget any costs would be met;
 - c) that any decision on whether there should be a Vice Convener of GRBV should be delayed until the report above has been prepared so that there is full information about the costs and interactions with the Committee's work before decisions are taken;
- 1.3 Agrees NOT to appoint an additional parent representative to the Education, Children and Families Committee;
- 1.4 Notes that any changes in membership and frequency of Committees will be reflected in the governance documentation and approved in February 2023 for commencement following Easter recess in 2023;
- 1.5 Notes that associated governance documentation and best practice guidance will be submitted to Council in February 2023

- moved by Councillor Mowat, seconded by Councillor Whyte

At this point in the meeting Councillor Lang withdrew his Amendment (Amendment 2)

In accordance with Standing Order 22(12), Amendments 1, 3 and 4 were adjusted and accepted as amendments to the motion.

In accordance with Standing Order 22(12), Amendments 2, 3 and 4 were adjusted and accepted as amendments to Amendment 1.

In accordance with Standing Order 22(12), Amendment 4 was adjusted and accepted as an amendment to Amendment 3.

Voting

First Vote

The voting was as follows:

For the Motion (as adjusted)	-	13 votes
For Amendment 1 (as adjusted)	-	31 votes
For Amendment 3 (as adjusted)	-	10 votes
For Amendment 4	-	8 votes

(For the Motion (as adjusted): Councillors Arthur, Cameron, Dalgleish, Day, Faccenda, Graham, Griffiths, Jenkinson, McKenzie, Meagher, Pogson, Walker and Watt.

For Amendment 1 (as adjusted): Lord Provost, Councillors Aston, Beal, Biagi, Caldwell, Campbell, Davidson, Dijkstra-Downie, Dixon, Dobbin, Flannery, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, McVey, Nicolson, Osler, Frank Ross, Neil Ross, Thornley, Work, Young and Younie.

For Amendment 3 (as adjusted): Councillors Bandel, Booth, Burgess, Heap, Miller, Mumford, O'Neill, Parker, Rae and Staniforth.

For Amendment 4: Councillors Bruce, Cowdy, Doggart, Mitchell, Mowat, Munro, Rust and Whyte.)

There being no overall majority, Amendment 4 fell and a second vote was taken between the Motion, Amendment 1 and Amendment 3.

Second Vote

The voting was as follows:

For the Motion (as adjusted)	-	13 votes
For Amendment 1 (as adjusted)	-	31 votes
For Amendment 3 (as adjusted)	-	10 votes
Abstentions	-	8

(For the Motion (as adjusted): Councillors Arthur, Cameron, Dalgleish, Day, Faccenda, Graham, Griffiths, Jenkinson, McKenzie, Meagher, Pogson, Walker and Watt.

For Amendment 1 (as adjusted): Lord Provost, Councillors Aston, Beal, Biagi, Caldwell, Campbell, Davidson, Dijkstra-Downie, Dixon, Dobbin, Flannery, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Lang, Macinnes, Mattos Coelho,

McFarlane, McNeese-Meechan, McVey, Nicolson, Osler, Frank Ross, Neil Ross, Thornley, Work, Young and Younie.

For Amendment 3 (as adjusted): Councillors Bandel, Booth, Burgess, Heap, Miller, Mumford, O'Neill, Parker, Rae and Staniforth.

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

Decision

To approve the following adjusted amendment by Councillor McVey:

- 1) To agree to progress with the Political Management Arrangements in option 1 in the report by the Interim Executive Director of Corporate Services to come into force following Easter recess in 2023, however acknowledging the significant remit of the renamed "Transport and Neighbourhood Services", agree that the committee cycles for this committee would be every 4 weeks (excluding public holidays), rather than 8 weeks as with other executive committees "but
 - retaining the current name of the Transport and Environment Committee.
 - retaining the scrutiny of EIJB services within the remit of Policy & Sustainability Committee.
- 2) To note that there had not been a skills audit of the current GRBV Committee and until this had been undertaken any skills gap amongst members was unknown; that consideration needed to be given as to whether any external members of the Committee would be remunerated and what costs this would involve or, alternatively, whether this role could be filled by expert advisers on specific subject areas.
- 3) To therefore agrees:
 - a) in the first instance to complete the skills audit;
 - b) that prior to deciding on the need for external membership/advisers that a short report be brought forward in one cycle detailing what the estimated costs of a recruitment and appointment process would be for each and from which budget any costs would be met;
 - c) that any decision on whether there should be a Vice Convener of GRBV should be delayed until the report above had been prepared so

that there was full information about the costs and interactions with the Committee's work before decisions were taken.

- 4) To agree to add an additional parent representative to the Education, Children and Families Committee.
- 5) To note that associated governance documentation and best practice guidance would be submitted to Council in February 2023 and agree that a core purpose of this guidance should be to ensure that council practices were accessible to and inclusive of all elected members, and to end systemic discrimination in council practices and culture.
- 6) To further note and welcome the intention that this work would involve engagement with all elected members and request this engagement happen at the earliest opportunity, prior to February 2023;
- 7) To further note that both the Tanner Report and the Best Value Audit Report highlighted the need for culture change within the City of Edinburgh Council, and recognised that the aforementioned best practice guidance formed part of a larger project to improve and embed a culture of inclusion and accessibility in the council, including work to remove barriers to elected office.
- 8) To therefore request that the papers brought to February Full Council include an overview of all of the initiatives pertaining to equality, diversity, inclusion and culture change within CEC, their remits and how they interlinked, and bring recommendations for a programme of future work to embed these principles remove barriers to elected office.

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

7 Council Business Plan 2023-23

(a) Deputation – Unite

The deputation expressed concern at the outline proposal for a future Council which was for “a smaller, leaner organisation with fewer, better building meeting service needs” as they felt that this could mean the loss of Council jobs and that if the Council wished to end poverty this could not be achieved. They also expressed concern at the proposal for opportunities for volunteer and community groups participation in green spaces management and maintenance which they saw as Council jobs being taken over under the guise of community involvement.

The deputation indicated that they would like to be involved in future workings of the business plan and also asked that mechanisms of informing unions and

the workforce of procurement exercises which could affect them be put in place.

b) Report by the Chief Executive

Details were provided on an updated Council Business Plan for agreement by Council which had been developed as an evolution of the existing Council Business Plan, updated to incorporate new cross party strategic objectives agreed by Council, alongside officer assessment of approaches needed to meet budgetary and other pressures facing the Council.

It was proposed that progress against delivery of this business plan would be considered through an annual report to committee, following approval of an updated Council Planning and Performance Framework in February 2023.

Motion

- 1) To note the work undertaken by officers to prepare an updated Council Business Plan aligned to existing Council commitments and the shared political priorities agreed by Council in June 2022.
- 2) To agree the Council Business Plan for 2023-27, subject to any amendments required following approval of the Council Budget in February 2023.
- 3) To agree to bring forward proposals to bring inhouse contracts which are delivered externally, currently amounting to approximately £600m. Proposals should consider best value and affordability.
- 4) To note the Council currently operates in a cycle of struggling to deliver essential services under the pressure of real term budget cuts from the Scottish and UK governments; and recognises there are opportunities to end this by harnessing and focusing on our local wealth through the application of community wealth building principles.
- 5) To note the Council's commitment to creating a more equal and diverse council and supporting the wider equalities agenda.
- 6) To agree to initiate a project to look closely at procurement spend, where that money goes, what local jobs are created and what benefits are delivered for our community, and to work with local anchor institutions such as the NHS and Universities to progress similar aims.
- 7) Furthermore, to request a report to the Finance and Resources Committee to look at how our communities can benefit financially in a more direct and substantial way from tourism and festival spend in Edinburgh.

- 8) To re-affirm our intention to work with RSL and other partners to meet the commitments outlined in the City Plan; and our ambition to deliver 25,000 council owned affordable homes by 2032.
- 9) To commit to an annual review of the Business Plan to reflect budget settlements and any additional revenue /powers that may impact on the plan and delivery (e.g. - TVL)

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) Thanks officers for their engagement and agrees that officers will amend the business plan according to the changes set out in points 2-4.
- 2) Agrees that the democratic decisions of Council budget setting are respected. These decisions are based on the available resources, priorities being set and decided by all Councillors in good faith and in accordance with different parties' priorities and nothing in the business plan will undermine these democratic principles or prejudice these decisions.
- 3) On Section 5 priorities:
 - a) Agrees the business plan's 3 strategic priorities for the Council and agrees that each of will have a named senior officer and senior councillor to take responsibility for the coordination and delivery of these broad outcomes.
 - b) Further agrees the need to make anti-poverty work consistent across the Council and with partners across the City and therefore aligns "Create good places and live and work" and "End poverty in Edinburgh" with the three priorities in the community plan 2018- 2028 to improve consistency of language and approach:
 - Enough money to live on
 - Access to work, learning and training opportunities
 - A good place to live
- 4) On Section 5 outcomes:
 - a) At Outcome 1:
 - Add "f: Ensure the needs of older people are met by creating a plan to tackle social isolation, food poverty and fuel poverty. This should include community planning at local level and through work with third

sector, our community centres and council services i.e. housing officers, social work and by strong partnership working with the NHS and H&SC partnership.”

Add “g: Ensure that the new National Care Service is shaped to meet the needs of our residents and deliver the very best care possible, replacing privately run for-profit services with publicly owned services running for the public good and ensuring that provision in Edinburgh promotes good health while addressing poor health”

Add “h: Increase publicly-owned provision of care homes, including new council owned facilities

Add “i: Address the pressures on our social care workforce by funding enhanced pay and conditions to incentivise those already working in social care to keep doing so and promote an improved focus on apprenticeships and career progression to encourage more people to choose it as a career”

b) At outcome 2:

Add at the end of a: “ensuring citywide approaches are inclusive, both digitally and for those with additional language and other barriers.”

Add “d: Set up an employment rights hub to support gig economy workers. Work with Trade Unions to provide additional support to gig economy workers through their hub and identify other support that could be provided through existing council structures.”

Add “e: Embed a consistent approach to diversity and inclusion by ensuring that proper analysis and monitoring is undertaken of any grants and contracts awarded to ensure organisations supporting disadvantaged and minority groups are able to access funding, with targets set to improve equality of funding. This will include ensuring that any funding panels include minority representation and people with lived experience.”

Add f: “Develop business cases for delivering council owned temporary accommodation on small council owned sites, which will provide better quality temporary accommodation with lower revenue costs to the Council and which can be turned into social housing when it is not needed as temporary accommodation in the future.”

c) At outcome 3:

Add “d: Shift allocation of resources for street cleaning and maintenance against SIMD information to properly account for the need to keep placemaking standards equally high across the City.”

d) At outcome 4:

Add “d: Work with NHS and Police services through co-location to improve access of services locally and improve health and community safety by making accessing services easier.”

Add “e: Ensure that equality impact assessments are included in all 20-minute neighbourhood projects which must include assessment of all barriers individuals face to ensure that accessibility is universal.

e) At outcome 5:

Amend a to read: “Increase supply of affordable housing, work with COSLA and the Scottish Government to increase funding for social housing delivery with a strategy to build 2,000 homes a year, double the build-rate of new Council houses and set an overarching 25,000 affordable target.”

Replace c with: “Deliver improvements to the council housing repairs service, increase tenant satisfaction, improve capital planning in line with data on repeat repairs relating to structural deficiencies in buildings, improve the complaints handling process, reduce void-properties and improve operational efficiency through increasing in-house repairs teams”

Replace d with “Continue to invest in ensuring that all Council owned homes will be brought up to EESH2 standards, with an investment plan that prioritises the homes where poor energy efficiency is impacting on tenants’ health and well-being, based on the stock condition survey and repairs data”

Add “e: Improving planning performance and a refresh of the Local Housing Strategy to expedite delivery of private sector housing, working with industry to tackle issues like labour supply and construction material shortages caused by Brexit and soaring inflation in the sector and for residents looking to buy and rent.”

Add “f: Aggressively pursue rent controls to keep rents fair for tenants and landlords while stripping out exploitations and improving affordability”.

f) At outcome 6:

Amend a to read: Deliver inclusive education that supports children to develop a love of learning and go on to positive destinations with priority given to understanding and reducing the attainment gap, prioritising actions to break down barriers among pupil cohorts, including those with ASN, and “decolonising” the curriculum.

Amends e to read: “Ensure that investment in our learning estate is targeted to areas of deprivation and areas of new demand due to city growth, delivering 4 new high schools, 8 new primaries, 9 new nurseries and a standalone Gaelic Medium Education secondary - all to passivhaus standards.”

g) At outcome 7:

Add at the end of a: “... prioritising actions to connect Edinburgh’s blue-green spaces, from the Forth to the Pentland Hills by safe active travel routes.”

Add “f: Establish an Accessibility Commission to examine how our whole transport, housing and planning systems can better meet the needs of disabled people.”

Add “g: Progress a Workplace Parking Levy and a Congestion Charge and lobby the Scottish Government to raise the limits on parking fines to further shift the incentive to public transport and active travel and increase funds for project delivery.”

Add “h: cutting road deaths and serious injuries to zero, and improving accessibility for all pedestrians, including disabled people, while reducing vehicle use throughout the city.”

h) At outcome 8:

Removes d, to be covered in new point 12 a

Add “e. Subject to future decisions by Pentland Hills Regional Park Joint Committee, provide support for Pentland Hills National Park application to Scottish Government”

i) At outcome 9

Add “f: Support emerging sectors, linking the strong career options they can deliver with schools to maximise home-grown opportunities.

j) At outcome 10:

Add “d: Expand publicly owned service provision by establishing a “Tayside Contracts” model council-owned company capable of delivering services currently outsourced and improving efficiency of some further Council services while retaining public ownership and the best working terms and conditions for staff.”

Add “e: Implement a Gender Budget Analysis to improve gender equality across council decisions and tackle structural inequalities.”

Add “f: Support sustainable and effective third sector delivery of key services by moving all funding to 3-year awards, including but not limited to rape crisis services, women’s aid centres, homelessness support services and community centres.”

Add “g: Recognises the importance of local revenue raising powers, especially as we enter a period of renewed commitment to austerity from the UK Government and commits to continuing to investigate all areas where additional funding could be raised locally to tackle inequality so that all residents can benefit from the wealth within the city.

5) Adds 2 further outcomes:

11. Equalities and Wellbeing:

- a) Work with management committees to strengthen community capacity around community centres and develop a best practice framework where learning from community centres that have been thriving can be shared with all management committees.
- b) Increase youth work capacity across the city.
- c) Tackle the root causes of antisocial behaviour with a joint strategy between the council, police and local community and a new Family and Household Support approach which takes a more proactive role, drawing on learning from tried and tested strategies in other towns and cities.
- d) Promote work to make Edinburgh more equal across characteristics by implementing the recommendations of the Edinburgh Slavery and Colonialism Legacy Group, creating a curator of slavery and empire for Edinburgh Museums and increasingly commemoration of women in the city.

12. Climate Justice

- a) “Develop a city-wide heat and energy masterplan including plans to expand renewable energy generation in the city with the aim of retrofitting at least 120,000 homes by 2030.
 - b) Create a dedicated and resourced climate emergency team to drive delivery across projects and service areas.
 - c) Expand the City’s blue/green neighbourhoods from the waterfront to the Pentland Hills, focusing on areas of SIMD 1-4 to improve local wellbeing of all communities.”
- 6) Agrees to postpone the approval of the delivery plan until March 2023, following the budget, to give officers the ability to put realistic measures on progress for the following financial year.

- moved by Councillor McVey, seconded by Councillor Campbell

Amendment 2

- 1) To note the work undertaken by officers to prepare an updated Council Business Plan aligned to existing Council commitments and the shared political priorities agreed by Council in June 2022, and
- 2) To agree the Council Business Plan for 2023-27, subject to any amendments required following approval of the Council Budget in February 2023 and subject to the following amendments
 - In 3c, delete “roads and pavements” and insert “roads, paths, pavements, gullies and street lighting”
 - In 5d, add at end “so all our tenants have a warm, safe and secure home”.
 - In 6a, after “inclusive”, insert “high quality”
 - In 7a, after “street design”, insert “road safety,”
 - After. 9c, insert -

“9d Work with Edinburgh Leisure and other partners to ensure inclusive access is maintained to sport, fitness and leisure activity across the city”.
 - Renumber current 9d and 9e accordingly.

- 3) Recognises that, following the election of the most politically balanced council in Edinburgh's history, it is impossible to have a business plan that is fully aligned to the views of any one political party.
- 4) Appreciates the genuine efforts of officers to engage with all political groups in developing a business plan which includes elements of different groups' priorities and notes how officers amended the draft plan following group feedback ahead of publication.
- 5) Recognises how the failure of the Scottish Government to properly fund the Council and the prospect of further damaging year-on-year cuts severely restricts what the council can deliver and means difficult choices must be made.

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

Amendment 3

Key: **Bold Underlined** clauses reflect additions, ~~red strikethrough~~ text reflects deletions.

Maintaining a democratic decision-making process:

- 1) Council understands the necessity for a medium-term financial plan, but further notes that the budget is set through an annual, democratic process and believes that to agree deliverables for the next 1-2 years runs the risk of undermining or setting up conflicts with this process.

1.1 Council therefore: deletes Appendix 1 and instructs officers to prepare a delivery plan following the agreement of the council budget in February, and annually thereafter.

1.2 Additionally, makes the following amendments to the report:

- a) Amend 4.6 to: To meet these three strategic priorities, the business plan **will** also identifies the specific outcomes, objectives, and actions that Council services will deliver during 2023-27. A full detailed analysis of these actions, including timescales for delivery during the budget year and indicative timescales thereafter, ~~is provided in Appendix 1 to the plan.~~ **shall be prepared by officers following the council budget process and approved by members at a subsequent meeting of the Full Council.**
- b) Delete 4.7 ~~(In doing so, the plan is explicitly aligned to the Council Budget and Medium Term Financial Plan. Indeed, it is proposed that the strategic priorities in this plan are used to~~

~~guide and inform resource allocation, including implementing service reductions in areas of lower impact and strategic priority, and exploring options to deliver all services differently.)~~

- c) Amend 4.10 to: Reflecting the overall pressure on resources and capacity, **it is recommended that** any further new initiatives proposed in the future, would need to be assessed for the specific impact they will have on the delivery of the outcomes detailed in the Business plan. If they are accepted by elected members as being both impactful and of greater relative importance than those actions/ initiatives already agreed in the plan, then the business plan deliverables would need to be reassessed and potentially rephased to accommodate the new workload and resourcing implications.
 - d) Amend 5.7 to: **It is recommended that** any new initiatives proposed in the future, would need to be assessed for the specific impact they will have on the delivery of the outcomes detailed in the Business Plan. If they are accepted by elected members as being both impactful and of greater relative importance than those actions/ initiatives already agreed in the plan, then the business plan deliverables would need to be reassessed and potentially rephased to accommodate the new workload and resourcing implications
 - e) Amend 6.3 to: Reflecting the overall pressure on resources and capacity, **it is recommended that** any further new initiatives proposed in the future, would need to be assessed for the specific impact they will have on the delivery of the outcomes detailed in the Business plan. If they are accepted by elected members as being both impactful and of greater relative importance than those actions/ initiatives already agreed in the plan, then the business plan deliverables would need to be reassessed and potentially rephased to accommodate the new workload and resourcing implications.
- 2) Amends 5.6 to add: **“This report should also include proposals for the strengthening of community/stakeholder impacts to reflect the guiding principles of climate and social justice, with particular reference to the use of Integrated Impact Assessments.”**
 - 3) Additionally: Instructs officers to provide further information on how new initiatives proposed in the future can be meaningfully assessed against the outcomes detailed in the business plan, as proposed in the clauses set out above.

A Business Plan which recognises the urgent need for climate and social justice

4) Council agrees to make the following amendments and additions to the report:

a) Insert at 4.4:

Council recognises that though the 3 core, strategic priorities of ending poverty, creating good places to live or work and becoming a Net Zero city by 2030 are laudable and should be represented as priorities in the Business Plan, these are unobtainable without tackling the dual crises of i) the climate and nature emergencies and ii) widening inequality, which sit above these.

Therefore, Council agrees that the guiding principles through which the Business Plan is delivered are climate justice and social justice, and that these principles should be represented throughout the Business Plan delivery, and as part of any performance management.

b) Amend 5.5 to read:

“Subject to its approval, it is proposed that progress towards delivery of this Business Plan will be reported to Council on an annual basis. Progress will be measured across **four** perspectives:

5.5.1: How our commitment to the guiding principles of climate justice and social justice is being embedded in the Council’s approach.

And renumber accordingly

5) Instructs officers to edit “Delivering the Council Business Plan A proposed approach to performance monitoring” at page 182 to reflect the guiding principles of climate justice and social justice.

6) Council agrees to make the following amendments and additions to the Business Plan:

a) Amend Introduction, Paragraph 10 to read:

Throughout all of this, we recognise the dual crises of the climate and nature emergencies, and widening equality must underpin all our efforts. Our guiding principles for Edinburgh Council, therefore, are climate justice and social justice; principles which must be reflected in all of the decisions we make as elected members over the next five years.

With this lens in mind, this Council Business Plan sets out three **strategic** priorities

- We will concentrate our efforts on creating good places to live and work across Edinburgh,
- We will take the local actions needed to end poverty in this city,
- We will work to deliver a net zero city by 2030

b) Amend “2. Our Future Council”, Paragraph 11 to read:

This all means that the future council ~~will~~ **may** need to work from fewer, but better local buildings.

Change:

~~A smaller, leaner organisation with fewer, better buildings meeting service needs~~

To

A more efficient organisation with the right buildings in the right places to meet service needs.

c) Amend “5. Our priorities for 2023 to 2027” final paragraph to read:

~~In doing so, these priorities represent a single programme of work to drive climate justice in Edinburgh. The actions set out here represent the infrastructure, cultural and behaviour changes needed to become a net zero city, alongside the economic and social changes needed to make sure that transition~~

In order to be successful, these priorities must be delivered through the lens of climate and social justice. The actions set out here represent some of the infrastructure, cultural and behaviour changes needed to become a net zero city by 2030, end poverty in Edinburgh, and create good places to live and work, but we recognise that they require significant investment and commitment to make the change we know is needed.

d) Amend the diagram on Page 13 to reflect the two guiding principles of climate and social justice.

e) Add two additional priorities at positions 1 and 2:

- **Edinburgh recognises that we are in a climate and nature emergency and becomes a city of climate justice**

- Invest in council skills and capacity to deliver the 2030 Climate Strategy, including expertise in transitioning to low carbon energy
- Adequately resource activity to meet forthcoming statutory requirements from the Scottish Biodiversity Strategy including development of a Nature Network and progress towards achieving the 30x30 target to protect Edinburgh’s natural habitats and biodiversity
- Help people in Edinburgh to measure and reduce their climate impact through circular economy initiatives, just transition employability programmes, and supporting community climate action
- People in Edinburgh are happier, more equal, and free from discrimination
 - Create and implement a wellbeing economic strategy for Edinburgh, and invest in community wealth building and participatory budgeting initiatives
 - Remove barriers to disabled people participating fully in public life through an accessibility commission to examine how our transport, housing and planning systems and wider culture can better meet the needs of disabled people.
 - Implement the recommendations of Edinburgh’s Gig Economy Taskforce including setting up an employment rights hub to support gig economy workers,
 - Close the council’s gender pay gap and set targets for the council’s diversity pay gaps to be closed, benefiting council workers and setting a positive example to employers in Edinburgh which need to narrow and close their pay gaps
 - Improve our Integrated Impact Assessment processes to ensure we are understanding the equality impacts of the decisions the Council takes

f) Amend priority 10 (now 12) to read:

~~We have the capacity, skills, and resources to deliver our priorities efficiently, effectively and at lower cost – we will:~~

We have the capacity, skills, and resources to deliver our priorities effectively and make long-term, sustainable financial decisions primarily to progress our guiding principles of climate and social justice:

- a. Modernise ~~and streamline~~ the Council’s core business processes to deliver better outcomes for citizens, and a more secure and efficient organisation
 - b. Support and equip the Council workforce with the skills and enabling culture needed to deliver safely these Council Business Plan priorities and our wider statutory duties
 - c. **Ensure that spending decisions are focused on the long-term achievability of our priorities including understanding of the costs of inaction, and seek alternative solutions before removing services**
 - d. **Use our voice to lobby national governments in Scotland and the UK for funding which will enable us to fulfil our duty of care to people and the planet.**
- g) Insert to all priorities:
- “We will be mindful of the climate justice and social justice impacts of everything we do to progress this priority”**
- h) After Paragraph 6 in “our Finances”:
- “Within this context we, recognise that failure to invest in climate emergency mitigation measures, and in the wellbeing of Edinburgh’s residents now will only lead to greater costs in future. Both in terms of the devastating impacts of climate change and injustice, but in financial costs too – prevention is better than cure and we simply cannot afford to keep tackling these problems as they emerge rather than at the root. This requires a long-term financial analysis to ensure that Edinburgh Council’s spending decisions reflect best value for money and the best outcomes for Edinburgh and its people.”**
- i) Amend "The Medium Term Financial Plan" (Page 16), to read:
- Organisational Efficiency - Improving our use of technology will be a key enabler to drive organisational efficiency, while refresh of our core business systems is also critical to making sure we can meet our responsibilities in key services such as social care and our wider workforce. This workstream will ensure we use technology more effectively, moving more services on-line, simplifying and automating business processes, embedding new, post-covid ways of working and delivering the Organisational Reform priorities set out in this Business Plan. **Throughout this, our priority will be in making our**

organisation better for staff, workers, service users and residents, and decisions will be made with these priorities in mind.

- Service Design and External Spend - This workstream will focus on improving contract management, seeking efficiencies across a range of spend categories and identifying different ways of designing and delivering services.
- ~~Delivery Optimisation – Making services more accessible to residents, but delivered through fewer, better buildings is a key priority of this Business Plan. This workstream will seek to rationalise the Council's property holdings, alongside creating opportunities to ensure citizens can access a wider range of services from within high quality multi-purpose settings.~~
- **Delivery Optimisation - Making services more accessible to residents is a key priority of this Business Plan. This may involve making changes to the Council's property holdings, alongside creating opportunities to ensure citizens can access a wider range of services from within high quality multi-purpose settings. This workstream will consider options around the Council's buildings, with the guiding principle being that people should be able to access good quality, local services when and where they need them, and in the way which works best for them.**
- Prevention and Partnership Working - This workstream will focus on designing and rolling out new ways of working that help prevent and mitigate the harm and costs associated with poverty, homelessness, and family crisis through more efficient partnership working across Council services, other public bodies, and community organisations.

j) Amend “8. Managing performance”:

After “These performance indicators and milestones are reviewed on an annual basis to ensure they remain the most appropriate for monitoring performance.” insert: **“We recognise that in order to measure progress to long-term goals of climate and social justice may require new and innovative approaches to performance review and we are committed to following international best practise and learning from others to ensure that we are able to effectively measure how our commitment to the guiding principles of climate justice and social justice is being embedded in the Council's approach.”**

- moved by Councillor Mumford, seconded by Councillor Parker

Amendment 4

Council:

- 1) Notes the work undertaken by officers to prepare an updated Council Business Plan aligned to existing Council commitments and the shared political priorities agreed by Council in June 2022.
- 2) Notes that not all the wider Council Strategies referenced are deliverable through the Business Plan either because they involve longer term change, are unfunded or do not yet have a practical delivery pathway (e.g. the City Mobility Plan, City Centre Transformation Plan and Edinburgh Climate strategy 2030).
- 3) Notes that some of the Outcomes and associated Actions for Delivery cannot be achieved, or even begun, without considerable additional financial and other support from the Scottish Government (e.g. the action to deliver 25,000 new affordable homes, actions to make Council Homes “Climate-ready” and the decarbonisation of the public transport network and any further extension of the tram network).
- 4) Recognises that while overall aims have inherent value not all political groups have supported the way they are framed or take the same view as to how they might best be achieved. For instance, the Conservative Group would wish to see even greater emphasis on providing excellent core services to the people of Edinburgh as part of the three strategic priorities.
- 5) Further recognises that not all the strategies or actions approved by the Council have universal support across political groups either in part or their entirety. For instance, the Conservative Group does not support the entirety of the City Mobility Plan, the proposal for a Transient Visitor Levy (Tourist Tax) or the overly onerous nature of the Short Term Let licensing scheme.
- 6) Recognises that, in order to create a collaborative Council, all political groups must acknowledge issues where there is a majority in favour within the Council regardless of their own principled position. The Conservative Group therefore records its willingness to work with others on an overall agreed Business Plan while expressing any necessary opposition to individual items as these come before Committee or Council for decision.
- 7) Therefore, agrees that the ten Outcomes and the associated Actions for Delivery represent a good starting point to provide a focussed Council delivery programme that can help prioritise budget decision making and is broadly in line with several political priorities shared across the Council.

8) Further agrees that the Outcomes and Actions should be enhanced to ensure that:

- a) the actions at 2. “People can access fair work and the support they need to prevent and stay out of poverty” are enhanced 2c to help clients into work by enhancing attempts to match them with business leaders and employers with vacancies for Fair Work in addition to the Edinburgh Guarantee and to help meet recruitment needs in critical sectors such as for social care.
- b) the actions at item 3. “Edinburgh is a cleaner, better maintained city that we can all be proud of” are prioritised so that the required revenue and capital funding necessary are available, within the lifetime of the Business Plan, to provide:
 - a. a programme of cleansing service improvements,
 - b. full restoration of the assets in our Parks and Greenspaces (Priority 01-04), and
 - c. the Implementation of a longer-term investment plan for the City’s Roads and Pavements.

These as described in the report or as in previous reports to Council Committees.

- c) the actions at item 6. “Attainment, achievement and positive destinations are improved for all with a particular focus on those in poverty” are improved to include additional actions to:
 - f. Raise attainment, particularly in numeracy and literacy in primary schools, and reduce educational inequity for all children and young people to ensure that all children irrespective of social background achieve their full potential;
 - g. ensure that a greater proportion of children reach the expected Curriculum for Excellence levels of attainment for numeracy and literacy at key stages;
 - h. ensure that a research-informed approach, aligning with the criteria articulated in the GTCS Standards is embedded across the curriculum

9) With these changes included, agrees the Council Business Plan for 2023-27, subject to any amendments required following approval of the Council Budget in February 2023.

- moved by Councillor Whyte, seconded by Councillor Doggart

In accordance with Standing Order 22(12), Amendment 2 was accepted as an addendum to the Motion and Amendment 3 and 4 were adjusted and accepted as amendments to the Motion.

In accordance with Standing Order 22(12), Amendments 1 2 and 4 were adjusted and accepted as addendums to Amendment 3.

Voting

The voting was as follows:

For the Motion (as adjusted) - 34 votes
For Amendment 3 (as adjusted) - 29 votes

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

For Amendment 3 (as adjusted): Councillors Aston, Bandel, Biagi, Booth, Burgess, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Heap, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, McVey, Miller, Mumford, Nicolson, O'Neill, Parker, Rae, Frank Ross, Staniforth and Work.)

Decision

- 1) To note the work undertaken by officers to prepare an updated Council Business Plan aligned to existing Council commitments and the shared political priorities agreed by Council in June 2022.
- 2) To agree the Council Business Plan for 2023-27, subject to any amendments required following approval of the Council Budget in February 2023 and subject to the following amendments:
 - In 3c, delete “roads and pavements” and insert “roads, paths, pavements, gullies and street lighting”
 - In 5d, add at end “so all our tenants have a warm, safe and secure home”.
 - In 6a, after “inclusive”, insert “high quality”
 - In 7a, after “street design”, insert “road safety,”

- After. 9c, insert -

“9d Work with Edinburgh Leisure and other partners to ensure inclusive access is maintained to sport, fitness and leisure activity across the city”.

- Renumber current 9d and 9e accordingly.

- Amend Introduction, Paragraph 10 to read:

Throughout all of this, we recognise the dual crises of the climate and nature emergencies, and widening equality must underpin all our efforts. Our guiding principles for Edinburgh Council, therefore, are climate justice and social justice; principles which must be reflected in all of the decisions we make as elected members over the next five years

With this lens in mind, this Council Business Plan sets out three strategic priorities

- We will concentrate our efforts on creating good places to live and work across Edinburgh,
- We will take the local actions needed to end poverty in this city,
- We will work to deliver a net zero city by 2030

- Amend “2. Our Future Council”, Paragraph 11 to read:

This all means that the future council may need to work from fewer, but better local buildings.

Change “A smaller, leaner organisation with fewer, better buildings meeting service needs” to:

“A more efficient organisation with the right buildings in the right places to meet service needs.”

- Amend “5. Our priorities for 2023 to 2027” final paragraph to read:

In order to be successful, these priorities must be delivered through the lens of climate and social justice. The actions set out here represent some of the infrastructure, cultural and behaviour changes needed to become a net zero city by 2030, end poverty in Edinburgh, and create good places to live and work, but we recognise that they require significant investment and commitment to make the change we know is needed.

To further agree that the Outcomes and Actions should be enhanced to ensure that:

- a) the actions at 2. “People can access fair work and the support they need to prevent and stay out of poverty” are enhanced 2c to help clients into work by enhancing attempts to match them with business leaders and employers with vacancies for Fair Work in addition to the Edinburgh Guarantee and to help meet recruitment needs in critical sectors such as for social care;
- b) the actions at item 3. “Edinburgh is a cleaner, better maintained city that we can all be proud of” are prioritised so that the required revenue and capital funding necessary are available, within the lifetime of the Business Plan, to provide:
 - a. a programme of cleansing service improvements,
 - b. full restoration of the assets in our Parks and Greenspaces (Priority 01-04), and
 - c. the Implementation of a longer-term investment plan for the City’s Roads and Pavements.

These as described in the report or as in previous reports to Council Committees.

- c) the actions at item 6. “Attainment, achievement and positive destinations are improved for all with a particular focus on those in poverty” are improved to include additional actions to:
 - f. Raise attainment, particularly in numeracy and literacy in primary schools, and reduce educational inequity for all children and young people to ensure that all children irrespective of social background achieve their full potential;
 - g. ensure that a greater proportion of children reach the expected Curriculum for Excellence levels of attainment for numeracy and literacy at key stages;
 - h. ensure that a research-informed approach, aligning with the criteria articulated in the GTCS Standards is embedded across the curriculum
- 3) To agree to bring forward proposals to bring inhouse contracts which were delivered externally, currently amounting to approximately £600m. Proposals should consider best value and affordability.

- 4) To note the Council currently operated in a cycle of struggling to deliver essential services under the pressure of real term budget cuts from the Scottish and UK governments; and recognise there were opportunities to end this by harnessing and focusing on our local wealth through the application of community wealth building principles.
- 5) To note the Council's commitment to creating a more equal and diverse council and supporting the wider equalities agenda.
- 6) To agree to initiate a project to look closely at procurement spend, where that money goes, what local jobs were created and what benefits were delivered for our community, and to work with local anchor institutions such as the NHS and Universities to progress similar aims.
- 7) Furthermore, to request a report to the Finance and Resources Committee to look at how our communities could benefit financially in a more direct and substantial way from tourism and festival spend in Edinburgh.
- 8) To re-affirm the Council's intention to work with RSL and other partners to meet the commitments outlined in the City Plan; and our ambition to deliver 25,000 council owned affordable homes by 2032.
- 9) To commit to an annual review of the Business Plan to reflect budget settlements and any additional revenue /powers that may impact on the plan and delivery (e.g. - TVL)
- 10) To recognise that, following the election of the most politically balanced council in Edinburgh's history, it was impossible to have a business plan that was fully aligned to the views of any one political party.
- 11) To appreciate the genuine efforts of officers to engage with all political groups in developing a business plan which included elements of different groups' priorities and note how officers amended the draft plan following group feedback ahead of publication.
- 12) To recognise how the failure of the Scottish Government to properly fund the Council and the prospect of further damaging year-on-year cuts severely restricted what the council could deliver and meant difficult choices must be made.
- 13) To note that not all the wider Council Strategies referenced were deliverable through the Business Plan either because they involved longer term change, were unfunded or did not yet have a practical delivery pathway (e.g. the City Mobility Plan, City Centre Transformation Plan and Edinburgh Climate strategy 2030).

- 14) To note that some of the Outcomes and associated Actions for Delivery could not be achieved, or even begun, without considerable additional financial and other support from the Scottish Government (e.g. the action to deliver 25,000 new affordable homes, actions to make Council Homes “Climate-ready” and the decarbonisation of the public transport network and any further extension of the tram network).
- 15) To recognise that while overall aims had inherent value not all political groups had supported the way they were framed or took the same view as to how they might best be achieved. For instance, the Conservative Group would wish to see even greater emphasis on providing excellent core services to the people of Edinburgh as part of the three strategic priorities.
- 16) To further recognise that not all the strategies or actions approved by the Council had universal support across political groups either in part or their entirety. For instance, the Conservative Group did not support the entirety of the City Mobility Plan, the proposal for a Transient Visitor Levy (Tourist Tax) or the overly onerous nature of the Short Term Let licensing scheme.
- 17) To recognise that, in order to create a collaborative Council, all political groups must acknowledge issues where there was a majority in favour within the Council regardless of their own principled position. The Conservative Group therefore recorded its willingness to work with others on an overall agreed Business Plan while expressing any necessary opposition to individual items as these came before Committee or Council for decision.
- 18) To therefore, agree that the ten Outcomes and the associated Actions for Delivery represented a good starting point to provide a focussed Council delivery programme that could help prioritise budget decision making and was broadly in line with several political priorities shared across the Council.

(Reference – report by the Chief Executive, submitted)

8 Response to Motion by Councillor Mumford – Operation Unicorn

In response to a motion by Councillor Mumford, details were provided on the full costs of Operation Unicorn to the Council, including but not limited to officer time, costs associated with queuing and crowd management including sanitisation, policing and security and details of overspend for Operation Unicorn, including costs incurred due to unplanned elements of Operation Unicorn.

Motion

To note the information provided in response to part 4 (paragraph 3.1.4 in the report by the Executive Director of Place) of the adjusted motion by Councillor Mumford, which was approved by the Council on 27 October 2022, on Operation Unicorn.

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

Amendment

- 1) To note the information provided in response to part 4 (paragraph 3.1.4 in the report by the Executive Director of Place) of the adjusted motion by Councillor Mumford, which was approved by the Council on 27 October 2022, on Operation Unicorn.
- 2) To agree that the outcome of the claim for the costs incurred should be communicated via a members' briefing.

- moved by Councillor Lang seconded by Councillor Beal

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 note the information provided in response to part 4 (paragraph 3.1.4 in the report by the Executive Director of Place) of the adjusted motion by Councillor Mumford, which was approved by the Council on 27 October 2022, on Operation Unicorn.
- 2) To agree that the outcome of the claim for the costs incurred should be communicated via a members' briefing.

(Reference – Act of Council No 4 of 27 October 2022; report by the Executive Director of Place, submitted)

Declaration of Interests

Councillor Whyte declared a non-financial interest as Chair of the March Riding Association.

9 Support for Roseburn Businesses

(a) Deputation – Roseburn Traders

The deputation indicated its concern that mistakes which the Council had made during recent work in the area should be rectified and stressed that there had been no signage for alternative parking in the area during the works. They indicated that since the work had begun, trading in the area had decreased by 50% - 70% and felt that the length of time that work was taking to be completed was having incredibly detrimental impact on businesses.

The deputation stressed that this was an opportunity for the Council to show support for small businesses in the area.

b) Deputation – Murrayfield Community Council

The deputation indicated that Roseburn Terrace was unique in being an arterial route which was also a shopping street and as part of a cross-city route, assistance would also be needed for the transition to be incorporated as part of the city cycle route. They urged the Council not to deny the traders in Roseburn Terrace the help they required.

c) Report by the Executive Director of Place

Following on from consideration of a report by the Finance and Resources Committee, details were provided on the criteria appropriate for a consideration of a business support scheme for a discretionary transport project along with fuller costings and an assessment of whether this might apply to the CCWEL project.

A proposed discretionary business support scheme for Roseburn Terrace including the resource required; the budgetary implications; and how it could potentially be funded was set out together with information on how any discretionary business support for future infrastructure projects could be assessed; the resource required; the budgetary implications; and how it could be funded moving forward.

Motion

To note the report by the Executive Director of Place.

- moved by Councillor Arthur, seconded by Councillor Watt

Amendment 1

- 1) To note the report by the Executive Director of Place.
- 2) Acknowledges that the Trams to Newhaven project had many factors which makes it a unique set of circumstances - including its duration, the scale of works involved, and the history of the works. However also notes that the business support elements of the project have contributed to the discussion about support for other businesses affected by significant projects elsewhere in the city.
- 3) Notes that the motion to Council on 22 September 2022 agreed that ‘the report will establish the principles by which all potential future schemes to compensate businesses for disruption from infrastructure projects could operate’ but that the report states the opinion that it is ‘not feasible to draft a “one size fits all” business support scheme for all Council projects’.
- 4) Notes that at 4.8.3 there is a residual amount of £257,000 from the Scottish Government’s Discretionary Business Support Fund and agrees that this sum is used to provide support to the affected businesses at Roseburn which have evidenced that they are at imminent risk of failure, in line with the criteria used in relation to the Trams to Newhaven project, and that the remainder of this sum is then assigned to supporting businesses affected by future infrastructure projects.
- 5) Agrees that as well as the criteria set out in 4.5.1 (with the addition of Murrayfield Place” at the first bullet point), requirements for judging whether future infrastructure projects will trigger support for businesses at imminent risk of failure will include:
 - The project to be policy-driven and not to be the result of statutory requirements or routine or emergency footway, cycleway, tramway or carriageway maintenance
 - A minimum disruption period of 24 monthsAnd will exclude projects where the principal focus is improvement of public realm.
- 6) Further agrees that the overall business support package will not exceed 0.3% of the overall budget of each project and that only businesses which have evidenced imminent risk of failure will be eligible for payment of support, in addition to the criteria set out at 4.5.

- moved by Councillor Frank Ross, seconded by Councillor Hyslop

Amendment 2

- 1) To note the report by the Executive Director of Place.
- 2) Council recognises that:
 - a) that works on Roseburn Terrace, and Murrayfield Place have taken eleven months to complete. This includes delays in the first phase of works due to the discovery of asbestos.
 - b) that this work began in the immediate aftermath of a series of lockdowns due to the Covid pandemic. These lockdowns had a particularly severe impact on small businesses.
 - c) that a request by ward councillors and traders that the work continue as one block through the summer period, providing a clear period in the run up to the festive season, to encourage economic activity in the area was declined.
 - d) that some of the promised business support measures such as signage for loading bays took over six months to implement, undermining their effectiveness.
 - e) Roseburn Terrace is a particularly narrow street with works on one side of the road impacting access to both sides.
- 3) Therefore, Council affirms that several factors mean that the situation on Roseburn Terrace and Murrayfield Place has had a particularly negative impact which merits economic development funding.
- 4) In light of the above Council chooses to adopt the criteria set out in 4.5 and 4.6 of the report and utilises some of the funding detailed in 4.8.3 “Edinburgh Discretionary Business Support Fund” to support an economic development fund for Roseburn Businesses.
- 5) Council resolves that the implementation of future large scale infrastructure schemes will learn from the experiences of the delivery of the CCWEL (City Centre West to East Link) works to ensure that support and communication with small businesses is improved.

- moved by Councillor Davidson, seconded by Councillor Beal

Amendment 3

- 1) To note the report by the Executive Director of Place.
- 2) Notes positive financial effects, such as increases in the 'pedestrian pound', which are realised by active travel projects, and notes the stakeholder engagement during the lead in period to the CCWEL works during which stakeholders could plan for the changes being delivered.
- 3) Notes the significant legal and financial implications that might follow from introducing a discretionary support scheme for Roseburn businesses as outlined in the report.
- 4) Agrees that no discretionary support scheme should be set up for businesses as part of the CCWEL works.
- 5) Notes the Council's existing position that there is no legal entitlement to business support for transport infrastructure projects and that disruption mitigations should continue on a project-by-project basis.
- 6) Therefore agrees that no discretionary business support scheme should be set up as standard for future Council funded transport infrastructure projects.

- moved by Councillor Parker, seconded by Councillor Miller

Amendment 4

Council recognises and regrets that a major Council infrastructure project has resulted in a group of independent businesses receiving limited support for hardship occurring as a result of the works yet the affected traders in Roseburn have received little tangible support in recognition of the disruption caused by the work on CCWEL. Given that, and only because, the works have been ongoing at the same time Council considers this inequity should be addressed by creating a similar hardship fund for the traders in Roseburn and elsewhere on the CCWEL route with the following criteria:

Businesses must be:

- 1) Situated on or directly adjacent to the route and directly affected by works;
- 2) Operational for 12 months prior to the start date for construction at this location;
- 3) Affected by works within 10 metres of their door, for at least three months;
- 4) Derive the majority of their revenue from customer footfall; and

- 5) Independent retailers, with a maximum of four branches.
- 6) Information detailed at paragraph 4.5.2 at the report is required to claim a hardship payment.

Funding for the payment of these hardship payments to come from Edinburgh Discretionary Business Support Fund.

Council further instructs the Executive Director of Place to report to the Finance & Resources Committee within three cycles providing options for potential compensation schemes for small businesses affected by future Council infrastructure projects. Such a report should include a framework for a scheme that would ONLY make compensatory payments where the Council fails to complete the project on time.

- moved by Councillor Munro, seconded by Council Doggart.

At this point in the meeting the following composite motion was submitted by the Liberal Democrat and Conservative Groups in place of their Amendments 2 and 4:

Composite Amendment by the Liberal Democrat and Conservative Groups

- 1) To note the report by the Executive Director of Place.
- 2) Council recognises that:
 - a) that works on Roseburn Terrace, and Murrayfield Place have taken eleven months to complete. This includes delays in the first phase of works due to the discovery of asbestos.
 - b) that this work began in the immediate aftermath of a series of lockdowns due to the Covid pandemic. These lockdowns had a particularly severe impact on small businesses.
- 3) Therefore, Council affirms that several factors mean that the situation on Roseburn Terrace and Murrayfield Place has had a particularly negative impact which merits economic development funding for effected independent traders and businesses.
- 4) In light of the above Council chooses to adopt the following criteria for a discretionary support scheme for the CCWEL project:
 - a) Situated on or directly adjacent to the route and directly affected by works;
 - b) Operational for 12 months prior to the start date for construction at this location;

- c) Affected by works within 10 metres of their door, for at least three months;
 - d) Derive the majority of their revenue from customer footfall; and 5. Independent retailers, with a maximum of four branches. 6. Information detailed at paragraph.
- 5) Funding for the payment of these hardship payments to come from Edinburgh Discretionary Business Support Fund.
- 6) Council resolves that the implementation of future large scale infrastructure schemes will learn from the experiences of the delivery of the CCWEL (City Centre West to East Link) works to ensure that support and communication with small businesses is improved.
- 7) Council further instructs the Executive Director of Place to report to the Finance and Resources Committee within three cycles providing options for potential compensation schemes for small businesses affected by future Council infrastructure projects. Such a report should include a framework for a scheme that would ONLY make compensatory payments where the Council fails to complete the project on time.

In accordance with Standing Order 22(12), Amendment 3 was accepted as an addendum to the Motion.

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

Voting

Vote 1

The voting was as follows:

For the Motion (as adjusted)	-	23 votes
For Amendment 1	-	19 votes
For the Composite Amendment (as adjusted)	-	21 votes

(For the Motion (as adjusted): Councillors Arthur, Bandel, Booth, Burgess, Cameron, Dalgleish, Day, Faccenda, Graham, Griffiths, Heap, Jenkinson, McKenzie, Meagher, Miller, Mumford, O'Neill, Parker, Pogson, Rae, Staniforth, Walker and Watt.

For Amendment 1: Councillors Aston, Biagi, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, McVey, Nicolson, Frank Ross and Work.

For the Composite Amendment (as adjusted): Lord Provost, Councillors Beal, Bruce, Caldwell, Cowdy, Davidson, Dijkstra-Downie, Doggart, Flannery, Jones, Lang, Mitchell, Mowat, Osler, Neil Ross, Rust, Thornley, Whyte, Young and Younie.)

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

Vote 2

The voting was as follows:

For the Motion (as adjusted)	-	23 votes
For the Composite Amendment (as adjusted)	-	21 votes
Abstentions	-	19

(For the Motion (as adjusted): Councillors Arthur, Bandel, Booth, Burgess, Cameron, Dalgleish, Day, Faccenda, Graham, Griffiths, Heap, Jenkinson, McKenzie, Meagher, Miller, Mumford, O'Neill, Parker, Pogson, Rae, Staniforth, Walker and Watt.

For the Composite Amendment (as adjusted): Lord Provost, Councillors Beal, Bruce, Caldwell, Cowdy, Davidson, Dijkstra-Downie, Doggart, Flannery, Jones, Lang, Mitchell, Mowat, Osler, Neil Ross, Rust, Thornley, Whyte, Young and Younie.

Abstentions: Councillors Aston, Biagi, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, McVey, Nicolson, Frank Ross and Work.)

Decision

To approve the following adjusted motion by Councillor Arthur:

- 1) To note the report by the Executive Director of Place.
- 2) To note positive financial effects, such as increases in the 'pedestrian pound', which were realised by active travel projects, and note the stakeholder engagement during the lead in period to the CCWEL works during which stakeholders could plan for the changes being delivered.
- 3) To note the significant legal and financial implications that might follow from introducing a discretionary support scheme for Roseburn businesses as outlined in the report.
- 4) To agree that no discretionary support scheme should be set up for businesses as part of the CCWEL works.

- 5) To note the Council's existing position that there was no legal entitlement to business support for transport infrastructure projects and that disruption mitigations should continue on a project-by-project basis.
- 6) To therefore agree that no discretionary business support scheme should be set up as standard for future Council funded transport infrastructure projects.

(References – Act of Council No 3 of 22 September 2022; Finance and Resources Committee, 10 November 2022 (item 1); report by the Executive Director of Place, submitted.)

10 Forth Green Freeport

(a) Deputation – Unite

The deputation welcomed the move towards decarbonisation that the proposals brought and the diversification of the industrial sectors in Edinburgh's economy. They expressed concern however at the freeport model and how this would be used particularly with regard to deregulation and the impact of health and safety of workers within freeport sites, issues around the loss of national tax revenue, the difference this will make to the model of local government funding, the rights of workers within freeports and the different models of freeports.

The deputation also wanted to ensure that there was full transparency in the operation of freeports. They asked the Council to follow Dumfries and Galloway's example and exclude DP World from any freeport bid.

(b) Report by the Executive Director of Place

Support was sought from the Council for the it's participation in the Forth Green Freeport (FGFP) bid and details of the next steps to be taken, should the bid be successful were outlined.

Motion

- 1) To support the Forth Green Freeport (FGFP) bid.
- 2) In the event that the bid is successful:
 - a) To note that Falkirk Council would act as the Accountable Body for the disbursement of development funding, within the constraints of the bid parameters;
 - b) To agree that officers would continue engagement with Falkirk and Fife Councils, as well as private sector partners, to develop the Outline

Business Case (OBC) and Full Business Case (FBC), including formal arrangements for the Council's role in the FGFP governance structure;

- c) To agree that the Service Director, Sustainable Development would represent the City of Edinburgh Council on the Interim Board;
 - d) To agree that an elected member sounding board, with cross-party representation, should be established for ongoing liaison during the preparation of the OBC/FBC; and
 - e) To note that summary reports of the OBC and FBC would be submitted to Policy and Sustainability Committee for approval prior to submission to UK and Scottish Governments.
- 3) To recognise the Green Freeport bids are intended to deliver a net-zero economy and a "Fair Work First" approach, while supporting innovation, trade and inclusive growth.
- 4) To agree that the Council leader should confirm the City of Edinburgh Council's position to Forth Ports, Scottish and UK Governments, and that this should include:
- Confirmation that any bid must commit to the fair work ambitions
 - Confirmation that employers will support a unionised workforce and access to unions on site and consider Trade Union representation on relevant structure.
 - Support for a wide community benefits programme where a share of profits returned to city objectives/priorities.
 - Plans to deliver quality jobs, apprenticeships, and training opportunities
 - Any Green Freeport development being required to provide to the Council or a nominated RSL, the same percentage of land for affordable housing as would be expected for a residential development based on current planning policy.
 - Requests of Forth Ports to work with the Council to look at allocating some land for much needed local housing.
 - Green Freeports must adhere to UK health and safety, and environmental protection legislation.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) Council declines to support the Forth Green Port bid, due to the case not being made around additionally of the Edinburgh component of the bid, and the need to maximise the economic tax base during the current economic challenges.

Notes that broader concerns have been raised over the Freeport approach such as control risks of introducing duty-free areas, risks associated with the guarantee of regulatory controls, and risks that investors encouraged by tax-breaks leave once those tax-breaks expire.

- 2) In the event that the bid is successful:
 - a) To note that Falkirk Council would act as the Accountable Body for the disbursement of development funding, within the constraints of the bid parameters;
 - b) To agree that officers would continue engagement with Falkirk and Fife Councils, as well as private sector partners, to develop the Outline Business Case (OBC) and Full Business Case (FBC), including formal arrangements for the Council's role in the FGFP governance structure;
 - c) To agree that the Service Director, Sustainable Development would represent the City of Edinburgh Council on the Interim Board;
 - d) Agrees that all decisions and discussions for Edinburgh Council in relation to the bid are a matter for the Policy and Sustainability Committee with no exceptions. Council expressly withholds any delegated or urgency provisions in relation to any aspect of decision-making on Green Freeports and agrees the ability to make decisions will rest with Councillors through open and transparent committee decisions;
 - e) To note that summary reports of the OBC and FBC would be submitted to Policy and Sustainability Committee for approval prior to submission to UK and Scottish Governments.
- 3) Agrees that Governance, Risk and Best Value Committee will receive a further report including:
 - a) information on the date each constituent Council in the bid sent letters of support to the Scottish and UK Governments.
 - b) information, in detail, on the circumstances that led to Edinburgh prematurely submitting a letter of support.

- c) information on what checks were made by officers and the Council Leader on the timeline's other authorities were working to.
- d) information on dates the when the bid's content was publicly available.
- e) dates and outcomes of any other council committee meetings that took place before the "deadline" which was used to justify the urgency decision. This should identify opportunities that could have been taken for Councillors to decide to support the bid or not.
- f) the letters form the Council Leader and Chief Executive to both governments as instructed by November's Policy and Sustainability committee stating Edinburgh's position was premature, including any replies from the respective Governments should also be attached to the report.

- moved by Councillor McVey, seconded by Councillor Staniforth

Amendment 2

- 1) To support the Forth Green Freeport (FGFP) bid.
- 2) In the event that the bid is successful:
 - a) To note that Falkirk Council would act as the Accountable Body for the disbursement of development funding, within the constraints of the bid parameters;
 - b) To agree that officers would continue engagement with Falkirk and Fife Councils, as well as private sector partners, to develop the Outline Business Case (OBC) and Full Business Case (FBC), including formal arrangements for the Council's role in the FGFP governance structure;
 - c) To agree that the Service Director, Sustainable Development would represent the City of Edinburgh Council on the Interim Board;
 - d) To agree that an elected member sounding board, with cross-party representation, should be established for ongoing liaison during the preparation of the OBC/FBC; and
 - e) To note that summary reports of the OBC and FBC would be submitted to Policy and Sustainability Committee for approval prior to submission to UK and Scottish Governments.

- moved by Councillor Whyte, seconded by Councillor Doggart

Voting

The voting was as follow:

For the Motion	-	23 votes
For Amendment 1	-	30 votes
For Amendment 2	-	9 votes
Abstentions:		1

(For the Motion: Lord Provost, Councillors Arthur, Beal, Caldwell, Cameron, Dalgleish, Davidson, Day, Dijkstra-Downie, Flannery, Graham, Griffiths, Jenkinson, Lang, Meagher, Osler, Pogson, Neil Ross, Thornley, Walker, Watt, Young and Younie.

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

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

Abstentions: Councillor Frank Ross.)

Second vote

The voting was as follow:

For the Motion	-	32 votes
For Amendment 1	-	30 votes
Abstentions	-	1

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

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

Abstentions: Councillor Frank Ross.)

Decision

To approve the motion by Councillor Day.

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

11 Support for Ukrainian Refugees - Motion by Councillor Day

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

“Council notes:

- The exemplar work of Council colleagues in providing support to Ukrainian displaced persons; and
- The outstanding work by The Hub at Gogar and The Advice Shop on the High Street in providing support, advice and access to benefits.

Council also recognises the sterling effort of Volunteer Edinburgh in staffing the airport arrivals hub, providing a warm welcome and support.

Council further thanks the third sector, AUGB, Nat West and private businesses for their support across the city.

Notes the Scottish Government have over 1200 Ukrainian people on the ship Victoria and over 350 people in hotels and/or apartments across Edinburgh.

Notes the Council is awaiting clarification from COSLA on the funding for the education of Ukrainian refugee children, this should be confirmed on 6th December.

Calls for an update report to Policy and Sustainability Committee in early 2023 on:

- Scottish Government plans for onward housing;
- Access to health provision and public health plans on the ship; and
- Costs incurred to date and costs reimbursed by the UK and Scottish Governments.”

Motion

To approve the motion by Councillor Day.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To replace paragraph five of the motion by Councillor Day starting with “notes the council is awaiting...” with:

“Notes the change in approach adopted by COSLA which should enable UK Government’s Department of Education funding to start being paid to support Ukrainian pupils’ education from early 2023 and commits to ensuring the Council passes any payments it receives onto schools in a timely manner.

- 2) To add at the end of the first bullet point in the motion:

“setting out a clear timeline of when Ukrainian Families currently on ships without cooking facilities and other essential amenity will either have access to housing which meets their needs, or if the temporary housing on ships is forecast to continue for months further, how all essential amenity- as defined and requested by the community currently living on these ships- can be accommodated and accessed during these temporary arrangements.”

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

Amendment 2

To delete para 6 in the motion by Councillor Day, ‘notes the Council is awaiting clarification from COSLA.... and replaces with:

“Welcomes the General Tariff Funding of £10,500 per person and that the Department for Education Funding is in addition to this - £3,000 per Early Years Place, £6,580 and £8,755 respectively for primary and secondary places - as per the Scottish Government website.

Notes that people in temporary accommodation, including those on MS Victoria, will be eligible for the additional Department for Education funding from day one of arrival, but will not qualify for General Tariff funding.

Asks that the necessary resettlement process is handled quickly, particularly as the MS Victoria contract has been extended thereby extending people’s temporary status, and as a consequence, will deny them eligibility for General Tariff Funding.”

- moved by Councillor Flannery, seconded by Councillor Davidson

Amendment 3

After line 6 in the motion by Councillor Day, “*Notes the Council is awaiting [...]*” and before line 7, “*Calls for an update report [...]*” insert the following:

“Council also:

- a) Notes concerns raised by Ukrainians onboard, Edinburgh residents, elected members and third sector organisations who describe difficult or uncomfortable living situations that are impacting on physical and mental wellbeing;
- b) Notes concerns around long-term support for Ukrainians who are reaching the end of their six-month placement with host families;
- c) Commits to supporting refugees who have been forced to leave their country due to war, persecution, or other violence.”

- moved by Councillor O'Neill, seconded by Councillor Rae

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

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the exemplar work of Council colleagues in providing support to Ukrainian displaced persons
- 2) To note the outstanding work by The Hub at Gogar and The Advice Shop on the High Street in providing support, advice and access to benefits setting out a clear timeline of when Ukrainian Families currently on ships without cooking facilities and other essential amenity would either have access to housing which met their needs, or if the temporary housing on ships was forecast to continue for months further, how all essential amenity- as defined and requested by the community currently living on these ships- could be accommodated and accessed during these temporary arrangements.
- 3) To recognise the sterling effort of Volunteer Edinburgh in staffing the airport arrivals hub, providing a warm welcome and support.
- 4) To further thank the third sector, AUGB, Nat West and private businesses for their support across the city.
- 5) To note the Scottish Government had over 1200 Ukrainian people on the ship Victoria and over 350 people in hotels and/or apartments across Edinburgh.
- 6) To note the change in approach adopted by COSLA which should enable UK Government's Department of Education funding to start being paid to support Ukrainian pupils' education from early 2023 and commit to ensuring the Council passed any payments it received onto schools in a timely manner.

- 7) To welcome the General Tariff Funding of £10,500 per person and that the Department for Education Funding was in addition to this - £3,000 per Early Years Place, £6,580 and £8,755 respectively for primary and secondary places - as per the Scottish Government website.
- 8) To note that people in temporary accommodation, including those on MS Victoria, would be eligible for the additional Department for Education funding from day one of arrival, but would not qualify for General Tariff funding.
- 9) To ask that the necessary resettlement process was handled quickly, particularly as the MS Victoria contract had been extended thereby extending people's temporary status, and as a consequence, would deny them eligibility for General Tariff Funding.
- 10) To note concerns raised by Ukrainians onboard, Edinburgh residents, elected members and third sector organisations who describe difficult or uncomfortable living situations that were impacting on physical and mental wellbeing.
- 11) To note concerns around long-term support for Ukrainians who were reaching the end of their six-month placement with host families.
- 12) To commit to supporting refugees who had been forced to leave their country due to war, persecution, or other violence.
- 13) To call for an update report to Policy and Sustainability Committee in early 2023 on:
 - Scottish Government plans for onward housing;
 - Access to health provision and public health plans on the ship; and
 - Costs incurred to date and costs reimbursed by the UK and Scottish Governments.

12 Fair Work and Procurement - Motion by Councillor Watt

a) Deputation – Unite

The deputation welcomed the continuing work with the Charters and gave their support to the motion by Councillor Watt.

b) Motion by Councillor Watt

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

“Council:

Notes Council’s continuing commitment to Edinburgh being a Fair Work and Living Wage City and our continuing commitment to the Hospitality, Festivals and Construction Charters.

Asks that the Sustainable Procurement Report to Finance and Resources Committee (26 January 2023) includes a timetable for updating procurement policy to implement for all UK procurement contracts:

- 1) All the recommendations for contracting authorities contained in the Procurement schedule of the Fair Work Convention Construction Inquiry Report 2022;
- 2) The Real Living Wage;
- 3) A presumption against zero hours contracts; and
- 4) Workers’ rights, including Trade Union access to workplaces.”

Motion

To approve the motion by Councillor Watt.

- moved by Councillor Watt, seconded by Councillor Griffiths

Amendment

To add to the motion by Councillor Watt:

- “5) Evidence of a commitment to minimising Pay Gaps for protected characteristics in companies contracted
- 6) Evidence of a commitment to supporting the Council to meet climate targets as set out in the 2030 Climate Strategy and Council Emissions Reduction Plan.”

- moved by Councillor Mumford, seconded by Councillor Parker

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 Watt:

- 1) To note Council's continuing commitment to Edinburgh being a Fair Work and Living Wage City and the continuing commitment to the Hospitality, Festivals and Construction Charters.
- 2) To ask that the Sustainable Procurement Report to Finance and Resources Committee (26 January 2023) include a timetable for updating procurement policy to implement for all UK procurement contracts:
 - a) All the recommendations for contracting authorities contained in the Procurement schedule of the Fair Work Convention Construction Inquiry Report 2022;
 - b) The Real Living Wage;
 - c) A presumption against zero hours contracts;
 - d) Workers' rights, including Trade Union access to workplaces;
 - e) Evidence of a commitment to minimising Pay Gaps for protected characteristics in companies contracted; and
 - f) Evidence of a commitment to supporting the Council to meet climate targets as set out in the 2030 Climate Strategy and Council Emissions Reduction Plan.

13 Community Drug Checking - Motion by Councillor McFarlane

The following motions by Councillors McFarlane was submitted in terms of Standing Order 17:

“Council:

- 1) Notes with interest the Scottish Government Drug Deaths Taskforce's research and development into a Scottish drug checking programme, which is due to end in March 2023. This study aims to build evidence for and facilitate the development of a service in Dundee, Glasgow and Aberdeen.
- 2) Understands the study involves the lived experience of people who use drugs, affected family members and a range of health professionals with the aim of assessing the key opportunities and barriers to providing a city-based drug checking service.

- 3) Notes that drug checking services are increasingly viewed as an important public health intervention, with a global review in 2018 finding 31 drug checking services across 20 countries. 23 of which are in Europe, with others in South and North America, and Australasia.
- 4) Understands that drug checking can be a tool to connect those who use drugs with relevant support and services to help them stop using drugs, or to reduce the harm experienced from using drugs. It can act as a linking point to substance use, housing, harm reduction, and a range of other services. Drug checking can also provide important benefits which extend beyond those who use the service. Furthermore, it provides opportunities for public health bodies to get a clearer picture of the drugs market and to tailor public health messages and approaches accordingly. In the event where particularly dangerous substances are detected, health warnings can be communicated to people who use drugs - both directly and via services working with the client.
- 5) Agrees that drug checking services would increase Scotland's capacity to identify dangerous substances in circulation and would provide targeted warnings.
- 6) Recommits to a public health and social care harm reduction approach to drug use in the city.
- 7) Requests a report to Policy and Sustainability Committee on the publication of findings from the study exploring the implementation of an Edinburgh Drug Checking Service at the earliest possibility."

- moved by Councillor McFarlane, seconded by Councillor Younie

Decision

To approve the motion by Councillor McFarlane.

14 Eurovision 2023 Bid - Motion by Councillor Biagi

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

"Council:

- Notes that on 11th August 2022 the Council Leader announced publicly that the City of Edinburgh Council had submitted a bid to host 2023 Eurovision Song Contest, following calls from across the political spectrum in the capital.

- Notes this publicised bid sadly did not result in Edinburgh being shortlisted for consideration.
- Recognises the importance of public scrutiny to the bid, while unsuccessful, to allow public and councillors to scrutinise the strength of the bid in order to learn for future opportunities to deliver inspiring events to the city.
- Agrees that the bid will be published in full and be presented for noting to the next Policy and Sustainability Committee, or, should commercial confidentiality prevent full publication, be presented to the next Policy and Sustainability Committee as a B agenda item.”

Motion

To approve the motion by Councillor Biagi.

- moved by Councillor Campbell, seconded by Councillor Aston

Amendment 1

To insert in the first paragraph of the motion by Councillor Biagi after 2022 – “after discussing with all group leaders” to read:

“Notes on 11th August 2022, after discussing with all group leaders, the Council Leader announced publicly that the City of Edinburgh Council had submitted a bid to host 2023 Eurovision Song Contest, following calls from across the political spectrum in the capital.”

- moved by Councillor Day, seconded by Councillor Walker

Amendment 2

To delete Bullet Points 3 and 4 in the motion by Councillor Biagi and insert;

- recognises that, despite being a major international city of culture, Edinburgh has a fundamental weakness in not having an indoor arena of sufficient size that can accommodate major events.
- believes it is unrealistic to expect the city to succeed in securing international events like Eurovision so long as this weakness remains.
- recognises this challenge cannot be easily solved in the short term and requires cross party working, external partnerships and a long term strategic plan, as has been delivered successfully in other cities.
- therefore agrees that officers should bring a scoping paper to the Culture & Communities Committee in three cycles which seeks to use the experience

from other cities and sets out options on the necessary stakeholder engagement and possible funding models for delivering the kind of new arena which would be required to deliver major events.

- moved by Councillor Lang, seconded by Councillor Thornley

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

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

Voting

The voting was as follows:

For the Motion (as adjusted)	-	28 votes
Amendment 2 (as adjusted)	-	34 votes

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

For Amendment 2 (as adjusted): Lord Provost, Councillors. Arthur, Beal, Bruce, Caldwell, Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Duggart, Faccenda, Flannery, Graham, Griffiths, Jenkinson, Jones, Lang, McKenzie, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Neil Ross, Rust, Thornley, Walker, Watt, Whyte, Young and Younie.)

Decision

To approve the following adjusted motion by Councillor Biagi:

- 1) To note that on 11th August 2022, after discussing with group leaders, the Council Leader announced publicly that the City of Edinburgh Council had submitted a bid to host 2023 Eurovision Song Contest, following calls from across the political spectrum in the capital.
- 2) To note this publicised bid sadly did not result in Edinburgh being shortlisted for consideration.
- 3) To recognise that, despite being a major international city of culture, Edinburgh had a fundamental weakness in not having an indoor arena of sufficient size that could accommodate major events.

- 4) To believe it was unrealistic to expect the city to succeed in securing international events like Eurovision so long as this weakness remained.
- 5) To recognise this challenge could not be easily solved in the short term and required cross party working, external partnerships and a long term strategic plan, as had been delivered successfully in other cities.
- 6) To therefore agree that officers should bring a scoping paper to the Culture and Communities Committee in three cycles which sought to use the experience from other cities and set out options on the necessary stakeholder engagement and possible funding models for delivering the kind of new arena which would be required to deliver major events.

15 Energy Efficiency Taskforce - Motion by Councillor Dalgleish

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

“Council Notes:

- That this winter and beyond will be extremely difficult for many people across Edinburgh, with a worrying amount of our residents, community groups and businesses facing financial challenges due to the cost-of-living crisis and pay not keeping pace with inflation. As a result of increased costs of gas and electricity bills, individuals may have to turn off their heating this winter.
- That both council officers and elected members do their utmost as a matter of urgency to help our residents and communities during this winter period and beyond.

Council Supports:

The call for a freeze on energy prices for the next six months, an end of the premium paid by nearly half a million households who have pre-paid meters.

Council Requests:

A report to the Housing, Homelessness and Fair Work Committee in one cycle which seeks to establish a “Energy Efficiency Taskforce” with the aim of working alongside other relevant partners and stakeholders to give residents/owners, community groups and businesses information about insulation and energy efficiency renovations, including planning and building warrant requirements, as well as general advice regarding energy efficiency. The report should outline ongoing work related to this and detail clear objectives for the Taskforce.”

Motion

To approve the motion by Councillor Dalgleish.

- moved by Councillor Dalgleish, seconded by Councillor Meagher

Amendment 1

To delete all after “Council Requests” in the motion by councillor Dalgleish and replaces with:

“A report to the Housing, Homelessness and Fair Work committee in one cycle which seeks to establish a “Energy Efficiency Taskforce”. This should set out the existing advice and information already provided by other parties including Home Energy Scotland and Changeworks.

The aims of the task force should include:

- Analysing the information already available and ensuring that it is accessible and well signposted to through a ‘no wrong door approach’.
- Ensure that all relevant staff groups are trained to signpost to enable the above approach
- Review where there is a need for energy efficiency support but no resources available, by engaging with third sector and people with lived experience
- Review the approach outlined in the council’s own net zero strategy and the Scottish Governments Heat in Building strategy
- Produce an energy efficiency action plan with council specific outcomes which are achievable and do not duplicate the work of any other third party organisations

A report should come back to HHFW which sets out a realistic plan and deliverable outcomes before the task force is established. Any actions from the task force must be approved at the Housing, Homelessness and Fair Work committee, or other relevant executive committees.”

- moved by Councillor Campbell, seconded by Councillor Kumar

Amendment 2

- 1) To insert a third point in the motion by Councillor Dalgleish under 'Council Notes;'

- “• that Council has a primary duty of care as a landlord to assist Council house tenants and Council property users in ensuring their surroundings are comfortable and that any new support initiative must take that into account.

2) To add at the end of the motion, remove full stop and insert:

“and outline the feasibility of the City of Edinburgh Council formally joining and/or working with Citizens Advice Edinburgh’s ‘EMPOWER’ (Specialist Energy Advice) partnership which has established outreach and expertise in all localities.”

- moved by Councillor Caldwell, seconded by Councillor Younie

Amendment 3

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

"also agrees that this report will set out:

- a) the proposed membership of the taskforce, which should include at least one representative from each political group on the council;
- b) the remit of the taskforce and the relationship between the taskforce and key partners and stakeholders in the fight against fuel poverty, including but not limited to Changeworks and Home Energy Scotland;
- c) the progress to date on developing a Local Heat and Energy Efficiency Strategy for the city, and what the potential role of the taskforce could be with that development;
- d) the current measures to target energy efficiency and heat decarbonisation at those in the greatest need, and what the potential role of the taskforce could be with ensuring energy efficiency is affordable to everyone and free to those on the lowest incomes;
- e) the potential for the council to support the creation of local advice and collective purchasing co-operatives such as Loco Home Retrofit in Glasgow, and what role the taskforce could play in that.”

- moved by Councillor Booth, seconded by Councillor Parker

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

Decision

To approve the following adjusted motion by Councillor Dalglish:

- 1) To note that this winter and beyond would be extremely difficult for many people across Edinburgh, with a worrying amount of the residents, community groups and businesses facing financial challenges due to the cost-of-living crisis and pay not keeping pace with inflation. As a result of increased costs of gas and electricity bills, individuals may have to turn off their heating this winter.
- 2) To note that both council officers and elected members did their utmost as a matter of urgency to help the residents and communities during this winter period and beyond.
- 3) To note that Council had a primary duty of care as a landlord to assist Council house tenants and Council property users in ensuring their surroundings are comfortable and that any new support initiative must take that into account.
- 4) To support the call for a freeze on energy prices for the next six months, an end of the premium paid by nearly half a million households who have pre-paid meters.
- 5) To request a report to the Housing, Homelessness and Fair Work Committee in one cycle which sought to establish a “Energy Efficiency Taskforce” with the aim of working alongside other relevant partners and stakeholders to give residents/owners, community groups and businesses information about insulation and energy efficiency renovations, including planning and building warrant requirements, as well as general advice regarding energy efficiency. The report should outline ongoing work related to this and detail clear objectives for the Taskforce. and outline the feasibility of the City of Edinburgh Council formally joining and/or working with Citizens Advice Edinburgh’s ‘EMPOWER’ (Specialist Energy Advice) partnership which had established outreach and expertise in all localities.
- 6) This Taskforce should set out the existing advice and information already provided by other parties including Home Energy Scotland and Changeworks.

The aims of the task force should include:

- Analysing the information already available and ensuring that it is accessible and well signposted to through a ‘no wrong door approach’.
- Ensure that all relevant staff groups are trained to signpost to enable the above approach.

- Review where there is a need for energy efficiency support but no resources available, by engaging with third sector and people with lived experience.
 - Review the approach outlined in the council's own net zero strategy and the Scottish Governments Heat in Building strategy.
 - Produce an energy efficiency action plan with council specific outcomes which are achievable and do not duplicate the work of any other third party organisations.
- 7) To agree a report should come back to HHFW which set out a realistic plan and deliverable outcomes before the task force was established. Any actions from the task force must be approved at the Housing, Homelessness and Fair Work committee, or other relevant executive committees.
- 8) To also agree that this report will set out:
- a) the proposed membership of the taskforce, which should include at least one representative from each political group on the council;
 - b) the remit of the taskforce and the relationship between the taskforce and key partners and stakeholders in the fight against fuel poverty, including but not limited to Changeworks and Home Energy Scotland;
 - c) the progress to date on developing a Local Heat and Energy Efficiency Strategy for the city, and what the potential role of the taskforce could be with that development;
 - d) the current measures to target energy efficiency and heat decarbonisation at those in the greatest need, and what the potential role of the taskforce could be with ensuring energy efficiency is affordable to everyone and free to those on the lowest incomes;
 - e) the potential for the council to support the creation of local advice and collective purchasing co-operatives such as Loco Home Retrofit in Glasgow, and what role the taskforce could play in that.

Declaration of Interests

Councillor Booth made a transparency statement as a former employee of the Association for the Conservation of Energy.

16 Self-Directed Support - Motion by Councillor Nicolson

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

“Council:

- 1) Notes the benefits of the Direct Payments scheme which empowers people who have been assessed as requiring critical social care support to achieve their independent living outcomes other than by traditional services.
- 2) Notes that many across the city already access these payments in lieu of community care or children’s services, at a scale of approx. 1400 individuals across the city being in receipt of Direct Payments.
- 3) Notes that care and support services appear to be so broadly defined in legislation that in practice the Council is near sole arbiter of what constitutes support, for which these payments are surrogate.
- 4) Notes that many cannot find the support they critically need as a consequence of staff shortages, largely due to Brexit impacts, which can cause delayed hospital discharge, increased hospital admissions and other stresses for individuals and unpaid carers.
- 5) Further notes this results in underused Direct Payments being ‘clawed back’ by the council despite the criticality of unmet need affecting so many.
- 6) Agrees that the parameters of use are made as broad as statutory guidance encourages, by delivering care and support through the widest means possible including options to support people with the cost-of-living crisis.
- 7) Therefore, agrees to immediately suspend the clawback of underused resources allocated to those in critical need.
- 8) Further agrees that the Policy and Sustainability Committee will receive a report in 3 cycles to confirm that clawbacks have been suspended, and with information on the impact on outcomes for people in need - and the scale of clawbacks prior to the suspension.”

Motion

To approve the motion by Councillor Nicolson

- moved by Councillor Nicolson, seconded by Councillor Key

Amendment

To delete paragraphs 7 and 8 in the motion by Councillor Nicolson and replace with:

- “7) Agrees that Council will receive a report in 1 cycle outlining the Council’s approach to self-directed support clawbacks including:
- a) The operational approach to determining if those in critical need have underspent;
 - b) The impact on outcomes for people in need of removing allocated support;
 - c) The budget setting process and financial impacts;
 - d) The total value of clawbacks each year for the last 5 years.”

- moved by Councillor Kumar, seconded by Councillor McVey

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

Decision

To approve the following adjusted motion by Councillor Nicolson:

- 1) To note the benefits of the Direct Payments scheme which empowered people who had been assessed as requiring critical social care support to achieve their independent living outcomes other than by traditional services.
- 2) To note that many across the city already accessed these payments in lieu of community care or children’s services, at a scale of approx. 1400 individuals across the city being in receipt of Direct Payments.
- 3) To note that care and support services appeared to be so broadly defined in legislation that in practice the Council was near sole arbiter of what constituted support, for which these payments were surrogate.
- 4) To note that many Council not find the support they critically needed as a consequence of staff shortages, largely due to Brexit impacts, which could cause delayed hospital discharge, increased hospital admissions and other stresses for individuals and unpaid carers.
- 5) To further note this resulted in underused Direct Payments being ‘clawed back’ by the council despite the criticality of unmet need affecting so many.
- 6) To agree that the parameters of use were made as broad as statutory guidance encourages, by delivering care and support through the widest

means possible including options to support people with the cost-of-living crisis.

- 7) To agree that Council would receive a report in 1 cycle outlining the Council's approach to self-directed support clawbacks including:
 - a) The operational approach to determining if those in critical need have underspent;
 - b) The impact on outcomes for people in need of removing allocated support;
 - c) The budget setting process and financial impacts;
 - d) The total value of clawbacks each year for the last 5 years.

Declaration of Interests

Councillor Key made a transparency statement as his family was in receipt of self-directed support.

17 Planter-based Protection on Leith Walk - Motion by Councillor Caldwell

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

“Council;

Notes:

- 1) Pavements and segregated cycle infrastructure are respectively there to protect the most vulnerable in the transport hierarchy.
- 2) The cycle lane on Leith Walk is closed until the legacy lamp-posts are removed.
- 3) That pavement parking can still be legal in certain conditions until the Council are delegated powers from the Scottish Government in The Transport (Scotland) Act 2019 by 2024.

Understands:

- 1) Pedestrians and cyclists may be at risk by vehicles driving on a busy pavement to park and/or unload.

- 2) Street furniture should be sparse where possible, serve multiple purposes where present and shouldn't be necessary until there is evidence of need.
- 3) Town centres are enhanced by greenery such as plants and trees and planter positioning options are being explored by Trams to Newhaven.

Requests collaboration between Place and Trams to Newhaven:

- 1) To identify pavement parking 'hotspots' along Leith Walk as a matter of priority.
- 2) To identify appropriate areas for planters to be installed between the cycle way and main carriageway, as well as moving any new signage poles which could be moved from the main pavement to the land between the cycle lane and main carriageway.
- 3) The findings of this review are to be published in two cycles in the Transport and Environment Committee business bulletin, and whether outcomes can be standardised for other areas where pavement parking is a known issue."

Motion

To approve the motion by Councillor Caldwell.

- moved by Councillor Caldwell, seconded by Councillor Dalglish

Amendment

To add in a new sub-point to the motion by Councillor Caldwell, after "main carriageway":

- "3) To identify planting options that enhance the biodiversity of the area and provide for pollinators in line with the Council's Biodiversity Action Plan and to support climate adaptation while also allowing for relative ease of maintenance."

- moved by Councillor Bandel, seconded by Councillor Parker

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 Caldwell:

- 1) To note that pavements and segregated cycle infrastructure were respectively there to protect the most vulnerable in the transport hierarchy.

- 2) To note the cycle lane on Leith Walk was closed until the legacy lamp-posts were removed.
- 3) To note that pavement parking could still be legal in certain conditions until the Council were delegated powers from the Scottish Government in The Transport (Scotland) Act 2019 by 2024.
- 4) To understand that pedestrians and cyclists may be at risk by vehicles driving on a busy pavement to park and/or unload.
- 5) To understand that street furniture should be sparse where possible, serve multiple purposes where present and shouldn't be necessary until there was evidence of need.
- 6) To understand that town centres were enhanced by greenery such as plants and trees and planter positioning options were being explored by Trams to Newhaven.
- 7) To request collaboration between Place and Trams to Newhaven:
 - a) To identify pavement parking 'hotspots' along Leith Walk as a matter of priority.
 - b) To identify appropriate areas for planters to be installed between the cycle way and main carriageway, as well as moving any new signage poles which could be moved from the main pavement to the land between the cycle lane and main carriageway.
 - c) To identify planting options that enhanced the biodiversity of the area and provided for pollinators in line with the Council's Biodiversity Action Plan and to support climate adaptation while also allowing for relative ease of maintenance.
 - d) The findings of this review to be published in two cycles in the Transport and Environment Committee business bulletin, and whether outcomes could be standardised for other areas where pavement parking was a known issue"

18 Peaceful Assemblies - Motion by Councillor Rae

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

“Council notes the newly published Scottish Government Report on Facilitating Peaceful Assemblies and the implications within that report that impact both Council and the City. Council therefore requests a briefing for members, specifically those in

Licencing and Policy and Sustainability, on the report and the challenges it presents in February 2023.”

Motion

To approve the motion by Councillor Rae.

- moved by Councillor Rae, seconded by Councillor Bandel

Amendment

To adjust the motion by Councillor Rae as follows:

- 1) After “Scottish Government”, insert “appointed independent working group”.
- 2) Before “impact”, insert “could”.
- 3) Delete “Licensing” and insert “Regulatory”.
- 4) Delete “in February 2023” and insert “once the Scottish Government has normally responded to the working group recommendations

- moved by Councillor Lang, seconded by Councillor Neil Ross

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

Decision

To approve the following adjusted motion by Councillor Rae:

To note the newly published Scottish Government appointed independent working group Report on Facilitating Peaceful Assemblies and the implications within that report that could impact both Council and the City. To therefore request a briefing for members, specifically those in Regulatory and Policy and Sustainability, on the report and the challenges it presented in February 2023.

19 Maximise - Motion by Councillor Campbell

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

“Council notes the outstanding work of Maximise! as a holistic, whole family resource, addressing need, risk and vulnerability through income maximisation and advice (including debt advice), employability and family support.

Council notes the need to continue this work to ensure residents get access to the holistic support they need, and the importance of this work in tackling poverty.

Council notes that Maximise! is not funded strategically through multi-year award which would give certainty of service and the issues this is causing to the ability for the service to continue.

Council therefore agrees then officers will immediately engage with Maximise! to offer any support available to protect these vital services for residents through winter.

Council also agrees to receive a report to the next Full Council meeting, with options presented for decision on any further support, including direct financial support, required to ensure the continuation of these services for families across the City.”

Motion

To approve the motion by Councillor Campbell.

- moved by Councillor Campbell, seconded by Councillor Mattos Coelho

Amendment 1

To replace the final paragraph of the motion by Councillor Campbell with:

“Council agrees to engage with Maximise! as part of the welfare advice service review and to provide a briefing to members on the anti-poverty sectors contribution towards income maximisation for consideration as part of the budget 23/24 setting process.”

- moved by Councillor Meagher, seconded by Councillor Watt

Amendment 2

Council notes the content of the motion by Councillor Campbell and the valuable work of Maximise!.

Council further notes the work already underway through the End Poverty Edinburgh Delivery Plan and the comprehensive review of advice services underway through the Edinburgh Partnership.

Council therefore agrees that any officer engagement with Maximise! should be undertaken in a way that works within this agreed multi-agency approach to avoid duplication and in line with evidence based practice to achieve common outcomes.

- moved by Councillor Whyte, seconded by Councillor Doggart

In accordance with Standing Order 22(12), 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:

For the Motion (as adjusted)	-	27 votes
For Amendment 1 (as adjusted)	-	34 votes

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

For Amendment 1 (as adjusted): Lord Provost, Councillors. Arthur, Beal, Bruce, Caldwell, Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Duggart, Faccenda, Flannery, Graham, Griffiths, Jenkinson, Jones, Lang, McKenzie, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Neil Ross, Rust, Thornley, Walker, Watt, Whyte, Young and Younie.

Decision

To approve the following adjusted Amendment 1 by Councillor Meagher:

- 1) To note the outstanding work of Maximise! as a holistic, whole family resource, addressing need, risk and vulnerability through income maximisation and advice (including debt advice), employability and family support.
- 2) To note the need to continue this work to ensure residents got access to the holistic support they needed, and the importance of this work in tackling poverty.
- 3) To note that Maximise! was not funded strategically through multi-year award which would give certainty of service and the issues this was causing to the ability for the service to continue.
- 4) To therefore agree then officers would immediately engage with Maximise! to offer any support available to protect these vital services for residents through winter.
- 5) To agree to engage with Maximise! as part of the welfare advice service review and to provide a briefing to members on the anti-poverty sectors contribution towards income maximisation for consideration as part of the budget 23/24 setting process.
- 6) To note the valuable work of Maximise!.

- 7) To further note the work already underway through the End Poverty Edinburgh Delivery Plan and the comprehensive review of advice services underway through the Edinburgh Partnership.
- 8) To therefore agree that any officer engagement with Maximise! should be undertaken in a way that worked within this agreed multi-agency approach to avoid duplication and in line with evidence based practice to achieve common outcomes.

20 Drum Brae Care Home - Emergency Motion by Councillor Graham

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 Graham was submitted in terms of Standing Order 17:

“Council:

- 1) Notes the Chief Officer of the Edinburgh Integration Joint Board has provided updates on the status of the property to the Board and request these are shared with all elected members.
- 2) Requests the Edinburgh Integration Joint Board Chief Officer produces a report within one cycle on how this facility came to sit empty for over a year.
- 3) Requests the Edinburgh Integration Joint Board consider the recommissioning of appropriate care services at Drumbrae Care Home as soon as practically possible.”

Motion

To approve the motion by Councillor Graham.

- moved by Councillor Graham, seconded by Councillor Pogson

Amendment 1

- 1) To amend paragraph 1 of the motion by Councillor Graham to read:
 - “1) Notes the Chief Officer of the Edinburgh Integration Joint Board has not provided full updates on the status of the property to the Board and requests they do so for all elected members”

- 2) To add additional paragraphs to the motion as follows:
- “4) Calls for a report to the Governance, Risk and Best Value Committee into the Council's actions leading up to the closure and post closure, in particular actions to move forward with the lease to NHS Lothian or identify and resolve any problems, in order to identify any potential lessons learned.
 - 5) Calls for a briefing to elected members, outlining the actions that would be required if the Council is directed to recommission 60 care beds at Drumbrae by the Edinburgh Integration Joint Board (EIJB), along with associated costs, an estimate of how long this would take, and any other significant considerations that may inform a decision by the EIJB.“

- moved by Councillor Miller, seconded by Councillor Parker

Amendment 2

To replace in the motion by Councillor Graham the words “Integration Joint Board” with “Finance and Resources Committee”.

- moved by Councillor Mitchell, seconded by Councillor Doggart

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

Voting

The voting was as follows:

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

(For the motion (as adjusted): Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Biagi, Booth, Burgess, Caldwell, 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, McNeese-Meechan, McVey, Meagher, Miller, Mumford, Nicolson, Osler, Parker, Pogson, Rae, Neil 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 Graham:

- 1) To note the Chief Officer of the Edinburgh Integration Joint Board had not provided full updates on the status of the property to the Board and request they do so for all elected members.
- 2) To request the Edinburgh Integration Joint Board Chief Officer produce a report within one cycle on how this facility came to sit empty for over a year.
- 3) To request the Edinburgh Integration Joint Board consider the recommission of appropriate care services at Drumbrae Care Home as soon as practically possible.
- 4) To call for a report to the Governance, Risk and Best Value Committee into the Council's actions leading up to the closure and post closure, in particular actions to move forward with the lease to NHS Lothian or identify and resolve any problems, in order to identify any potential lessons learned.
- 5) To call for a briefing to elected members, outlining the actions that would be required if the Council was directed to recommission 60 care beds at Drumbrae by the Edinburgh Integration Joint Board (EIJB), along with associated costs, an estimate of how long this would take, and any other significant considerations that may inform a decision by the EIJB.

21 Edinburgh Filmhouse - Emergency Motion by Councillor Walker

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 Walker was submitted in terms of Standing Order 17 and verbally adjusted in terms of Standing Order 22.5:

“Council:

Notes that the Administrators deadline was set for Wednesday 7th December.

Requests an urgent report to the next meeting of the Festival and Events All Party Oversight Group updating members on;

- the outcome of the successful bids for the Edinburgh Filmhouse Building and its assets;

- what plans are underway to preserve the Edinburgh International Film Festival; and
- what funding is available to support Film Festival activity.”

Motion

To approve the motion by Councillor Walker.

- moved by Councillor Walker, seconded by Councillor Meagher

Amendment

To insert a new bullet point at the end of the motion by Councillor Walker as follows:

“What the Council is doing to ensure the future of cultural cinema in Edinburgh.”

- moved by Councillor Heap, seconded by Councillor Mumford

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 Walker:

- 1) To note that the Administrators deadline was set for Wednesday 7th December.
- 2) To request an urgent report to the next meeting of the Festival and Events All Party Oversight Group updating members on;
 - the outcome of the successful bids for the Edinburgh Filmhouse Building and its assets;
 - what plans were underway to preserve the Edinburgh International Film Festival;
 - what funding was available to support Film Festival activity.
 - what the Council was doing to ensure the future of cultural cinema in Edinburgh.

22 Liberton High School - Schools for Young Carers 2022 Award Winner - Motion by Councillor Mattos Coelho

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

“Council:

Recognises and congratulates Liberton High School for the achievement of the We Care; Schools for Young Carers 2022 Award, along with 5 other schools in Edinburgh, Stirling and Fife.

Notes that the award recognises how these schools have gone above and beyond to support young carers during really challenging times and ensured that all staff are young carer aware and feel more confident to identify and support hidden young carers.

Therefore, requests that Lord Provost writes to Liberton High School congratulating the students for their success, encouraging their achievement.”

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

Decision

To approve the motion by Councillor Mattos Coelho.

23 Questions

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 23 of 15 December 2022)

QUESTION NO 1

By Councillor Thornley for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 15 December 2022

To ask the Convener:

Question (1) On what date he wrote to Lothian Buses regarding Bus Service Single Fares as agreed at September's meeting of Full Council?

Answer (1) Rather than writing to Lothian Buses, I placed the issue on the agenda of a meeting I had with the Managing Director in my office on the 28th of October.

Question (2) Whether he has received a response?

Answer (2) We had a constructive discussion about this issue and Lothian Buses' wider ticketing strategy. At that time the ticketing structure was being reviewed in response to the changing travel patterns people are establishing as Edinburgh transitions out of the pandemic. Although Lothian Buses continues to offer fantastic value for money, we also discussed a shared desire to avoid any fare rise as long as possible due to the cost of living crisis. It is notable, however, that ticket prices have not increased since February 2020 despite Lothian Buses making significant investments in fleet, systems and staff in that time.

We both agreed that your proposal had merits, but would add to Lothian Buses' costs in the short-term. It was agreed, therefore, to review the matter again in the future.

Subsequent to the meeting, I received this written response from Lothian Buses:

“The Lothian network and portfolio of fares and tickets are built around the principle of interchange as it has always been the case that some journeys across the city might require a connection. Our purpose is to deliver a world class, socially inclusive and sustainable public transport network within the context of the legislative and funding environment in which we operate.

As a wholly commercial business, 95% of our income is generated from our customers. As such, decisions we make on products and price points will have a significant impact on the viability of the business. In contrast, the legislative framework and funding arrangements in London, where a transfer ticket is available, are different and only 48% of income is forecast to come from customers in 2022/23.

The Lothian fares strategy reflects the reliance we have on income from our customers. Our single fare is keenly priced and continues to be amongst the lowest in the UK. Discounting is then applied on a graduated basis to those products which commit the customer to a longer period of travel with us. For frequent travellers our contactless capping and Ridacard product is typically less than a single fare, with the more journeys made, the more cost effective the product becomes. For a significant proportion of our customers, including under 22s, over 60s and those with disabilities, the Scottish National Entitlement Card enables travel at no cost to the user.

The current mix of products and prices has contributed to Lothian’s ongoing successful performance, which is in sharp contrast to the relative decline in bus travel seen in many other UK cities – including London where a transfer ticket is available. It follows that the penalty for any mistake in setting either the price of a transfer ticket or the period for which it would be valid would be severe. All that said, with every fares revision we conduct a review of the ticketing portfolio to ensure that are continuing to respond to customer demand whilst remaining affordable.

A transfer ticket could be introduced in Edinburgh, and could be equally as well managed as in London, however whether it would make economic sense to do so would be most fundamentally predicated on a change to the framework within which public transport is financed in this city.”

Question (3) Whether he will share a copy of his letter and the response received?

Answer (3) See above

QUESTION NO 2

**By Councillor Neil Ross for answer
by the Leader of the Council at a
meeting of the Council on 15
December 2022**

At the start of this new term of the Council, on 26 May and 30 June, the Council approved appointments from political groups of the members of Council committees and other bodies.

Question (1) When have any later appointments been made, to which committees/boards and by which political groups?

Answer (1) **25 August 2022**

Finance and Resources - SNP
Transport and Environment – SNP
Governance, Risk and Best Value – SNP
Pensions – SNP
Regulatory and Licensing Sub – SNP
Edinburgh and South East Scotland Region – Elected
Member Oversight Committee – SNP
SESPlan Joint Committee (South East Scotland Regional
Joint Committee) - SNP

27 October 2022

Governance, Risk and Best Value – SNP
SEStran - SNP

Question (2) Are there any vacancies remaining to be filled and, if so, for which committees/boards and from which political groups?

Answer (2) Regulatory and Licensing Sub - Labour

QUESTION NO 3

By Councillor Lang for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 15 December 2022

At its 20 June 2022 meeting, Council resolved that the agreed report on establishing a Young People's Assembly "would also cover the option of consulting with the Edinburgh Association of Community Councils (CC) on amending the 'scheme for community councils' to ensure that young people had a stronger role within CC decision making".

Question (1) Why did the report tabled in November 2022 make no mention of this or report on the work undertaken in response to this part of the agreed June 2022 motion?

Answer (1) This was included in the report to Council on 22 September 2022, where it was agreed we would explore this. The November report focused on researching and developing the model for the Young People's Assembly. As this was approved, young people's involvement in the review of the scheme for community councils and a range of other relevant issues will be taken forward.

Question (2) What work has been undertaken so far in response to this part of the June 2022 motion?

Answer (2) There is a statutory process for reviewing the Scheme, including set consultation periods. Young people's involvement will be undertaken as part of that but it's not something that could start early and outside the process. There will be a review of the scheme for community councils in 2023.

Question (3) When is it expected that the outcomes of this work will be formally reported, either to Council or a relevant executive committee?

Answer

- (3)** This will be formally reported in 2023 once the statutory process for reviewing the scheme is complete. At this stage it is not possible to give a date. This is because the length of the review can depend on the level of feedback. A scheme review tends to take nine months due to the statutory consultation periods.

QUESTION NO 4

By Councillor Lang for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 15 December 2022

At the Council meeting on 22 September 2022, Council resolved that "a report would come to Council in October 2022 on voting rights for religious representatives" on the Education, Children and Families Committee.

Question (1) Why has this report not yet come to Council?

Answer (1) It has taken time to secure someone to do the independent Equalities Quality Impact Assessment (EQIA). It was agreed at the Full Council Agenda Planning Meeting that a briefing note would be circulated rather than a report.

Question (2) When will the report come to Council?

Answer (2) The report will come when the impact assessment has been completed, this is likely to be March 2023 and a report will come to Full Council May 2023.

QUESTION NO 5

**By Councillor Lang for answer by the
Convener of the Education, Children
and Families Committee at a meeting
of the Council on 15 December 2022**

Question (1) Is there currently sufficient capacity within the three primary schools - Queensferry, Echline and Dalmeny, to accommodate projected school roll numbers over the next 5-10 years from the catchments currently covered by these schools?

Answer (1) No.

Question (2) If not, would an expansion of the three schools on their existing sites be sufficient to accommodate projected school roll numbers?

Answer (2) Yes. However, the scale of expansion required is likely not to be acceptable from an education, cost, disruption and possibly planning perspective.

Question (3) How much money has or is due to be raised for educational investment as a result of each of the following Section 75 developer contributions from the following planning approvals?:

a) [16/01797](#)/PPP

b) [20/05023](#)/FUL

c) [16/06280](#)/FUL

d) [14/01509](#)/PPP

Answer (3) a) Builyeon Road 16/01797/PPP - £10,900,218 – per unit rates established in the PPP application and this figure is based on an assumed housing mix of 50% houses and 50% flats; payments are linked to AMC applications that will set out the housing mix.

b) Springfield 20/05023/FUL - £1,919,497

c) South Scotstoun (16/06280/FUL + 20/00802/FUL) - £6,026,290 (£5,287,123 + £739,167)

d) Ferrymuir Gait (14/01509/PPP) - £660,000 - the legal agreement requires £135k towards additional classrooms at Queensferry Primary School (already delivered) and £525k towards secondary school.

Question (4) How much of this money has been allocated for a new primary school at Builyeon Road?

Answer (4) £12,836,912 index linked to Q4 2017 at date of payment.

Question (5) When is work expected to a) commence and b) conclude on a draft business case for a new school at Builyeon Road in Queensferry?

Answer (5) There are some issues which require to be finalised with the developer before the legal agreement is complete and the timescale set for the transfer of the land for the new primary school to the Council. Once these legal issues are finalised the business plan for the new school will be completed. There is no definitive timescale for the legal issues being resolved and therefore an exact timescale for business plan completion can't be provided. However, the best estimate is completion during the first quarter of 2023.

QUESTION NO 6

**By Councillor Caldwell for answer by
the Leader of the Council at a
meeting of the Council on 15
December 2022**

The main works of the Trams to Newhaven extension are set to be completed by the end of December, with additional works to carry on through to June 2022 which is welcome news and the Project is to be commended. The project will be looking at adjustments, defect repairs as well as implementing essential amenity such as bins and bus stops until then.

Question (1) Does the Council leader agree with me that the coming period is a critical moment for the project to ensure adjustments and resident feedback regarding the pavement, cycle lane and traffic flow are addressed?

Answer (1) Throughout the project, the team has worked closely with local residents and businesses to make sure that resident feedback is taken into account.

Notably, prior to construction commencing, the largest public consultation that the Council had undertaken outside the budget process informed the design of the project, with 8,000 individual contributions received.

The team has built a strong working relationship with Community Councils together on Tram (CCTT) to ensure that the needs of residents and businesses are considered, and this will continue with CCTT and with ward members until the end of the project.

Of course, as the project nears completion the ability to make changes reduces, in particular because of the challenging market conditions.

Question (2) Will the Council Leader join me, fellow Leith Walk ward 12 councillors and Community Councils Together on Trams for a 'walk down the Walk', before project completion, to highlight first hand both the positives and challenges arising from the largest Council Capital project in a decade?

- Answer** (2) Yes, I would be happy to join you.
- Question** (3) What scrutiny will Councillors on the Transport and Environment committee have when infrastructure is eventually passed on from the Trams to Newhaven project to relevant departments in the Place directorate?
- Answer** (3) The infrastructure will form part of the Council's road and public transport assets. The assets will be owned and managed by the Place directorate, and by Edinburgh Trams (through the operating agreement which is in place with them). The scrutiny and oversight of the Transport and Environment committee will be the same as for any other Council owned asset.
- Question** (4) Will the Council leader join me in extending thanks to the residents and businesses on Leith Walk whose lives have been, and continue to be, disrupted by works over the last few years?
- Answer** (4) I would like to take the opportunity thank all those who have faced and continue to face disruption due to the works. I understand this is the largest major infrastructure work that has taken place in the city for the past 100 years. The project, when complete, will be of huge benefit and this wouldn't have been possible without the support of the local community and businesses.

QUESTION NO 7

**By Councillor Davidson for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 15 December 2022**

Residents in Corstorphine are frequently exposed to high levels of air pollution and reduced mobility due to high volumes of traffic and delays along St John's Road

Question (1) Can the convener advise what steps he is intending to take in order to reduce traffic delays along St John's Road?

Answer (1) The actions that officers are progressing for St John's Road include:

- Monitoring traffic in the area and adjusting the timing of traffic signals (which are local to each of the traffic signal controllers) to manage the traffic flow along the St John's Road corridor;
- In addition, as the corridor is capable of running the Split Cycle Offset Optimisation Technique (SCOOT) method of traffic signal control, procurement of new equipment is underway to enable SCOOT to operate effectively;
- Considering proposals for a new layout at the A8/ Drumbrae South roundabout as currently traffic flow into the roundabout from the other arms, especially in the peak periods, constricts the traffic flow westbound exiting from St John's Road. This then creates a bottleneck through the St John's Road corridor when traffic is queued back from this roundabout; and
- A re-design of the junction/roundabout is being developed to remove the roundabout and replace it with a signalised junction. Modelling work is still taking place to ascertain the effects of this on the network. In addition, other options are also being considered on how to manipulate the existing infrastructure at the roundabout to improve traffic flow along St John's Road.

Question (2) What steps the council is taking to address air pollution in Corstorphine?

Answer

- (2) A revised draft Air Quality Action Plan was approved for consultation by the Transport and Environment Committee on 8 December 2022.

The plan proposes action on the A8/Drumbrae South junction, which would aim to reduce vehicle emissions by introducing interventions to best managing the traffic flow on the St John's Road corridor, particularly between the junctions of Clermiston Road and Drumbrae South.

The Intelligent Infrastructure project will be completed in June 2023. This includes 10 new air quality monitoring units which feed live pollutant data on Nitrogen Dioxide, and Particulate Matter 2.5 and 10, back to the city's new Urban Traffic Management and Control (UTMC) system. This will allow high levels of pollutants to be quickly identified and will automatically (in conjunction with the SCOOT system) implement a traffic control strategy along St John's Road to improve traffic flow and reduce vehicle emissions in the vicinity of Corstorphine.

As part of the work being undertaken on the Corstorphine Connect Low Traffic Neighbourhood (LTN), traffic counts have been taken for all key streets in the LTN, including St John's Road, as well as air quality monitoring sites. Through this, officers will be able to accurately track changes to traffic and air quality and adapt the scheme to try and resolve any issues that occur.

Question

- (3) What steps he is intending to take to reduce the volume of traffic on St John's Road?

Answer

- (3) In conjunction with the use of Intelligent Traffic Systems (which can be utilised to prioritise active travel and public transport), the Corstorphine Connect LTN will flexibly adapt to support the reduction of private vehicles on St John's Road. I would be happy to meet Ward Councillors and Community Councils to discuss what further steps can be taken in the Corstorphine / Murrayfield Ward to help reduce car use further.

QUESTION NO 8

**By Councillor Davidson for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 15 December 2022**

In the Deep Clean Initiative briefing note circulated to all councillors on the 24th November no streets in Ward 6 Corstorphine/Murrayfield had been deep cleaned.

Question (1) Can the Convener advise why certain wards have not been included in the Deep Clean Initiative so far?

Answer (1) The programme for the Deep Clean initiative runs for the full financial year 2022/23. The approach has been prioritised to target at the areas of most need, based on LEAMS data and visual inspections of streets, and started in the east of the city. Progress is also dependent on work required and other influences (such as car parking).

Question (2) When he expects the initiative to be carried out in Corstorphine/Murrayfield?

Answer (2) This will be dependant on progress through the areas that have been identified as most in need, with a further assessment of the Corstorphine/Murrayfield Ward being undertaken early in January. However, deep cleans have taken place in the ward by as part of the Council's normal cleansing activities in areas of high leaf fall (such as the streets around Murrayfield Avenue and Ravelston).

QUESTION NO 9

By Councillor Caldwell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 15 December 2022

Members in a previous Trams to Newhaven APOG agreed to a no-left-turn from Elm Row onto London Road. This no-left-turn has been repeatedly flaunted (into a green man) by drivers not bothering to use the Picardy turnback, despite initial modelling showing they would. Can the Convener please confirm;

Question (1) What actions are the administration taking to liaise with Trams to Newhaven and partners in the Police to ensure that correct road usage is being adhered to at this junction?

Answer (1) This has been discussed at the last two tram APOG meetings, one of which Ward Councillors were invited to take part in. The Trams to Newhaven project team have discussed this matter with Police Scotland, who have agreed to provide greater enforcement in the area.

Question (2) A No Left Turn may increase the amount of traffic through the densely-populated residential Brunswick Street as it is a cut-through. What alternatives are there at this stage to ensure traffic isn't encouraged to use Brunswick Street to cut the corner?

Answer (2) The project team have been asked by locally elected members to review the decision to ban this left turn. This review is ongoing and an update will be provided to Ward Councillors in the first instance when this review is complete.

Question (3) What additional resource are delegated to the Trams to Newhaven project to ensure adaptations can be made at the 'snagging' stage of the project when necessary?

Answer

- (3)** The team is resourced to deal with defects and snagging to the end of the project delivery. When the project completes, the project team will disband. Additional support is currently being considered so that the Council can manage and procure resolution of any defects that may become apparent after completion.

QUESTION NO 10

By Councillor Parker for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 15 December 2022

Question (1) When will the permanent works to introduce a pedestrian and cycle crossing at Hermitage Drive / Braid Road / Braidburn Terrace start / finish?

Answer (1) The full works package tender for this junction (along with Braidburn Terrace, Comiston Road / Greenbank Crescent and the minor junctions with Braid Crescent, Greenbank Place and Braidburn Crescent) is due to be published by 16 December 2022, with a return date of 6 January 2023 at the latest.

The exact programmed date for this junction will be determined through discussion with the successful contractor, but the package of work is registered to commence on 30 January 2023 and is scheduled to run until the end of April 2023. However, this timeline may be impacted by delays due to extended lead-in times for signal / lighting hardware and certain natural stone products which could lead to the full package of works not being completed until May or June.

The Council will have on-site presence on a daily basis and will work with the residents, church and other key stakeholders to ensure that communication is open, access is maintained, and disruption is kept to a minimum

Question (2) When will the permanent works on Braidburn Terrace start / finish?

Answer (2) See answer 1. It is intended to commence works in Braidburn Terrace and the other minor junctions early in the programme, with the higher impact junctions programmed later when supply of materials and hardware availability is established.

- Question** (3) When will the permanent works at the traffic lights at Greenbank junction start / finish?
- Answer** (3) The full resurfacing works at the Greenbank junction have been phased later in the programme in recognition of the potential issue with the supply of materials and signals hardware.
- As this junction will have the highest impact on the traffic network and will require full closure, the resurfacing work (incorporating the new ducting for the redesigned junction layout) is scheduled for early evening / night work over the course of a week to minimise disruption to public transport and local traffic through the day. This has been discussed and agreed with the Lothian Buses.
- Once the dates for the works have been determined, these will be advertised online and on social media platforms, as well communicated locally to elected members and local residents.
- Question** (4) When will the permanent works to widen the pavement at Braid Crescent and to introduce a raised road table at the junction start / finish?
- Answer** (4) See answer 1.
- Question** (5) For each of the above (1-4), when will residents be notified of these works and via what means
- Answer** (5) As outlined in answer 3, once the dates for the works have been determined these will be advertised online and on social media platforms, as well communicated locally to elected members and local residents.
- Question** (6) What are the ETROs in place which make up the Greenbank-Meadows Quiet Route?
- Answer** (6) [TRO/21/29](#) covers the Travelling Safely South Area Experimental Order for various roads and covers the Greenbank-Meadows Quiet Route.

Question (7) For each ETRO listed in 6): i) when did the ETRO start, ii) when will it end, iii) when will public consultation for each go live and end, iv) how will the consultation be run and v) when / how will residents be informed of this?

Answer (7) i) The Order came into effect on 21 November 2022.

ii) The order is in place for up to 18 months.

iii) The statutory consultation went live on 21 November 2022 and will end on 20 May 2023.

iv) People can comment, offer support or raise an objection during the initial six months of this period, ending on 20 May 2023. Details on how to do this is included - <https://www.edinburgh.gov.uk/downloads/file/32260/advert>

v) Notification, with an accompanying Frequently Asked Questions (FAQ), has been sent to all statutory consultees, Councillors and Community Councils. In addition, the Council website has been updated, providing a [link](#) to the ETRO documents and details of how to submit comments or object. A press release has been issued and social media communications have been used to communicate more widely.

Street bills have also been erected along the route and these will be checked and replaced, as necessary, during the initial six month period.

Question (8) What type of monitoring will take place to review road safety in the area when Braid Road reopens (including along the Greenbank-Meadows Quiet Route), when will this monitoring occur, what information will be gathered as part of this, when / where will this information be shared and how does this link to the newly revised Road Safety Action Plan?

Answer (8) The Road Safety and Traveling Safely teams have been working closely on the re-opening of Braid Road to two-way traffic. Additional traffic surveys are scheduled for Spring 2023 to enable speeds and traffic volumes to be reviewed against the results from the surveys undertaken in March 2019. The results of both sets of speed surveys can be provided to anyone who wishes to see them.

This approach is consistent with both previous Committee decisions and the new draft Road Safety Action Plan.

Question (9) What is the outcome of the latest site investigations at Braid Road – i) south of Braid Hills Road and ii) between Riselaw Road & Riselaw Crescent – where traffic surveys previously found average speeds exceeded tolerance levels?

Answer (9) The Road Safety team undertakes bi-annual batches of traffic surveys at locations where speeding concerns have been raised. Traffic data allows resources to be directed to the locations where there is significant speed limit non-compliance.

Traffic surveys were carried out on Braid Road at two locations in March 2019:

- between Riselaw Road and Riselaw Crescent, from 8 to 14 March, when the free flow average speed recorded was 25.9mph; and
- south of Braid Hills Road, from 24 to 30 March, when the free flow average speed recorded was 27.9mph.

Following the approval of a report on the [Evaluation of the 20mph Speed Limit Roll Out](#), site investigations will be undertaken at locations where an average speed above the normal tolerance of 24mph in a posted 20mph speed limit is recorded.

A further report was presented to the Committee on 27 February 2020, titled [Approach to Extension of 20mph Speed Limits](#), which included details of the approach to be used in determining the suitability of additional speed reduction measures. These include

improved or additional signage and road markings, the periodic deployment of vehicle activated speed signs and, potentially, physical traffic calming measures.

However, the use of physical traffic calming measures will generally only be considered where there is either a significant history of speed related collisions or where average vehicle speeds remain excessively high following the use of other speed reduction measures.

There is not a history of speed related collisions in Braid Road, between its junction with Buckstone Terrace and Braid Farm Road, in the latest available 3-year period (to the end of June 2022) of personal injury collision data.

I accept, however, it is likely that there will have been some reduction in collisions in 2020 and 2021 due to reduced traffic levels arising from the Pandemic, although this has to also be seen against a longer term declining trend. However, personal injury collisions are still a major factor (although far from the only one) that we use to direct and prioritise Road Safety resources to the locations where they can provide most benefit. There were still around 500 people injured in the city's streets in each of these years. Without a significant increase in both budget and staff resources, directing more resource towards locations without a collision history is likely to result in less resources being directed to those locations that do.

Therefore, the proposals for this location will be improved or additional signage and road markings and the deployment of vehicle activated speed signs. The implementation of these additional measures should be completed by the end of the current financial year.

- Question** **(10)** What interventions do the Council plan to make at the sites listed in 9) in order to improve safety, when will consideration of this come forward, how will decisions be made about the implementation of any suggested measures identified, when / how will residents be informed about this and how does this link to the newly revised Road Safety Action Plan?
- Answer** **(10)** See answer 9. The proposals are consistent with both previous Committee decisions and the new draft Road Safety Action Plan.

QUESTION NO 11

By Councillor Aston for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 15 December 2022

Question

Will the Transport and Environment Convener lay out, given his recent comments in the press about potentially implementing a congestion charge, what criteria he will use to judge whether to proceed with a congestion charge in 2025, including reference to:

- a) The increase in public transport capacity he believes is necessary.
- b) The level of congestion on Edinburgh's roads.
- c) Any other factors which he believes are relevant.

Answer

I don't feel that it falls within my remit alone to make a decision to proceed with a congestion charge. Instead, I hope to work cross-party on this issue, and consult residents and businesses whilst working in partnership with surrounding local authorities.

The City Mobility Plan (CMP) refers to the potential to explore a 'Pay as you Drive' scheme, if necessary, under Policy Measure 39, to encourage the use of sustainable modes of travel and reduce congestion.

The CMP states that the need for this tool would be considered when assessing the impact of other demand management tools in meeting this Plan's objectives. CMP has a 2 yearly review cycle, and its first formal review will be undertaken during next year with a report to Committee presented by the end of 2023. Progress against meeting CMP objectives will be a key part of the review.

**Supplementary
Question**

The convener's answer directed me to the CMP, which in turn directed to a technical note where modal change targets were set out. The target is the 30% reduction in private car km by **2030**. No intermediate target, such as a target to achieve by 2025, is stated. While I agree it is not only for the convener to determine, it is widely acknowledged that conveners have extensive 'first mover' powers and get advance sight of report and ability to shape the report schedule.

**Supplementary
Answer**

I feel that any such trigger should be developed on a cross-party basis in partnership with residents and businesses, and also using the best information available at the time, not least post-pandemic traffic data.

QUESTION NO 12

**By Councillor Campbell for answer
by the Convener of the Housing,
Homelessness and Fair Work
Committee at a meeting of the
Council on 15 December 2022**

Question (1) To ask the convener of the HHFW if she can confirm if the stock condition surveys have taken place for Greendykes House, Wauchope House, Craigmillar Court, Peffermill Court and Coillesdene House, and if not when they are likely to be completed?

Answer (1) The stock condition surveys for Greendykes House and Wauchope House are currently scheduled to be progressed in financial year 2024/25. Coillesdene House is also scheduled for structural and condition surveys in financial year 2024/25.

The scheduling of these surveys is based on the following:

- Coillesdene House is towards the end of the survey process as this is a minority Council owned block; and
- Greendykes and Wauchope are towards the end of the survey process as they are deemed to be better condition than most other blocks.

Craigmillar Court and Peffermill Court have been excluded from the stock condition analysis as both are currently scheduled for full block upgrades in financial year 2023/24. Design proposals are currently being developed for both blocks.

Question (2) Can she provide the results of the stock condition surveys for each of these buildings, or commit to providing the results once the surveys have been undertaken and provide a timeframe for when this is likely to be?

Answer (2) As noted above, stock condition surveys have not yet been carried out. Once the surveys for Greendykes House, Wauchope House and Coillesdene House are complete, and the reports finalised, these will be shared.

Question (3) Can she provide an outline of when these buildings are likely to be included in the capital programme for significant refurbishment?

Answer (3) As noted in answer 1, work will begin on Craigmillar/Peffermill in financial year 2023/24.

It is anticipated that Greendykes, Wauchope and Coillesdene Houses will be included in the capital programme after financial year 2025/26.

The stock condition survey will help to determine any necessary reprioritisation of investment in blocks outwith those already in delivery or design development (these are May/Gunnet, Oxcars/Inchmickery, Cableswynd/Linksvie, Craigmillar/Peffermill and six Moredun blocks).

QUESTION NO 13

By Councillor Aston for answer by the Convener of the Housing, Homelessness and Fair Work Committee at a meeting of the Council on 15 December 2022

Question

Will the Housing, Homelessness and Fair Work Convener, in light of her answer to my question to her at the 24th November 2022 Council meeting, outline what steps she is taking to increase the number of larger (four and five bedroom) social rented properties which are being built to address the fact that no such properties have recently been let to families with overcrowding Silver priority who need them?

Answer

On 1 December 2022 Housing, Homelessness and Fair Work approved the “Strategic Housing Investment Programme” 2023-2028 (SHIP), which included a potential pipeline development programme that could deliver 11,937 affordable homes approved for site start and 11,375 completions over the next five years. However, the number, mix and proposed sizes of properties are not finalised until planning consent has been granted. In addition, the Council’s “Edinburgh Design Guidance”, requires that 20% of homes in new planning applications are for family housing, with three bedrooms or more.

As part of programme planning, the Council will seek to work with Registered Social Landlords (RSL) partners to increase the supply of larger homes. However, this is dependent upon suitable sites being available and affordability for Council and RSLs. Housing design takes place in the context of the needs identified through HNDA3; consultation with local housing teams; the individual site constraints; planning requirements; site capacity; and viability, which is more challenging for larger homes as grant funding and rents do not increase proportionally to cover the additional construction costs.

Three and four bedroom homes that are suitable for families are under construction on sites across the city and in design

development. Within the Council's own housebuilding programme there are currently 190 social rented homes that are in design or under development that have three or more bedrooms. When looking at the overall pipeline across all of the affordable tenures, it is currently projected that 933 homes will be built that will have three or more bedrooms.

The latest Housing Need and Demand Assessment (HNDA3; July 2022), estimates that between 24,000 to 35,000 affordable homes will be required in Edinburgh between 2021-2040. The HNDA notes that although population is projected to increase overall it is driven by an ageing population and increasing numbers of smaller households. The numbers of one and two adult households are growing, while the number of larger households is increasing at a slower rate.

Supplementary Question

The convener's answer refers entirely to properties with three or more bedrooms, while my question specifically asks about four- and five-bedroom properties. Can the convener please answer my original question solely with reference to four- and five-bedroom properties?

Supplementary Answer

There are currently 12 four bedroom social rented homes under construction (six RSL homes and six Council homes).

The Council has 15 four bedroom and two five bedroom homes in design development at present. Information is not available on the housing mix of RSL homes in design development.

QUESTION NO 14

**By Councillor Campbell for answer
by the Convener of the Culture and
Communities Committee at a
meeting of the Council on 15
December 2022**

The convener will be aware that I asked a question about the lifelong learning review in September to which she offered a meeting with me. I asked at that point for a briefing instead to be provided to all councillors and I have not had a response since then.

Question

To ask the Convener if she will provide a briefing for councillors on the lifelong learning, review ahead of any report going to committee alongside an update on the engagement with management committees and stakeholders?

Answer

Following on from Councillor Campbell's question, we have been in touch directly and I have provided a copy of the Community Empowerment Update report which was considered by Culture and Communities Committee on Tuesday, together with some additional information which has also been shared with Committee members.

If required we could also arrange a members briefing if there are further questions that Councillors would like to be clarified.

QUESTION NO 15

**By Councillor Booth for answer by
the Leader of the Council at a
meeting of the Council on 15
December 2022**

Question

Further to his answer to my question at full council of 24 November 2022, what public health benefits, or benefits to the licenced trade, does the council leader expect will result from his changes to the composition of the licensing board?

Answer

I'm sure the persistent questions regarding the new member of the Licencing Board are not personally targeted, but I would expect all members of the Licensing Board 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.

I'm sure all board members, from a range of backgrounds and skills will do their utmost to promote the Boards agreed Policy.

QUESTION NO 16

**By Councillor Booth for answer by
the Vice-Convener of the Licensing
Board at a meeting of the Council on
15 December 2022**

Question

Will the Vice-Convener give an update on his recent meeting with the Licensing Forum, and what joint work between the board and the forum does he anticipate in the future in order to promote the public health agenda?

Answer

I direct Councillor Booth to my email to the Licensing Board.

The Licensing Forum met on Friday 2nd December 2022. The notice of meeting and agenda are on the Council's website.

Following my appointment as Vice-Convener, I was asked by the Convener in June, to be the Board representative at Forum meetings, once it was re-established. While the Board will still have at least one full joint meeting with the Forum over 22/23, we are keen to ensure a more regular presence at their meetings. I was pleased to attend this meeting on behalf of the Licensing Board.

Some of the meeting was procedural:

- Positions - Paul Togneri was elected by the Forum as its Convener and following a vote Annick Gaillard as Vice Convener. For the avoidance of doubt, I do not have a vote.
- Data protection – the Forum members present agreed that their email addresses could be shared with other members for the purpose of facilitating Forum business.
- Future meetings - It was agreed that Friday afternoons were a good time for Forum members to meet and that the date of the next meeting would be in Spring 2023.

For my part I introduced myself, spoke about the newly constituted Board, its membership and timing of its meetings and our willingness to meet with the Forum more than the statutorily required one meeting per year. The latter offer was gratefully received.

I explained that the policy aspect of Board discussion is presently webcast, but the applications are not and that there had been discussion about the webcasting of the entire meeting, but some caution around that too. I intimated that the Board would be interested in the Forum's views on this going ahead.

I spoke about the current consultation and explained that there was some leeway for responses beyond 20 December as the Board was keen to receive the views of all stakeholders. We discussed the fact that the consultation is a two stage process and we confirmed that individual responses from Forum members are valid, but a Forum response is also encouraged. A council officer volunteered to collate responses from Forum members and submit to the newly elected Convener of the Forum to allow an initial Forum response to be submitted. A more detailed further response will be discussed in the new year. It was noted that the Board would welcome comment on all aspects of the current policy. We went over the consultation areas in some detail aided by Mr Fraser, Depute Clerk to the Board.

This was obviously the first meeting of the new Forum with a representative from the current Board and introductory in nature, but there is a clear desire among Forum members to work collegiately with the Board and as we know as members of the Licensing Board that is reciprocated by the Board. In terms of specific topics and areas of focus, I envisage public health will be key and much will depend on the issues highlighted through the Forum's upcoming response. The exact mechanisms of that engagement, be it formal or informal, will require to be discussed with the Convener and officers.

QUESTION NO 17

**By Councillor Booth for answer by
the Leader of the Council at a
meeting of the Council on 15
December 2022**

Question

What was the result of the Council Leader's recent meeting with Bòrd na Gàidhlig, and what actions will the council take over coming months to promote the Gaelic language?

Answer

The meeting with Bòrd na Gàidhlig was constructive and the Bòrd is keen to support the Council to continue to progress its ambitions for Gaelic in the city. Key to this is continuing to develop the cultural, social and employment opportunities which are needed for Gaelic to flourish beyond the classroom, supported by the Capital Gaelic network and wider partnership working.

In the near future, the Gaelic Implementation Group will be reconvened (pending the nomination of Elected Members from each party) with strengthened community representation from across all sectors to allow consideration of a wider remit.

A draft of the Council's third Gaelic Language Plan, covering the period 2023-2027 is nearing completion. It will be subject to public consultation in the new year and will be circulated to GIG members for comment in advance, once membership is agreed.

Leader's Report

Cllr Cammy Day



February 2023

Remembering Barry Martin

I want to begin by offering my heartfelt condolences once again to the family, friends and colleagues of firefighter Barry Martin, who lost his life in the line of duty last week.

It's in tragic circumstances such as these that we're reminded of the immense bravery and selflessness of those in our emergency services – putting their lives on the line day in, day out to keep us safe.

On spending some time outside the former Jenners' store, I was deeply moved at the many floral tributes and messages left by members of the public and the Fire and Rescue Service.

It's hugely important that, as a city, we honour Barry's sacrifice, and the Lord Provost and I have written to the Chief Fire Officer to pass on our condolences and commit the Council's full support in ensuring a fitting and lasting memorial.

A fairer deal for our Capital City

My drive to address the issues that matter most to the people of Edinburgh remains every bit as strong as when I took office last May. And I'm proud of the way we've worked constructively with other political groups over the last nine months to drive forward the Business Plan and the improvements we want to make to our services.

We'll need this spirit of improved collaboration as we tackle major issues in the months ahead, not least the Council's finances. We've made good progress since the start of our budget-setting journey last year but – as demonstrated by the [publication of the final set of savings proposals](#) aimed at closing our £76m budget gap – there's still work to be done.

It's an inescapable fact that Edinburgh remains the lowest funded local authority in Scotland and, together with council leaders across the country, I've repeatedly called on Ministers to provide a fairer settlement for local government. With the Scottish budget continuing to be debated at Holyrood into next week, I repeat this plea once again.

Despite this, and the difficult decisions that lie in front of us, I remain hopeful that we can find a positive way forward and set a balanced budget on 23 February – a fair, sustainable budget that works for the people of Edinburgh and reflects the priorities laid out in our Business Plan.

Marking a year of our support for Ukraine

I won't tire of describing the immense pride I feel in the welcome our city and its residents have provided to the 10,000+ Ukrainians who've arrived here since the Russia's illegal invasion a year ago – or of recognising the immense human cost that Ukrainians have endured as they continue to fight for their freedom.

Late last year, we [welcomed a delegation from our sister city Kyiv](#) and were [recognised alongside the Ukrainian community](#) for the immense support provided over the past year. The Lord Provost and I then joined Edinburgh Ukrainian Club Chair, Hannah Beaton-Hawryluk, the Ukrainian Consul General and other members of the Ukrainian community to [plant a ceremonial tree on behalf of the late HM The Queen](#) on Calton Hill.

As we count down to the anniversary on 24 February, we're continuing to work closely with Edinburgh's Ukrainian community and our third sector partners to plan a fitting programme of events. A night of music with Scottish and Ukrainian artists at the [Usher Hall](#), a fundraiser for Hospitallers paramedic charity at the [Scottish Storytelling Centre](#) and a wreath laying at the City War Memorial on the Royal Mile are amongst those already confirmed – with more to come in the coming weeks.

Putting the green back into Greendykes

Edinburgh's need for quality affordable housing has never been more urgent, and we've made a major commitment as a Council to ramp up the creation of new social homes.

I was delighted, then, that councillors agreed [a number of reports](#) last week which spearhead exactly that – allowing us to press ahead with another 200 homes, of which at least 130 will be available for social rent.

As part of this, we've approved plans to *put the green back into Greendykes* – using innovative approaches to transform a derelict site into sustainable net zero homes. This will involve offsite manufacturing and designing heat sources, which will help people to keep their fuel bills down as well as their carbon emissions.

Meanwhile, at Murrayburn Gate we've agreed to create over 100 affordable homes where the Wester Hailes Health Centre once stood. Over in Dreghorn, we've also negotiated the purchase of empty properties from the MOD which we'll convert into additional quality Council homes.

Tram project leads the way for Edinburgh's bold transport vision

It's only a matter of months until we complete the [tram line to Newhaven](#) – a huge milestone for the city – and I'm delighted that we're still on track to start serving the public on time and within the £207m budget. The route is really taking shape – all of the tracks are in the ground, tram stops are in place and, in the coming weeks, the full line will be electrified in preparation for testing.

I'm pleased to say that by mid-February we'll also be reopening Leith Walk to two-way traffic – I know this will be most welcome to the people who live and work there.

I'd like to thank residents and local businesses for their patience and perseverance throughout the works. I'm confident that this part of Edinburgh – and beyond – will reap the benefits of the completed line. We're already seeing a range of new business and development ventures popping up on the route, from traders occupying the newly refurbished Stead's Place building on Leith Walk to the waterfront neighbourhood planned for Ocean Terminal – positive signs of things to come.

Creating a better connected, environmentally friendly transport system is essential for a modern, successful city and we've just approved plans to consult on a [range of ambitious draft action plans](#) to transform the way we move around. These blueprints for active travel, public transport, parking, air quality and road safety are central to our transition towards a lower traffic, more liveable, healthy and sustainable place. We'll soon be seeking your views on our proposals – so watch this space.

Promoting tolerance, understanding and respect

Earlier this week, [I marked the start of LGBT+ History Month](#), which celebrates lesbian, gay, bisexual, trans and non-binary history annually. It's important to reflect on the past but just as important to acknowledge how the LGBT+ community continues to re-write the history books.

I'm proud that Edinburgh is a diverse, welcoming city that embraces all sections of society and celebrates difference.

While social acceptance of those who identify as LGBT+ has, thankfully, increased over recent decades, discrimination is sadly all too common. Any kind of attack on anyone because of their sexual orientation or transgender identity, or their race, religion or disability, is abhorrent, and, on behalf of the whole Council, I repeat my call for tolerance, understanding and respect right across our city.

Saving Gorgie Farm

Like many others, I was sad and disappointed when Gorgie Farm was forced to close its doors in January. It was such an important community asset, not just for the local area but everyone across the city, and we're working hard to find a positive way forward.

I was encouraged, then, by the constructive nature of committee discussions this week. It was really [powerful to hear from Save Gorgie Farm Forever](#) and local members about the value of the Farm to both visitors and the many volunteers, especially those with learning difficulties, who gained so much from their time and experiences there. We heard that, for some, it was a genuine lifeline.

I'm getting a real sense of a community-led coalition forming that can come together to find a workable and sustainable solution – ensuring the Farm remains affordable and accessible while offering valuable volunteering and educational opportunities for many more years to come.

Winterwatch 2023

Finally, it was fantastic to see Edinburgh featured so heavily in this year's series of the BBC's [Winterwatch](#).

The presenters repeatedly referenced just how much green space there is for us to enjoy in the Capital and championed the interconnected off-road paths, the river flowing through the city and the incredible amount of wildlife right on our doorstep. If you didn't tune in, you can catch up on [BBC website and iPlayer](#).

We remain committed to protecting our greenspace and wildlife and, through our [partnership with Fields in Trust](#), we're aiming for everyone to be within a ten-minute walk of a protected green space, ensuring that our residents are guaranteed opportunities for activity, play, learning and community.

At a Holyrood reception next week, we will join Fields in Trust to call for other local authorities, businesses and communities to collaborate and back the innovative partnership to protect our green spaces and secure better access to them for generations to come.

Get involved

Keep up to date with all [Council news](#). You can [watch live Council and committee meetings](#) on our webcast service and join the debate on Twitter using [#edinwebcast](#). If you wish to unsubscribe, please [email](#) us.

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The City of Edinburgh Council

10.00am, Thursday 9 February 2023

Resignation of Councillor Frank Ross/Appointments

Item number	
Executive/routine	Executive
Wards	All
Council Commitments	

1. Recommendations

The Council is asked:

- 1.1 To note that arrangements will now be put in place for a by-election for the vacancy in Corstorphine/Murrayfield ward (no 6), with polling on 9 March 2023.
- 1.2 To note that officers working on preparations for the by-election, the poll, postal vote processing and the count will require to be released from normal duties.
- 1.3 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.
- 1.4 To appoint an SNP Group member to the vacancy on the Policy and Sustainability Committee.
- 1.5 To appoint one member to the vacancy on the board of Edinburgh University Curators of Patronage.
- 1.6 To appoint one member to the vacancy on the board of the Lowland Reserve Forces' and Cadets' Association.
- 1.7 To appoint one member to the vacancy on the board of the Royal Company of Merchants Endowment Trust.
- 1.8 To appoint one member to the vacancy on the board of Capital City Partnership.
- 1.9 To appoint one member to the vacancy on the board of Edinburgh International Conference Centre Ltd.

Andrew Kerr

Chief Executive and Returning Officer for the City of Edinburgh Council

Contacts: Chris Highcock, Elections & Members Services Manager & Depute Returning Officer;
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Resignation of Councillor Frank Ross/Appointments

2. Executive Summary

- 2.1 Councillor Frank Ross has submitted his resignation as a councillor of the City of Edinburgh Council for Ward 6, Corstorphine/Murrayfield.
- 2.2 This report provides information on the arrangements necessary for the resulting by-election. Polling will be held on 9 March 2023, with the votes counted electronically at the close of poll. It also invites Council to appoint replacement members on the committees and outside bodies to which Councillor Frank Ross was appointed

3. Background

- 3.1 Following the resignation of Councillor Frank Ross on 16 December 2022, a by-election will take place for Electoral Ward No.6 Corstorphine/Murrayfield.
- 3.2 The by-election must be held within 3 months of the vacancy occurring, with the date determined by the Returning Officer. Potential dates for a by-election have been considered in the light of the Easter recess and scheduled Council meetings.
- 3.3 Councillor Frank Ross's resignation as an elected member results in a number of vacancies on committees and outside bodies.
- 3.4 In terms of the Committee Terms of Reference and Delegated Functions, the replacement committee members should be SNP Group members

4. Main report

- 4.1 Having reviewed potential dates for the required by-election the Returning Officer has determined that the poll will be held on 9 March 2023, with votes counted electronically at close of poll. This will allow the successful candidate to attend Council on 16 March 2023.
- 4.2 The count and postal vote processing activities will be held in the Council HQ at Waverley Court, using rooms that are currently unoccupied and minimising the cost of additional venues.
- 4.3 An election timetable for key tasks and deadlines has been created and is given in Appendix 1.

- 4.4 Some officers will require to be released from their normal duties to assist in the preparation for and delivery of the election. As there is no allocated budget for by-elections, there is little scope to pay overtime for work out of hours. No additional payment will be made for tasks carried out within the working day. Staff who have been asked to carry out evening work will generally be granted time in lieu, to be taken later as agreed with their own line managers.
- 4.5 Authority is requested to make such changes to polling arrangements, including polling places, as are necessary. This will be done in consultation with the three remaining elected members for this ward. It is anticipated that the polling places will be those used in the May 2022 elections as listed in Appendix 2, but some of these are still to be confirmed.
- 4.6 Councillor Frank Ross was a member of the Policy and Sustainability Committee.
- 4.7 Councillor Frank Ross also represented the Council on the boards of the following outside bodies and Council is invited to appoint a replacement to these organisations:

Edinburgh University Curators of Patronage (other members appointed are the Lord Provost and Councillor Griffiths).

Lowland Reserve Forces' and Cadets' Association (other member appointed is Councillor Daggart).

Royal Company of Merchants Endowment Trust (other members appointed are Councillors Burgess, Davidson Mitchell and Pogson).

Capital City Partnership (other members appointed are Councillors Caldwell and Meagher).

Edinburgh International Conference Centre Limited (other members appointed are the Lord Provost and Councillors Lezley Marion Cameron, Mumford and Whyte).

5. Next Steps

- 5.1 Appropriate arrangements will be put in place for a replacement member for Corstorphine/Murrayfield ward to be elected, in accordance with the relevant rules and legislation.
- 5.2 Any member appointed will be expected to contribute to the workplan of the Committee. Training will be provided to members as necessary.
- 5.2 Any appointments to Outside Organisations will be communicated to the organisations.

6. Financial impact

- 6.1 All of the associated costs of the by-election will be met from within existing Council budgets

7. Stakeholder/Community Impact

7.1 All Partnerships are aware of the appointments process.

8. Background reading/external references

8.1 Minute of the City of Edinburgh Council of 25 May 2022

8.2 Local Government (Scotland) Act 1973 – s36 Casual vacancies

8.3 The Scottish Local Government Elections Order 2011

9. Appendices

9.1 Appendix 1 – Election Timetable for Corstorphine/Murrayfield (Ward no. 6) by-election).

9.2 Appendix 2 – proposed polling places

City of Edinburgh Council Local Government By-Election Ward 6 Corstorphine/Murrayfield Election Timetable Date of Poll – Thursday 9 March 2023		
Publication of Notice of Election		Friday 20 January 2023
Delivery of nomination papers	-	Each working day (between 10.00am and 4.00pm) from Monday 23 January 2023
Last day to publish notice of election	-28	Not later than Monday 30 January 2023
Deadline for the delivery of nomination papers	-23	Not later than 4.00pm on Monday 6 February 2023
Deadline for withdrawal of nomination	-23	
Deadline for notification of appointment of election agents	-23	
Publication of notice of poll	-23	As soon as practicable after 4.00pm Monday 6 February 2023
Issue of Voter's Poll cards	n/s	7 February 2023 to be confirmed
Registration deadline	-12	Midnight on Tuesday 21 February 2023
Deadline for new postal vote applications and for changes to existing postal or proxy votes	-11	Not later than 5.00pm on Wednesday 22 February 2023
Issue of Postal Votes	n/s	28 February 2023 to be confirmed
Deadline for new applications to vote by proxy (not postal proxy), except for medical emergencies	-6	Not later than 5.00pm on Wednesday 1 March 2023
Deadline for notification of appointment of polling and counting agents	-5	Thursday 2 March 2023
First date that electors can apply for replacements for lost postal votes	-4	Friday 3 March 2023
POLLING DAY	0	7.00am – 10.00pm, Thursday 9 March 2023
Deadline for emergency proxy applications	0	Not later than 5.00pm on Thursday 9 March 2023
Last time for re-issue of spoilt and lost postal votes	0	Not later than 10.00pm on Thursday 9 March 2023
Last time to alter the register due to clerical error or court appeal	0	Not later than 9.00pm on Thursday 9 March 2023
COUNT	-	Close of poll Thursday 9 March 2023
Last day to submit election spending returns	+35d	Friday 14 April 2023

Polling Places for the Corstorphine/Murrayfield Ward (to be confirmed)

POLLING PLACE	POLLING DISTRICT	POLLING STATIONS / BOX NUMBERS
Murrayfield Parish Church Centre	WC06C,NC06L, WC06D	To be determined
Saughton Crescent Scout Hall	WC06G	To be determined
BT Murrayfield	WC06H	To be determined
Corstorphine St Ninian's Church Hall	WW06A	To be determined
St. Anne's Parish Church Hall	WW06B	To be determined
10th Craigmmond Scout Hall	WW06E	To be determined
Corstorphine Library	WW06F	To be determined
Carrick Knowe Parish Church Hall	WW06I	To be determined
Tesco Extra	WW06K	To be determined

City of Edinburgh Council

10.00am, Thursday, 9 February 2023

Appointments to Working Groups

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To appoint membership of the Working Groups as set out in Appendix 1 and confirm the lifespan and necessity for those Working Groups.
- 1.2 To agree the revised working group framework outlined in appendix two.

Richard Carr

Interim Executive Director of Corporate Services

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Appointments to Working Groups

2. Executive Summary

- 2.1 Following the Council election in May 2022, it was agreed that Working Groups would not be reappointed until after the Council had agreed its future political management arrangements, which were agreed in December 2022. To avoid unnecessary delays due to the committee cycle, it is recommended that Working Groups be reappointed by Full Council.
- 2.2 The report provides a summary of the benefits and constraints of Working Groups and encourages careful consideration of whether any Working Group should be appointed, recognising the pressure that a large number of Working Groups can exert on elected member and officer time and resource.

3. Background

- 3.1 The Council approved a framework for the creation and operation of working groups on 23 October 2014.
- 3.2 The Policy and Sustainability Committee approved an amended version of this framework on 6 August 2019.

4. Main report

- 4.1 Working Groups provide a forum for elected members to develop policy and discuss operational matters with officers and stakeholders. Meetings are usually held in private and they do not have the procedural constraints and formalities of committee meetings, allowing flexibility in format, location, timing and membership. Proposals can be discussed and developed in private before being considered and agreed in public at a later stage.
- 4.2 Working Groups can, however, exert a significant amount of pressure on both elected members and officer time and resource. Despite a lack of decision-making powers, a proliferation of working groups can give the impression that business is being conducted without scrutiny or due process. Working groups can also suffer from a lack of drive or 'mission drift', where they struggle to achieve established goals, co-opt new causes and continue in establishment for longer than was

originally intended. Working groups cannot be delegated decision-making authority and this can lead to confusion about the status and authority of the body.

4.3 Council should consider the need for a working group and if a working group is the best way to achieve stated objectives.

4.4 It is recommended that Council should consider what it wishes to achieve and whether a working group is the best vehicle for doing this. The following serves as a guide as to what purposes a working group can serve:

Can be dealt with by working group	Not appropriate for working group
To develop policy or proposals for approval by parent committee	To take a decision or incur expenditure on any matter
To scrutinise policy or proposals in detail before presenting findings to parent committee	To discuss a matter where the Council/responsible committee has no authority
To scrutinise or develop implementation details before presenting for approval by parent committee	To consider any matter without reporting back to the parent committee
To allow roundtable consultation with key stakeholders on matters within the parent committee's remit	
To provide more regular and in-depth oversight of a major project or initiative	

4.5 If the matter can be dealt with by a working group, consideration should be given to whether the benefits of flexibility, privacy, officer or stakeholder involvement are required.

4.6 The Working Group Framework (appendix 2) which provides a guide for executive committees when creating working groups has been updated to reflect the need to consider alternatives to working groups and to reinforce the need for annual review.

4.7 In instances where a working group is not appropriate, or the benefits are not required, there are two main options.

4.7.1 Consider the matter at committee.

4.7.2 Establish a sub-committee with delegated power.

4.8 While these options do not provide the benefits listed above, they do allow for debate and any decision to be taken in an open and transparent manner.

4.9 Council policy usually requires that Working Groups are established by the relevant executive committee with a clearly defined remit, membership and timeline, and are reviewed annually. Following the Council election in May 2022, it was agreed that

Working Groups would not be reappointed until after the Council had agreed its future political management arrangements. In order to avoid unnecessary delays, due to the committee cycle, it is recommended that Working Groups be reappointed by Full Council.

- 4.10 Appendix 1 includes details of the Working Groups established since appointments were last made formally in 2021. Seven of these are recommended for closure; five have been established/reappointed already; and a decision is required for the remaining 16 groups.

5. Next Steps

- 5.1 Lead officers, including Committee Services, will liaise with Conveners to set up meetings.
- 5.2 Working Groups will be reviewed and reappointed, where appropriate, annually by the relevant Executive Committees.

6. Financial impact

- 6.1 There are no financial implications as a result of this report.

7. Stakeholder/Community Impact

- 7.1 Member/officer working groups provide a key vehicle for policy development and discussion with stakeholders, informing the decision-making and governance of the Council as a whole.

8. Background reading/external references

- 8.1 [Review of Political Management Arrangements 2022](#) – Full Council – 15 December 2022
- 8.2 [Working Groups](#) – Policy and Sustainability Committee – 6 August 2019

9. Appendices

Appendix 1 – Working Groups

Appendix 2 – Amended Working Group Framework

APPENDIX 1 – CITY OF EDINBURGH COUNCIL – WORKING GROUPS

	Working Group	Remit	Convener / Membership	Recommendation
Council	Edinburgh Extension Act 1920 (short life)	To assess whether there was support to mark this centenary, and if so what form this commemoration might take.		Close – remit completed
	Royal Burgh 900th Anniversary (short life)	<ul style="list-style-type: none"> • To discuss whether there is appetite for a celebration to mark the 900th anniversary of Edinburgh becoming a burgh. • To consider how represented stakeholders can work together to mark the occasion. • To investigate opportunities for commercial and heritage funding • To develop proposals to be presented to City of Edinburgh Council for approval 		Close – remit completed

Policy & Sustainability	Edinburgh Waterfront All Party Oversight Group (short life)	<ol style="list-style-type: none"> 1. To provide a forum for cross-party political leadership of the Waterfront regeneration programme. 2. To discuss significant issues and projects arising from the development of the Waterfront. 3. To provide advice and guidance to officers on the implementation of decisions. 4. To monitor progress. 	9 members – Council Leader (Chair), Convener of Housing, Homelessness and Fair Work, Convener of Transport and Environment, Convener of Culture and Communities, Convener of Planning, Convener of Education, Children and Families; a representative from the SNP, Liberal Democrat, Green and Conservative Groups (if not included in the representation outlined above).	Council decision required
	Equalities Working Group (short life)	<ol style="list-style-type: none"> 1. To support the inclusion and innovation aims of the Council's Economic Strategy 2. To improve citizens' access to Council services, including services operated on the Council's behalf 3. To improve citizens' access to events, 	5 members (1 from each group)	Council decision required

		<p>meetings and visits to Council owned buildings, parks and land.</p> <p>4. To improve citizens' access to employment and training opportunities within the Council.</p>		
	Festival and Events All Party Oversight Group	<p>1. To provide scrutiny and oversight of the delivery and impacts of major festivals and events in Edinburgh.</p> <p>2. To facilitate and engage with key stakeholders including representatives from local communities.</p> <p>3. To ensure a co-ordinated Council-wide approach to festivals and events.</p>	Council Leader as the Convener, Convener of Culture and Communities Committee and all City Centre Ward Councillors, Group Leaders and Culture Spokespeople	Full Council – 27 October 2022 – noted the re-established Festival and Events APOG that fortnightly meetings have been scheduled to oversee this year's contract.
	Forth Green Freeport Elected Member Sounding Board	Ongoing liaison during preparation of the Outline Business Case (OBC) and Full Business Case (FBC), which will include formal arrangements for the	Cross-party (one from each group)	Council to establish and appoint members – Council agreed in December 2022 to establish this board, following a

		Council's role in the Forth Green Freeport governance structure.		successful bid.
	Short Term Lets Working Group (short life)	<ol style="list-style-type: none"> 1. To explore and understand the issues arising from the short term letting of properties which will inform policy and operational responses. 2. To lobby for and discuss national regulations which would support the management of short term lets in the city. 3. To discuss the implementation of new licensing and planning powers. 	11 members (3 SNP, 2 Labour, 2 Liberal Democrat, 2 Green, 2 Conservative)	Council decision required
	Slavery and Colonialism Legacy Review Group (short life)			Close – remit completed, recommendations reported to Committee in August 2022.
	Sustainability & Climate Emergency All Party Oversight Group (short life)	<ol style="list-style-type: none"> 1. To champion the prioritisation of 	6 members – Convener of the Policy and Sustainability	Council decision required

		<p>sustainability action within the Council and across the city.</p> <ol style="list-style-type: none">2. To support and drive a co-ordinated approach throughout the Council to embed sustainability outcomes in the delivery of Council services.3. To play a key role in providing additional scrutiny and oversight of the implementation of the Programme Plan.4. To provide a vehicle for the development of the 2030 Sustainability Strategy and 2050 Vision before it is submitted for debate and approval at the Corporate Policy and Strategy Committee5. To provide a means to facilitate and engage with partners and the	<p>Committee, the Sustainability Champion, 1 SNP, 1 SLD, 1 Green and 1 Conservative)</p>	
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		<p>community on the developing strategy and the wider sustainability agenda throughout the City.</p> <p>6. To link in with other working groups within the Council which are progressing elements included in the Sustainability Programme or 2030 Strategy.</p>		
	<p>Welfare Reform Working Group (short life)</p>	<ol style="list-style-type: none"> 1. To monitor the implementation and impact of various benefits changes and to contribute to consideration of further measures to support tenants and recipients of benefits 2. To keep under review the implementation and impact of the Council's 'no evictions' policy 3. To consider the application and impact 		<p>Close – remit completed (Working Group agreed to cease the group at meeting in December 2021)</p>

		<p>of the Discretionary Housing Payments policy</p> <ol style="list-style-type: none"> 4. To monitor the position in respect of rent arrears and any implications 5. To monitor the implementation of the Scottish Welfare Fund 6. To monitor the implementation and impact of PIP (Personal Independence Payments) and Universal Credit 		
	<p>West Edinburgh All Party Oversight Group</p>	<p>To oversee the development of the strategic vision for West Edinburgh and to advise on major policy issues like inclusive growth, development mix, transport infrastructure, schools provision and wider social, economic and spatial issues.</p>	<p>8 members - Council Leader (Chair), Convener of Housing, Homelessness and Fair Work, Convener of Transport and Environment, Convener of Planning, Convener of Education, Children and Families, and a representative from the SNP, Liberal Democrat, Green and Conservative, and</p>	<p>Council decision required</p>

			Green Groups (if not included in the representation outlined above).	
Finance and Resources	Elected Members ICT and Digital Sounding Board (standing)	<p>The Sounding Board oversees and scrutinises the delivery of the Council's ICT and Digital Services Contract, with a specific focus on:</p> <ul style="list-style-type: none"> • The risks associated with the delivery of the ICT and Digital Services Contract; • The financial resources required; • The cost/value of the ICT and Digital Services Contract to the Council; • The Council's need to demonstrate best value; • An assurance that ICT and Digital services contract is meeting the needs of the Council's 	8 members (2 SNP, 2 Labour, 2 SLD, 1 Green and 1 Conservative)	Council decision required

		stakeholders, including citizens.		
	Council Health & Safety Consultative Forum	<ul style="list-style-type: none"> • To promote a low tolerance approach to health and safety risks. • To consider, review and make recommendations to the Corporate Health and Safety Manager and/or Council Health and Safety Group on the following areas: <ul style="list-style-type: none"> - Health and safety performance; - Accident investigations and action taken; - Health and safety matters referred from the Council Health and Safety Group; - Reports from the Health and 	1 member – Convener of the Finance and Resources Committee	Council decision required

		<p>Safety Executive, where appropriate;</p> <ul style="list-style-type: none">- Reports submitted by the Corporate Health and Safety Team;- Requirements for health and safety training;- Health and safety communication in the workplace;- Health and safety reports that have been submitted by Safety Representatives and that have not been resolved at a local level. <ul style="list-style-type: none">• To assist in the development of Council policy, procedures and guidance on matters		
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		<p>relating to health and safety at work.</p> <ul style="list-style-type: none"> To raise awareness of Council Health and Safety initiatives. 		
	Joint Consultative Group (standing)			Reappointed in September 2022
Transport & Environment	Cammo Estate Advisory Committee (standing)	To meet at regular intervals and whenever necessary for consultation with or to offer advice to the proprietors of Cammo Estate or the National Trust for Scotland on the planning, development, management or maintenance of the subjects and buildings on the property.	2 local ward members	Council decision required
	Single Use Plastics Working Group (short life)	To discuss the report on Single Use Plastics and any issues that arose from this to develop potential solutions	5 Members (1 from each group)	Close – remit completed – group last met January 2020
	Tram All Party Oversight Group (standing)	To receive updates on the project progress, finances and current issues, including interfaces with key stakeholders such as Edinburgh St James, local	8 members (Leader of the Council, Convener of the Transport and Environment Committee, Opposition Group Leaders,	Reappoint – APOG is currently meeting informally.

		businesses and residents, Community Councils and Lothian Buses.	Opposition Transport Spokespersons.)	
	Tram Programme Board (standing)			Project-led – no requirement for the Council to appoint.
	Tram Finance & Risk Working Group (standing)			Appointed by the Tram Board
	Tram Ready for Ops Group (standing)			Appointed by the Tram Board
	Transport Forum (standing)	To provide a city-wide Forum of experts and citizens to consider our future transport needs.	5 Members (1 from each group)	Council decision required
	Active Travel Forum (standing)	<ol style="list-style-type: none"> 1. To provide a city wide Active Travel Forum of experts and citizens to consider the positive and collective roles of walking and cycling in our future transport system and lifestyle needs. 2. To effectively scrutinise, influence and enhance the city's strategies and services relating to transport, place making and leisure and to promote 	1 Member (Convener of the Transport and Environment Committee)	Close – group has not met since March 2019

		<p>increased levels of walking and cycling.</p> <p>3. The Forum is a consultative body to inform the strategic direction of medium to long term plans, budgets and integration, and review the delivery of current policy to promote its positive results and maintain the case for active travel.</p>		
	Local Access Forum (standing)	<p>1. Local Access Forums are advisory bodies established under the Land Reform (Scotland) Act 2003. Every access authority (local authority / National Park authority) has one or more forums for their area.</p> <p>2. The functions of the local access forums include:</p> <ul style="list-style-type: none"> • Providing the access authority with advice and assistance in the discharge of their 	1 Member (Convener of the Transport and Environment Committee)	Council decision required

		<p>duties and functions under the Act</p> <ul style="list-style-type: none"> Offering advice and providing assistance in cases of dispute, for example, concerning the exercise of access rights 		
	Central Edinburgh Development Working Group (short life)	<ol style="list-style-type: none"> To review and consult with lead elected members from the Transport and Environment Committee, Housing, Homelessness and Fair Work Committee and the Planning Committee on major projects in and around the centre of Edinburgh and to discuss matters relating to city centre development. For clarification, the remit of the group excludes oversight of routine maintenance and city centre management. 	10 members (Convener of the Transport and Environment Committee, Convener of the Housing, Homelessness and Fair Work Committee, Convener of the Planning Committee, 3 SNP, 2 SLD, 1 Green and 1 Conservative)	Close – group has not met since March 2019

Education Children and Families	City of Edinburgh Council Corporate Parenting Board (standing)	Replaced the Corporate Parenting Member Officer Group in November 2022. Remit to be set.	1 Member (Convener of Education, Children and Families Committee)	Established in November 2022.
	Gaelic Implementation Steering Group (standing)	<ol style="list-style-type: none"> To support the implementation of Edinburgh's current Gaelic Language Plan (2018-22) by: <ul style="list-style-type: none"> overseeing and providing constructive support and challenge to progress contributing to discussions on the prioritisation of next steps To support the production of annual progress reports. To support the development of future Gaelic Language Plans. 	7 Members	Reappointed by E,C&F in November 2022 – first meeting was held on 23 January 2023.
	Wester Hailes Working Group (short life)	<ol style="list-style-type: none"> To research and understand the decisions parents and young people make about placing choices. To deal with reputation and communication 	5 Members (Convener of the Education, Children and Families Committee (as Convener), 1 representative from each group) Other Members	Close – remit completed

		<p>issues.</p> <ol style="list-style-type: none"> 3. To strengthen the curriculum offer. 4. To strengthen the partnership with feeder primaries and nearby high schools. <p>To consider options for a “re-brand” of WHEC in response to concerns raised by some of the parents at the feeder schools, and to explore the feasibility of introducing a specialism in its curriculum such as a focus on Digital & IT skills and/or vocational skills, encouraging placement requests to come in, for those wishing to develop these skills for employment or further education.</p>	<p>One parent council representative from Wester Hailes Education Centre One parent council representative from each of the three feeder Primary Schools (Canal View, Clovenstone and Sighthill) Head Teacher, Wester Hailes Education Centre One Head Teacher to represent the three feeder Primary Schools Officers from Quality, Improvement & Curriculum, Communities and Families</p>	
<p>Housing, Homelessness and Fair Work</p>	<p>Economic Advisory Panel</p>	<ul style="list-style-type: none"> • Build on existing joint working with key economic partners. • Support business engagement in the delivery of the Edinburgh Economy Strategy. • Work with the Council to advise 	<p>1 Member (Convener of the Housing, Homelessness and Fair Work Committee)</p>	<p>Council decision required</p>

		and collaborate on actions to make sure that Edinburgh's economic growth is sustainable and benefits all citizens.		
	Homelessness Task Force (standing)			Reappointed by HHFW Committee in January 2023
Culture and Communities	Meadowbank Sports Centre and Stadium Working Group (short life)	<ul style="list-style-type: none"> • Receive progress reports and updates from the project team. • Provide feedback on the reports and updates. • Submit reports with recommendations to appropriate Committees. • Advise on the development of communication and engagement activities with local people and user groups. • Act as ambassadors for the project and provide support to the project team at key stages during project delivery. 	5 Members (1 from each group)	Close – remit completed

	<p>Tourism and Communities Working Group (short life)</p>	<ul style="list-style-type: none"> • The working group will seek to ensure that the views and consideration of communities and residents are taken into account in the development of a new strategy for tourism. • The elected members on the group will represent communities and residents, liaising through engagement with statutory and non-statutory groups and networks including Community Councils and Resident's Groups. • Officers will link to Council service areas as appropriate to ensure a coordinated cross-council approach is maintained throughout the process. 	<p>6 members (2 each from Housing, Homelessness and Fair Work Committee, Transport and Environment Committee and Culture and Communities Committee, to extend invitations to City Centre Councillors and ensure cross-party representation)</p>	<p>Close – group has not met since early 2019.</p>
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Appendix 2 – City of Edinburgh Council – Working Group Framework

- The chair of a working group will be agreed by the parent committee.
- Membership of 'Working Groups' will be open to all members of the parent committee (and substitutes), or as agreed by the parent committee; with officers and outside representatives being involved, as required.
- The chair will be able to add to the membership of a working group but not remove members who must be changed by the parent committee.
- Working Groups should have a defined written remit, and a timeframe for delivery of that remit; all to be agreed by the relevant parent committee.
- Working Groups will agree flexible meeting arrangements, to recognise individual workloads **and circumstances**, wherever appropriate, **including whether the Working Group should meet in person or virtually**.
- Parent committees to consider annual re-appointment reports confirming the lifespan and necessity for a working group. Committees should confirm that working groups have clear objectives and give consideration as to whether a working group is the correct vehicle to take these forward.

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The City of Edinburgh Council

10.00am, Thursday 9 February 2023

Appointment to the Additional Parent Representative Position on the Education, Children and Families Committee

Item number	
Executive/routine	Executive
Wards	All
Council Commitments	

1. Recommendations

- 1.1 To recommend that the Council confirms 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.
- 1.2 To note that only one of the appointed parent representatives may attend per meeting of the Committee.
- 1.3 To note that the appointment is conditional upon confirmation that the appointee(s) will comply with the Councillors' Code of Conduct and membership of the Protection of Vulnerable Groups (PVG) Scheme.
- 1.4 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.

Richard Carr
Interim Executive Director of Corporate Services

Contact: Lesley Birrell, Committee Officer
Legal and Assurance Division, Corporate Services Directorate
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Appointment to the Additional Parent Representative Position on the Education, Children and Families Committee

2. Executive Summary

- 2.1 This report invites the Council to confirm the appointment of Sara Collins and Louise Collingwood (noting that the role would be undertaken on a shared basis) to the additional parent representative position representing primary school sector parents and carers on the Education, Children and Families Committee.

3. Background

- 3.1 The Council, on 22 June 2017, agreed changes to the membership of the Education, Children and Families Committee. It was agreed to retain the parent representative position on the Committee but in a non-voting capacity, while noting the need to significantly strengthen engagement with teachers, pupils and parents through the decision-making process.
- 3.2 The Council, on 24 November 2022, confirmed the appointment of Alexander Ramage as the parent representative representing secondary sector parents and carers on the Education, Children and Families Committee, term of office to run from 24 November 2022 to 24 May 2024.
- 3.3 The Council, on 15 December 2022, agreed that an additional parent representative position be added to the membership of the Education, Children and Families Committee in a non-voting capacity.
- 3.4 Only members of the Consultative Committee with Parents (CCWP), appointed from schools and parent councils, are eligible to be nominated as parent representatives to the Education, Children and Families Committee.

4. Main report

- 4.1 The Council, on 15 December 2022, agreed that an additional parent representative position be added to the membership of the Education, Children and Families Committee in a non-voting capacity. This additional position would represent primary school sector parents and carers with the term of office running from 9 February 2023 to 24 May 2024 to align with the previously appointed secondary sector parent representative.

- 4.2 Nominations were sought for the position of the additional parent representative and notes of interest were received from two parents/carers. Following informal discussions with the Senior Education Manager and Senior Education Officers, both candidates expressed an interest in undertaking the role on a shared basis.

5. Next Steps

- 5.1 To make the necessary arrangements to allow the additional parents/carers to undertake the role on a shared basis.

6. Financial impact

- 6.1 The parent representative is entitled to claim travel and subsistence for attendance at meetings.

7. Stakeholder/Community Impact

- 7.1 Consultation and engagement took place with parent council representatives within each locality.

8. Background reading/external references

- 8.1 [Minute of Council 22 June 2017 – Political Management Arrangements](#)
- 8.2 [Minute of Council 25 August 2022](#)
- 8.3 [Webcast of the Consultative Committee with Parents 8 November 2022](#)
- 8.4 [Minute of Council 24 November 2022](#)
- 8.5 [Webcast of Council Meeting 15 December 2022](#)

9. Appendices

- 9.1 None.

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The City of Edinburgh Council

10am, Thursday 9 February 2023

Decision Making Framework 2023

Executive/routine
Wards
Council Commitments

1. Recommendations

- 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, 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.
- 1.2 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.

Richard Carr

Interim Director of Corporate Services

Contact: Gavin King, Head of Democracy, Governance and Resilience

Legal and Assurance Division, Corporate Services Directorate

E-mail: gavin.king@edinburgh.gov.uk | Tel: 0131 529 4239

Decision Making Framework 2023

2. Executive Summary

- 2.1 This report sets out changes to the key documents that support internal controls, accountability and the transparent operation of the Council and recommends appropriate changes. This is to ensure that the key decision-making governance documents of the Council are comprehensive, relevant, up-to date, support good governance and incorporate the changes required due to the changes to the political management structures agreed by Council in December 2022.

3. Background

- 3.1 In December 2022 new political management arrangements were agreed that made changes to the committee system and also sought to make efficiencies in reducing the amount of routine business that is considered.
- 3.2 In December 2021 the Independent Review into Whistleblowing and Organisational Culture recommended that consideration be given into setting up a sub-committee to specifically scrutinise whistleblowing disclosures and reports

4. Main report

- 4.1 This report sets out changes to the governance documents that support decision making in the Council.

Procedural Standing Orders

- 4.2 The Council has been operating interim standing orders since the pandemic began and changes were made to accommodate new ways of working and improve how committee business is undertaken. Following discussions with group leaders and representatives, a revised set of Standing Orders is presented which takes into account the changes of the past three years and further aims to ensure that Council and committee meetings make the best use of time and are as efficient and accessible as possible.

Committee Terms of Reference and Delegated Functions

- 4.3 The changes to the Committee Terms of Reference reflect the decision of Council on its political management arrangements which was agreed on 15 December 2022.
- 4.4 In addition, as recommended by the Independent Review into Whistleblowing and Organisational Culture in December 2021, a new sub-committee of Governance, Risk and Best Value is created that would consider all matters regarding whistleblowing. This would ensure there was sufficient time to be able to focus on these matters. The Sub-committee membership would be the same as the membership of the parent committee.

Scheme of Delegation to Officers

- 4.5 An update is proposed to the Scheme of Delegation to Officers which reflects changes to legislation and the structure of the Council. It is also proposed to create distinct delegation to service directors, this better reflects their senior role in the Council and the decisions they routinely are required to take. This delegation is not specific to any service but covers matters relating to staff, health and safety, grant offers and consultations.
- 4.6 Additionally, values have been increased to reflect inflation over the last twenty years and to ensure relatively routine issues are considered at officer level. An example of this is the rental value for leasing a property is extended from £50,000 to £75,000.
- 4.7 A change is also proposed to planning delegation levels which brings the number of There are a number of changes to the scheme of delegation in relation to planning. These include making the threshold for whether an application is reported to committee being more that 20 representations for all applications. At present the threshold is more than 20 representations for householder development and more than 6 representations for other kinds of development. The threshold of more than 20 has worked well and bringing the thresholds into line will simplify matters. Other changes include enabling delegation of the initiation of stopping up proceedings and allowing the delegation of the confirmation of tree preservation orders where there are no objections.
- 4.8 Along with the Scheme of Delegation to Officers, Planning are required to have in place a Scheme of Delegation for Local Developments. This requires approval of Scottish Ministers. The Local Developments Scheme of Delegation is attached in appendix 4. The changes proposed within it would make it consistent with the changes proposed for the Scheme of Delegation to Officers. If approved by Council, Ministerial approval will be sought.

5. Next Steps

- 5.1 Training sessions and a briefing note will be provided to officers on the new arrangements and the impact of the changes on their work. Partners and community councils will also be provided with information explaining the changes.

6. Financial impact

- 6.1 There is no financial impact as a result of this report.

7. Stakeholder/Community Impact

- 7.1 It is good governance to maintain and regularly review the Council's key operational governance documents, so powers are transparent, clear and fit for purpose.
- 7.2 The revised committee system requires an updated set of Committee Terms of Reference to be implemented and an updated Scheme of Delegation to Officers and Contract Standing Orders to be fully effective.
- 7.3 Extensive consultation was carried out with workshops consisting of elected members on the standing orders and the committee terms of reference.

8. Background reading/external references

- 8.1 The City of Edinburgh Council 15 December 2022 – [Review of Political Management Arrangements 2022](#)
- 8.2 The City of Edinburgh Council 16 December 2021 – [Review of the Whistleblowing and Organisational Culture of the City of Edinburgh Council](#)

9. Appendices

- 9.1 Appendix 1 – Procedural Standing Orders
- 9.2 Appendix 2 – Committee Terms of Reference and Delegated Functions
- 9.3 Appendix 3 – Scheme of Delegation to Officers
- 9.4 Appendix 4 – Statutory Scheme of Delegation for Local Planning Applications

CITY OF EDINBURGH COUNCIL

PROCEDURAL STANDING ORDERS

FOR COUNCIL

AND COMMITTEE MEETINGS

CONTENTS

1.	First meeting of the Council after an election	4
2.	Lord Provost and Depute Convener – Term of Office	4
3.	Ordinary and special meetings	4
4.	Notice of meetings	5
5.	Quorum	5
6.	Lord Provost – Council Meetings	6
7.	Convener – Committees	6
8.	Lord Provost and Convener – Duties	6
9.	Order of business	7
10.	Power to vary order of business	7
11.	Declaration of interests	7
12.	Deputations	8
13.	Minutes	8
14.	Reports to Council and Executive Committees	8
15.	Council questions	9
16.	Leader’s report and questions	9
17.	Notice of Motions	9
18.	Public Meetings and Private Items	10
19.	Order of debates	10
20.	Length of speeches	10
21.	Motion for adjournment	10
22.	Debate	10
23.	Closure of debate	12
24.	Voting	12
25.	End of session decisions	13
26.	Appointments	13
27.	Point of order	14
28.	Suspension of Standing Orders	14
29.	Obstructive or offensive conduct by members	14
30.	Changing a Council decision	15
31.	Referring a decision to Council	15

32.	Committee – non-member motion	15
33.	Ward or members with special interest	15
34.	Freedom of the City	16
35.	Variation and revocation of Standing Orders	16
36.	Review of Standing Orders	16

STANDING ORDERS

These standing orders ("**Standing Orders**") apply from ~~28 June 2021~~ 10 February 2023 and regulate the conduct of business at meetings of the City of Edinburgh Council ("**Council**") and the committees or sub-committees of the Council ("**Committees**").

Members are responsible for acting in accordance with the Members' code of conduct at Council and committee meetings.

1. **First meeting of the Council after an election**

1.1 In an election year, the Council will hold a meeting at 10 am, no later than the third Thursday after the day of the ordinary election of Councillors.

1.2 At this meeting or at any adjournment of it, the Council will

(a) appoint the Lord Provost;

(b) seek to appoint the Depute Convener, the Leader and Depute Leader of the Council, the members of the committees of the Council and their conveners and any vice-conveners, the members of the joint committees and joint boards, the members of the Licensing Board and such representatives to other bodies as the Council may decide to appoint; and

(c) deal with any urgent competent business.

2. **Lord Provost and Depute Convener – term of office**

2.1 The Council may at any time agree to remove the Lord Provost and Depute Convener from office, with immediate effect, provided that not less than three quarters of the members of the Council present and voting so decide.

3. **Ordinary and special meetings**

3.1 If circumstances allow, a meeting of the Council will be held at 10 am on every fourth Thursday.

3.2 In a non-election year the Council, at its first ordinary meeting in May will; appoint the Leader and Depute Leader, the members of the committees of the Council and their conveners and any vice-conveners and the members of the joint committees and joint boards.

3.3 The Lord Provost may in exceptional circumstances alter the arrangements for ordinary meetings or authorise a special meeting to be called. A special meeting may also be called at any time by written request to the Clerk specifying the business to be transacted and signed by at least one quarter of the members of the Council. The Clerk will arrange for the special meeting to be held within 14 days of receipt of the request. The right to call a meeting does not apply to Committees.

3.4 The Council may recess for periods to be determined by the Clerk after consultation with the Lord Provost and the Leader of the Council. During any recess no meetings

of the Council, Executive Committees or the Governance, Risk and Best Value Committee will be held.

4. **Notice of Meetings**

4.1 At least 3 clear days before a meeting of the Council or its Committees:

- (a) the Clerk will publish a notice of the time and place of the intended meeting. If the meeting is called by members of the Council, the signed request will accompany the notice; and
- (b) a summons to attend the meeting containing the agenda of business will be sent to every Council member by email or to an alternative address nominated by them. If a summons is not sent to any member, the meeting will still be validly called only if good reason is shown for failure to send such a summons.

4.2 A Committee will hold such meetings as the Council may prescribe, but the Clerk will call additional meetings of a Committee at any time on being required to do so by the Committee concerned, or at the request of the Convener. Meetings will be called at least six days before the meeting date in accordance with the statutory requirements

4.3 The Clerk will call a special meeting to be held within eight days of receiving a written request specifying the business to be transacted and signed by at least one quarter of the members of the Committee concerned.

4.4 Any summons issued under Standing Order 4.1 must give a note of the agenda of business and the proposed order for dealing with business at the meeting.

4.5 No business other than that set out in the notice of meeting may be dealt with unless it is brought before the Council or Committee as a matter of urgency. The Lord Provost or Convener must rule that it is a matter of urgency and give the reasons for the ruling to be noted in the minutes. The item must be made known at the start of the meeting when the order of business is decided. If the Lord Provost or Convener rules that the matter is not urgent, it will be included as an item for the next ordinary meeting of the Council or next scheduled committee meeting, unless dealt with earlier.

5. **Quorum**

5.1 The quorum of the Council is sixteen. No business may be transacted at any meeting unless a quorum is present. If fewer than sixteen members are present ten minutes after the appointed time for the start of the meeting a division will be announced. If after a further period of three minutes there are still fewer than sixteen members present, the meeting will be adjourned until such date and time as the Lord Provost decides.

5.2 If at any time during a Council meeting a question arises on whether there is a quorum, the Lord Provost will instruct a count of the members who are present. If a quorum is not present, the meeting will be adjourned until such date and time as the Lord Provost decides.

5.3 Subject to law the quorum of a Committee will be one third of the number of voting members of the Committee (see Committee terms of reference for specific numbers)

provided that in no case will any business be transacted unless at least two voting members are present.

5.4 If fewer members are present five minutes after the time appointed for the start of a Committee meeting than are needed to constitute a quorum the meeting will be adjourned until such date and time as the Convener decides. After a meeting has started, if the number of members present falls below the quorum the meeting will be adjourned immediately until such date and time as the Convener decides.

5.5 A member who has declared an interest in an item of business and has left the meeting may not be counted in the quorum for that item of business. If less than a quorum of the Council or Committee is entitled to vote on an item due to declaration of interests that item cannot be dealt with at the meeting.

6. **Lord Provost - Council Meetings**

6.1 The Lord Provost will chair any Council meeting when he or she is present. When the Lord Provost is absent from a Council meeting, the Depute Convener will chair the meeting. When the Lord Provost and Depute Convener are absent, another member of the Council, chosen by the members present, will chair the meeting.

7. **Convener - Committees**

7.1 The Convener will chair any meeting of a Committee when he or she is present. When the Convener is absent from a Committee meeting the Vice-Convener, if appointed, will chair the meeting. When the Convener and Vice-Convener are absent, another member chosen by the members present will chair the meeting.

8. **Lord Provost and Convener- Duties**

8.1 The duties of the Lord Provost or Convener of the meeting, in accordance with these Standing Orders, will include:

- (a) Deciding on all matters of protocol, decorum, order, competency and relevancy;
- (b) Determining all matters of procedure for which no provision is made within these Standing Orders. In reaching this determination he/she may be advised by the Clerk;
- (c) Deciding priority between two or more members wishing to speak;
- (d) Ensuring that a fair opportunity is given to all members to express their views on any item of business;
- (e) Preserving order within the meeting;
- (f) Ordering the exclusion of any member of the public, in order to prevent or suppress disorderly conduct or any other behaviour which impedes or is, in the Lord Provost or Chair's opinion, impeding the business of the meeting;
- (g) In the event of disorder arising, adjourning the meeting to a time and date the Lord Provost or Convener will fix then or later. In leaving the meeting, the Lord

Provost or Convener in such circumstances, will without further procedure, have formally adjourned the meeting;

(h) Signing the minutes of the previous meeting;

8.2 The decision of the Lord Provost or Convener in relation to all questions regarding Standing Orders is final, but in reaching these decisions advice may be sought from the Clerk.

9. **Order of Business**

9.1 **Full Council** – the business of Council at ordinary meetings will take place in the following order:

(a) Order of Business

(b) Declaration of Interests

(c) Deputations

(d) Minutes

(e) Leader's Report

(f) Appointments

(g) Reports

(h) Motions

(i) Congratulatory Motions

(j) Council Questions

9.2 At a meeting of the Council or a Committee a ten-minute break will be taken after every two hours of business or at the end of the current item of business, at the discretion of the Lord Provost or Convener.

10. **Power to vary order of business**

10.1 The Council or Committee may at any meeting vary the order of business to give precedence to any item on the agenda:

(a) at the discretion of the Lord Provost or Convener; or

(b) on a motion duly moved and seconded and voted on electronically or by a roll call.

11. **Declaration of Interests**

11.1 Where a member declares an interest in accordance with the Councillors' Code of Conduct and leaves the meeting, the fact will be recorded in the minutes of the meeting.

12. Deputations

12.1 The Council or any Committee can hear deputations on any matter that is included in its power, duties or delegation.

~~12.2~~ Every application for a deputation must be from an office bearer of an organisation or group. It must be submitted by email or in writing, setting out the subject of the deputation and be delivered to the Clerk no later than 2pm, two working days before the meeting concerned. The Lord Provost or Convener has discretion to waive both these requirements.

~~12.2~~12.3 Where those requesting to make the deputation are unable to attend the meeting either in person or virtually, written submissions will be permitted.

~~12.3~~12.4 The Clerk will submit the application to the Council or relevant Committee. An application for a deputation to Council will only be submitted if it relates to an item of business on the agenda for that meeting or if the Lord Provost or Convener decides that there is sufficient reason for the meeting to consider it.

~~12.4~~12.5 When the Council or Committee considers whether to hear a deputation, it must not discuss the merits of the case itself. If necessary, a vote will be taken without discussion on whether to hear the deputation.

~~12.5~~12.6 Each deputation will not usually exceed four persons and will have ~~ten~~five minutes to present its case. If the meeting decides to hear more than one deputation on the same subject, they will be heard together. The Lord Provost or Convener will decide how much time to allow.

~~12.6~~12.7 ~~Unless the Lord Provost or Convener decides otherwise, t~~he total maximum time allowed for deputations at a meeting will be limited to 60 minutes.

~~12.8~~ ~~Any member~~One member per political group can put a question to the deputation that is relevant to the subject. The total time allowed for such questions will not be more than ten minutes for each deputation. The merits of the case must not be discussed by members until the deputation has withdrawn.

~~12.7~~12.9 Agenda items relating to deputations will be considered in the order as set out on the agenda, unless explicitly advised otherwise by the Convener under 'Order of Business' at the beginning of the meeting.

~~12.8~~12.10 Standing Order 12 does not apply to meetings of the Licensing Sub-Committee, the Development Management Sub-Committee, or the City of Edinburgh Planning Local Review Body, nor to any subsequent consideration of the quasi-judicial matter, or to any other quasi-judicial items considered by the Council or its committees.

13. Minutes

13.1 The Clerk will minute all Council and Committee meetings. The minutes will record the names of the members who attended the meeting and record, in the event of a vote, how each individual member voted. They will be circulated among members of the Council or Committee at least three clear working days before its next meeting for

approval. If they are approved as a correct record of proceedings of the meeting, the Lord Provost or Convener of the meeting will sign them.

14. **Reports to Council and Executive Committees**

14.1 Reports to the Council and its Executive Committees will be submitted in accordance with the relevant remits and delegated functions set out in the Council's Committee Terms of Reference and Delegated Functions. Any report which may be of interest to another Executive Committee will be included in that Committee's Business Bulletin by way of an electronic link and may also be issued by email to elected members if requested.

15. **Council Questions**

15.1 At any Council meeting, a member may put a question to the Lord Provost or to any Convener or Vice-Convener with relevant responsibility about any relevant or competent business. The question must be given in by email or in writing to the Clerk by noon on the seventh working day before the meeting. The Lord Provost or Convener may specify that a particular question will be answered by another Convener or Vice-Convener, with that member's consent.

15.2 A member may put a question to a Convener or Vice-Convener at a Council meeting about any matter that is on the summons for that meeting. He/she must give the question orally or in writing to the Clerk by 10am on the day before the meeting.

~~15.3~~ After a question has been answered the questioner may ask a supplementary question, if necessary, to seek clarification of the answer given. The total time for asking a supplementary question and replying to it will not be more than 5 minutes. The total time for all such questions and answers will not be more than 40 minutes.

~~15.4~~ If the Council does not consider Council Questions at the meeting due to the operation of Standing Order 25, written supplementary questions will be permitted. Members must submit these to the Clerk by 5pm the day after the meeting. Conveners' answers will be provided by 5pm five working days after the meeting.

~~15.5~~ No discussion will be allowed on any question or answer.

16. **Leader's Report and Questions**

16.1 At a meeting, a member may put one or more oral questions to the Leader in connection with the Leader's Report. The Leader may invite a Convener or Vice-Convener to respond on his/her behalf. The total time allowed for such questions and answers will not be more than 40 minutes.

16.2 No discussion will be allowed on any question or answer.

17. **Notices of Motion**

17.1 Every formal notice of motion will be in writing and signed off by the member giving the notice. The notice must be emailed to the Clerk by noon on the seventh working day before the meeting. Those not received within this timescale, will not be included in the summons calling the meeting.

- 17.2 Late formal notices of motion may be submitted to the Council or Committee at the appropriate time in the meeting, in terms of Standing Order 4.4 if:
- (a) They have been delivered to the Clerk before the start of the meeting;
 - (b) They are considered by the Lord Provost or Convener to be competent, relevant and urgent; and
 - (c) They have been circulated to members before the meeting commences or read by the Clerk to the meeting at the appropriate time in the meeting.

17.3 Late motions which are not accepted as urgent by the Lord Provost or Convener, will be considered at the next ordinary meeting.

17.4 Every formal motion submitted, in terms of Standing Orders 17.1 and 17.2, will require to be moved and seconded formally. If such a motion is not moved and seconded formally it will fall and this will be recorded in the minutes.

18. **Public Meetings and Private Items**

18.1 Meetings of the Council are generally open to the public but the Local Government (Scotland) Act 1973 does allow the Council to hear matters in private if they meet the description of confidential information as defined in the Act or by resolution if the Council agrees that if the meeting was held in public, then exempt information as defined in Schedule 7(A) of the Act would be disclosed.

18.2 Being open to the public requires that the public should be able to observe meetings and should have access to all agendas and reports that are not ruled private under the Act. To ensure access, the Council will endeavour to webcast all appropriate meetings that are open to the public.

19. **Order of Debates**

19.1 A member who wishes to speak, when called on, will address the Lord Provost or Convener. The member will speak directly on the motion or amendment that is being proposed, seconded or discussed, or on a question of order. No member can speak more than once on any subject that is being discussed, except for a point of order or, with the permission of the Lord Provost or Convener, to give an explanation. The person proposing the motion has a right of reply.

20. **Length of Speeches**

20.1 Except with the Lord Provost or Convener's permission the proposer ~~and seconder~~ of a motion or an amendment must not speak for more than ~~five~~four minutes, and all other speakers for not more than three minutes. The proposer of the original motion may speak for up to ~~five~~four minutes in reply, and the reply must not introduce any new matter into the debate. After that, the discussion will finish and the Lord Provost or Convener will direct that a vote be taken.

21. **Motion for Adjournment**

21.1 A motion to adjourn the meeting may be put at any time, except if a member is speaking, and will have precedence over all other motions. It must be moved and

seconded without discussion and must at once be put by the Lord Provost or Convener in the form of 'adjourn' or 'not adjourn.'

21.2 A second or subsequent motion to adjourn may not be made within half an hour unless it is moved by the Lord Provost or Convener when it will be dealt with as in Standing Order 21.1.

22. Debate

22.1 A member wishing to speak will address the Lord Provost or Convener. He/she will speak only on the matter under consideration or on a question of order.

22.2 A member proposing to submit a motion or amendment on any subject under discussion will before addressing the meeting state the terms of the motion or amendment. If he/she fails to do so the Lord Provost or Convener will ask him/her to state the terms. Every motion or amendment must be moved and seconded and will, when required by the Lord Provost or Convener, be put in writing and submitted electronically to the Clerk. Members will be only permitted to move or second one motion/amendment for each item of business.

22.3 That any motion or amendment, to any subject under discussion be provided to the clerk no later than ~~12 noon-2pm~~ on the working day before the meeting unless the motion or amendment:

- a) Moves the recommendations of the report; or
- b) Calls for a continuation of consideration of the item to a future meeting; or
- c) Moves no action; or
- d) Has been ruled urgent by the Lord Provost or Convener; or
- e) Can be submitted verbally at the meeting and with the consent of the Lord Provost or Convener.

22.4 Clause 22.3 will not apply to any agenda items where the final report or reports were not issued alongside the notice of the meeting.

22.5 Minor changes to motions and amendments are permitted but these should be able to be verbally altered at the meeting.

22.6 The Council or Committee can agree that in exceptional circumstances the requirements of this standing order can be ignored.

22.7 The mover ~~and seconder~~ of any motion or amendment or adjustment thereof may speak in support of the motion or amendment for not more than ~~five-four~~ minutes. The seconder of a motion or amendment may speak in support of it for not more than three minutes. No other speaker may speak for more than three minutes or more than once in the same discussion except to call attention to a point of order.

22.8 Notwithstanding the provisions in Standing Order 22.7, if an individual member is named by another speaker during debate, that member will be permitted to speak,

even if having already spoken, but only in response to the specific reference made and only to correct any apparent or actual misrepresentation.

- 22.9 The mover of the original motion will have the right to speak for a further ~~four~~ **five** minutes in reply to the debate after which the discussion will be closed. The mover of the motion must, in his/her reply, strictly confine himself/herself to answering previous speakers and not introducing any new matter. No member will be permitted to offer an opinion or to ask a question or otherwise to interrupt the proceedings. The motion and amendment(s) will then be voted on by members.
- 22.10 The limits of time specified in Standing Orders 22.7 and 22.4 to 22.9 may be exceeded with the consent of the majority of members present and the Lord Provost or Convener may determine, without taking a vote, whether such consent has been obtained.
- 22.11 When a motion and two or more amendments are before the meeting, the Lord Provost or Convener will decide the order and manner for putting the motion and amendments to the meeting. The Lord Provost or Convener (or nominee) will have the right to move a minute or report, as the original motion, with all alternative proposals considered as amendments.
- 22.12 The mover of the motion or amendment may agree to add all or part of an amendment moved and seconded by other members, provided that:
- (a) His/her seconder consents;
 - (b) The mover and seconder of the other amendment consents; and
 - (c) The agreement takes place before the mover of the motion has replied.
- 22.13 The mover of an amendment, which is not seconded, may have his/her dissent to the decision of the Council or Committee recorded in the minute.
- 22.14 If a motion is moved and seconded and no amendments are put forward, no other speaker may speak on this item of business except to call attention to a point of order.
- 22.15 Individual agenda items, (excluding the budget and quasi-judicial items) will be subject to a 40-minute time limit, unless specifically agreed by Council or committee at the order of business by a straightforward majority vote if required. This will include time for any questions to officers', proposing and seconding speeches and general debate but not including time to conduct voting or officers presenting their report. In the event of no express agreement by committee, the Lord Provost or Convener will have the discretion to allow proceedings to continue but should explain why they are doing so.

23. **Closure of Debate**

23.1 Any member who has not spoken on the question before the meeting may propose 'that the matter now be decided'. If this is seconded and the Lord Provost or Convener thinks the question has been discussed enough, he or she will order that a vote on the motion be taken, without amendment or discussion. If the motion that the matter now be decided is carried, the proposer of the original motion will have a right to reply, and the question itself will then be put to the meeting. If the motion that the matter be now decided is not carried, a similar motion may be made after every two further members have spoken.

24. **Voting**

24.1 All votes will be taken by a show of hands, roll call vote or by electronic voting and with a clear public audit trail from vote to Member.

24.2 The minutes will record how each individual member voted.

24.3 When a motion and amendment are before the Council or Committee the proposal receiving the support of a majority of members present and voting will be declared to be a decision of the Council or Committee.

24.4 When a motion and two or more amendments are before the Council or Committee and the adoption of one or more of the proposals would result in either the continuation of a decision or no action, a vote will firstly be taken on the proposal(s) involving continuation or no action as soon as the discussion is completed. This vote will be taken 'for or against' either continuation or no action. Any vote necessary on the remaining proposals will be taken in terms of Standing Order 24.1.

24.5 When a motion and two or more amendments, none of which involves continuation or no action, are before the Council or Committee, the vote will be taken on all proposals, each member having one vote. If a proposal receives the support of a majority of members voting it will be declared to be the decision of the Council or Committee. If none of the proposals receives the support of a majority of those voting, the one which has received the fewest votes will be dropped and a fresh vote taken on the remaining proposals. If there is an equal number of votes between the proposals with the fewest votes the Lord Provost will have a casting vote to determine which proposal should be dropped. If the Lord Provost does not exercise his/her casting vote, the decision will be by lot. This process of elimination will continue until one proposal has received majority support from those voting which will be declared the decision of the Council or Committee.

24.6 If there are equal numbers of votes, the Lord Provost or Convener will have a casting vote except where the vote relates to appointing a member of the Council to any particular office or committee. In this case, the decision will be by lot.

24.7 If a vote has been taken and a member immediately challenges the accuracy of the count, the Lord Provost or Convener will decide whether to have a recount. If there is a recount, the Lord Provost or Convener will decide how this should be taken.

25. **End of Session Decisions**

25.1 At 5pm for Council and committee meetings excluding quasi-judicial committees and items, and meetings that begin in the afternoon, unless the Council or committee expressly agrees otherwise, motions and amendments will be moved and seconded formally with no debate, before a vote is then taken for each remaining item of business.

26. **Appointments**

26.1 When appointing a member of the Council or any person to office where the number of candidates is more than the number of vacancies, the person to be selected may be decided by ballot. In each case, members can vote for as many candidates as there are vacancies but in any vote, they may only vote once for any one candidate.

26.2 If only one vacancy is to be filled and one candidate has an absolute majority of the votes cast, that candidate will be declared appointed. If this is not the case, the name of the candidate with the fewest votes will be taken off the list of candidates. This process of elimination will continue until the number of remaining candidates equals the number of vacancies or one candidate has a majority and there is only one vacancy. That candidate or those candidates will be declared to be appointed.

26.3 If there is a vote between more than two candidates and there are an equal number of votes for candidates with fewest votes, there will be an extra vote by ballot of those candidates. The name of the candidate with the fewest votes will be taken off the list. If there are an equal number of votes between two candidates, the candidate to be taken off the list will be decided by lot.

26.4 Subject to law, appointments to outside bodies are for the life of the Council unless the person appointed resigns from the appointment or the outside body's constitution specifies a different time period.

27. **Point of Order**

27.1 Any member may raise a point of order at any time during a meeting. Any member who is addressing the meeting when a question of order is raised will resume his/her seat until the question has been decided by the Lord Provost or Convener. The member raising the point of order will advise which Standing Order he/she considers is being infringed and thereafter, without debate, await the Lord Provost or Convener's decision. No other member may speak to the point of order unless with the permission of the Lord Provost or Convener. The decision of the Lord Provost or Convener will be final and cannot be discussed.

28. **Suspension of Standing Orders**

28.1 The Council may on a motion duly moved and seconded, and with the consent of two thirds of members voting, suspend any Standing Order specified in the motion. Any such motion may be submitted, without previous notice, and will be voted on electronically or by roll call without discussion.

28.2 Standing Orders 2, 8, 26, 27, 28 and 34 will not be capable of suspension.

28.3 The Pensions Committee and Pensions Audit Sub-Committee, with external membership and participation are subject to their own Standing Orders approved by

the Pensions Committee from time to time. In the absence of the aforementioned Standing Orders the City of Edinburgh Council Standing Orders will continue to apply to the Pensions Committee and Pensions Audit Sub-Committee.

28.4 The Pension Board is a body constituted under the Public Services Pensions Act 2013 and the Local Government Pension Scheme (Governance) (Scotland) Regulations 2014 and with powers regulated by the United Kingdom Pensions Regulator. The constitution and operations of the Pensions Board will be determined in accordance with regulation and, where appropriate, considered and approved by the Pensions Boards and/or the Pensions Committee.

29. **Obstructive or offensive conduct by members**

29.1 If any member at any meeting disregards the authority of the Lord Provost or Convener, or behaves obstructively or offensively, a motion may then be proposed and seconded to suspend the member for the rest or any part of the meeting. The motion will be put without discussion. If it is carried, the Clerk will act on any orders received from the Lord Provost or Convener to carry out the decision.

30. **Changing a Council decision**

30.1 Subject to law, a decision of the Council or committee cannot be changed by the Council or committee within six months unless notice has been given of the proposed item in the summons for the meeting and:

- (a) the Lord Provost or Convener rules there has been a material change of circumstances; or
- (b) the Council or committee agrees the decision was based on erroneous, incorrect or incomplete information.

31. **Referring a decision to Council**

31.1 Subject to Standing Order 31.2, where a decision is taken at the Executive Committees, Governance, Risk & Best Value Committee, or the Regulatory Committee, not less than one third of the members present may ask for it to be passed to Council as a recommendation.

31.2 A decision will not be sent to the Council in terms of Standing Order 31.1 where the Convener considers that a final decision must be made before the next meeting of the Council, in order to avoid material prejudice to the interests of the Council. The Convener will give clear reasons for this decision.

32. **Committee – non-member motion**

32.1 Any member may raise with the relevant committee a matter of new business by submitting a motion in writing to the Clerk by noon on the seventh working day before the meeting. If accepted by the Convener the matter will be placed on the agenda of business for the next meeting. The member raising the matter will be entitled to appear at that meeting to move his/her motion, which will require to be seconded by another member, but may not vote unless he/she is a member of the Committee.

32.2 Any member may raise an amendment to an item of business to a Committee they are not a member of. They will not though be permitted to move or second or speak to the amendment at the meeting.

33. **Ward or members with special interest**

33.1 A member of the Council who is not a member of a particular committee may be invited by the Convener, or Vice-Convener to attend a meeting where there is under discussion any item in which that member has a local or other special interest. The member will be entitled to speak on that item but may not vote. Requests from members to speak at a meeting must be provided to the clerk no later than 5pm on the working day before the meeting. This Standing Order does not apply to the Regulatory or the Planning Committee or any of their sub-committees.

34. **Freedom of the City**

34.1 Any member of the Council who wishes to propose that the Freedom of the City be offered to any distinguished person or organisation will first consult the Lord Provost before submitting any motion to the Council.

34.2 Any motion to give Freedom of the City will be stated in the notice of the meeting of the Council and will need to be passed by at least two thirds of members at the meeting.

35. **Admission of media and members of the public**

~~34.3~~ Subject to law and in particular to the provisions of the Local Government (Access to Information) Act 1985, meetings will be open to the public and representatives of the media, subject to powers of exclusion in order to suppress or prevent disorderly conduct or other misbehaviour at the meeting.

35.36. **Variation and revocation of Standing Orders**

~~35.136.1~~ Any motion to vary or revoke these Standing Orders will, when voted on, be approved by a majority of members of the Council present and voting. Any such motion must be by formal notice as provided in Standing Order 17.

36.37. **Review of Standing Orders**

~~36.137.1~~ These Standing Orders will be reviewed annually. ~~in place until 31 December 2021 unless otherwise determined by the Council or appropriate Committee.~~

Appendix 2

CITY OF EDINBURGH COUNCIL

**COMMITTEE TERMS OF REFERENCE
AND
DELEGATED FUNCTIONS**

Contents

A. General	3
1. Delegation to committees	3
2. Reserved Matters	3
3. Committee Membership	4
4. Urgent decisions	4
5. Substitutes	4
6. Convener of Sub-Committee	5
B. Committee terms of reference and delegated powers	6
Executive Committees	6
Other Committees	17
Sub-Committees	31

COMMITTEE TERMS OF REFERENCE AND DELEGATED FUNCTIONS

A. GENERAL

These terms of reference and delegated functions (“**Committee Terms of Reference**”) apply from 17 April 2023 ~~30 June 2022~~ and set out the powers delegated by the City of Edinburgh Council (“**Council**”) to its committees and sub-committees (“**Committees**”) pursuant to the Local Government (Scotland) Act 1973 (the “**Act**”).

1. Delegation to Committees

- 1.1. Subject to law, to the provisions of these Committee Terms of Reference, and to any restriction, direction or instruction of Council, there shall be delegated to the respective Committees all the functions and matters contained in:
 - 1.1.1. these Committee Terms of Reference;
 - 1.1.2. any scheme made under the Act or statute; and
 - 1.1.3. any minute of the Council making specific delegation to the Committee.

2. Reserved matters

- 2.1. The following matters are reserved to the Council:
 - 2.1.1. all functions reserved by law to the Council;
 - 2.1.2. determining the strategic objectives of the Council;
 - 2.1.3. election of the Leader, Deputy Leader, Lord Provost, Depute Convener and Bailies;
 - 2.1.4. appointment of committees of the Council, agreeing and/or amending their terms of reference and delegation of functions to them;
 - 2.1.5. deciding the composition of committees of the Council and appointment of members to serve on them, including external members;
 - 2.1.6. appointment of members to serve on joint committees, joint boards and any outside body;
 - 2.1.7. making, amending, revoking, re-enacting or adopting standing orders and Committee Terms of Reference and Delegated Functions;
 - 2.1.8. approving or amending any scheme of delegation to officers;
 - 2.1.9. the annual review of the revenue budget and the fixing of council tax;
 - 2.1.10. the annual review of the capital investment programme and approval of any capital project with a value exceeding £50,000, not included in the capital investment programme;

- 2.1.11. any material expenditure which is not included in the annual revenue budget;
- 2.1.12. setting of special responsibility allowances;
- 2.1.13. making, amending, revoking, re-enacting or adopting, bye-laws, schemes, regulations or rules made under statute subject to confirmation by Scottish Ministers where applicable;
- 2.1.14. the formal adoption of Local Development Plans;
- 2.1.15. the approval of a Proposed Strategic Development Plan and the delegation of authority to the strategic development planning authority (SEsplan);
- 2.1.16. appointment of a chief official including the Chief Executive;
- 2.1.17. any decision in relation to any proposal to delegate a power or duty to or accept a delegated power from any other local authority or to co-operate or combine with any other local authority in providing services;
- 2.1.18. promoting or opposing the making of local legislation;
- 2.1.19. creation of Council companies;
- 2.1.20. the preparation and review of the Scheme for Community Councils (Special Meeting);
- 2.1.21. amendments to the Treasury Policy Statement, and
- 2.1.22. approval of the annual Treasury Strategy and annual treasury management performance.

3. Committee Membership

- 3.1 Committee membership will be proportionate according to the elected representation of political parties unless expressly agreed otherwise at a meeting of the full Council.

4. Urgent decisions

- 4.1. 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 ~~or Vice-Convener~~, may take action, subject to the matter being reported to the next meeting of the Council or Committee.

5. Substitutes

- 5.1. Where permitted by law and where specified in these Committee Terms of Reference, a member may, subject to paragraph 5.2 below appoint a substitute member from his or her political group to attend a meeting of the committee in his or her place, by email to the Clerk in advance of the meeting.
- 5.2. Any member proposed to be appointed as a substitute must, where specified in these Committee Terms of Reference, have completed the appropriate training for the committee concerned.
- 5.3. The substitute member will be a member of the committee for that meeting and will be entitled to take part in the meeting with the full powers, duties and responsibilities of a member.

6. Convener of Sub-Committee

- 6.1. The Convener of a sub-committee will be appointed by its parent committee.

B. COMMITTEE TERMS OF REFERENCE AND DELEGATED POWERS

Executive Committees

1. Policy and Sustainability Committee

1.1. **Constitution:** 17 Members of the Council including:

- 1.1.1. 5 SNP
- 1.1.2. 4 Labour
- 1.1.3. 3 Scottish Liberal Democrat
- 1.1.4. 3 Green
- 1.1.5. 2 Conservative

Convener and Vice-Convener

1.2. The Leader of the Council will be the Convener of the Policy and Sustainability Committee.

~~1.3. The Deputy Leader of the Council will be the Vice-Convener of the Policy and Sustainability Committee.~~

Quorum

~~1.4.1.3.~~ Six members of the Policy and Sustainability Committee will constitute a quorum.

Substitution

~~1.5.1.4.~~ Substitutes are permitted.

Delegated functions

~~1.6.1.5.~~ Power is delegated to the Policy and Sustainability Committee to:

~~1.6.1.1.5.1.~~ advise the Council on outcomes, strategic objectives and key priorities;

~~1.6.2.1.5.2.~~ develop and approve Council policies, including reform, smart city, human resources, community planning and partnership working;

~~1.6.3.1.5.3.~~ adopt and implement the management framework for planning, implementing, reporting and reviewing Council service delivery;

~~1.6.4.1.5.4.~~ ensure the Council meets its statutory responsibilities in terms of best value;

~~17 April 2023 30 June 2022~~

6

~~4.6.5.1.5.5.~~ ensure the Council meets its statutory responsibilities in terms of diversity and equalities;

~~4.6.6.1.5.6.~~ monitor implementation of the Council's business and service development plans, corporate strategies, change programmes, corporate initiatives and service reviews;

~~4.6.7. facilitate and encourage public participation and empowerment ensuring the involvement of citizens, the community, neighbourhood networks, partners and key stakeholders in the committee decision-making process;~~

~~4.6.8.1.5.7.~~ instruct such performance information as the committee requires to fulfil its remit and monitor overall performance in the delivery of services and the Council's financial performance;

~~4.6.9.1.5.8.~~ set and monitor all relevant grants programmes and award grants;

1.5.9 provide scrutiny of those services delegated to the Integration Joint Board. This should include scrutiny of internal controls, performance, quality and compliance with the law;

~~4.6.10. determine any reviews of community asset transfer requests;~~

~~4.6.11. provide oversight and take decisions on the adaptation and renewal programme;~~

~~4.6.12.~~ 1.5.10 provide oversight and take decisions on matters relating to sustainability and climate sustainability, climate change, mitigation and adaptation;

~~4.6.13. 1.5.11~~ provide oversight and take decisions on major economic policy and strategy and significant cross-cutting regeneration projects;

~~4.6.14.~~ 1.5.12 provide strategic oversight of Edinburgh City Region Deal;

~~4.6.15.1.5.9.~~ ~~advise, agree, scrutinise and review Edinburgh Police and Fire and Rescue Service city-wide plans, policies and performance;~~

~~4.5.12~~ ~~1.5.12~~ consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action;

~~4.6.16.~~ 1.5.14 determine differences between committees except where the difference involves a decision on an individual planning or licensing application; and

~~4.6.17.~~ 1.5.15 take all decisions which are not reserved to the Council or delegated to another committee of the Council.

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2. Culture and Communities Committee

2.1. **Constitution:** 11 members of the Council as follows:

- 2.1.1. 3 SNP
- 2.1.2. 2 Labour
- 2.1.3. 2 Scottish Liberal Democrat
- 2.1.4. 2 Green
- 2.1.5. 2 Conservative

Convener and Vice Convener

2.2. The Convener ~~and Vice Convener~~ will be a members of the City of Edinburgh Council.

Quorum

2.3. Four members will constitute a quorum.

Substitution

2.4. Substitutes are permitted.

Delegated functions

2.5. Power is delegated to the Culture and Communities Committee in relation to the matters listed in paragraph 2.6, to:

- 2.5.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
- 2.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
- 2.5.3. set standards for service delivery and secure value for money;
- 2.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
- 2.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;

2.5.6. monitor arrangements to ensure best value and continuous improvement across all services;

2.5.7. determine any reviews of community asset transfer requests;

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2.5.8 facilitate and encourage public participation and empowerment ensuring the involvement of citizens, the community, neighbourhood networks, partners and key stakeholders in the committee decision-making process;

2.5.9 advise, agree, scrutinise and review Edinburgh Police and Fire and Rescue Service city-wide plans, policies and performance

2.5.10 facilitate and encourage public, engagement, consultation, participation and feedback;

2.5.11 set and monitor all relevant grants programmes and award grants;

~~2.5.6.~~ 2.5.12 consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action to be taken;

2.5.13 review the impact of the committee's policies on the city, in particular with regard to the Council's strategic priorities of ending poverty, delivering a net zero city, becoming a better place to live and work

2.6. The matters referred to in paragraph 2.5 are as follows:

~~2.6.1. Community Justice;~~

~~2.6.2.~~ 2.6.1. Community safety

~~2.6.3.~~ 2.6.2. Health except those matters delegated to another committee or the Integration Joint Board;

~~2.6.4.~~ 2.6.3. Cultural development, festivals and events;

~~2.6.5.~~ 2.6.4. Sport and Recreation;

~~2.6.6.~~ 2.6.5. Arts and museums;

~~2.6.7.~~ 2.6.6. Libraries and community centres;

~~2.6.8.~~ 2.6.7. Parks and green spaces;

~~2.6.9.~~ 2.6.8. Community and locality planning

~~2.6.10.~~ 2.6.9. Community empowerment; and

~~2.6.10.~~ Community Councils.

~~2.6.11.~~ 20 minute Neighbourhoods

3. Education, Children and Families Committee

3.1. **Constitution:** 11 members of the Council as follows:

3.1.1. 3 SNP

17 April 2023 ~~30 June 2022~~

9

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3.1.2. 2 Labour

3.1.3. 2 Scottish Liberal Democrat

3.1.4. 2 Green

3.1.5. 2 Conservative

Additional members for education items:

3.1.6. 3 Religious Representatives

3.1.7. ~~24~~ Parent/Carer Representatives (non-voting)

Convener ~~and Vice Convener~~

3.2 The Convener ~~and Vice Convener~~ will be a members of the City of Edinburgh Council.

Quorum

3.3 Four members will constitute a quorum except in the case of education business where ~~five~~six members will constitute a quorum.

Substitution

3.4 Substitutes are permitted for all members of the Council.

Delegated functions

3.5 Power is delegated to the Education, Children and Families Committee to:

3.5.1 exercise all the functions of the Council as education authority (education business), within the terms of the relevant legislation; and

3.5.2 exercise the functions as social work authority, within the terms of the relevant legislation, in relation to children.

3.6 In addition, in relation to the matters listed in paragraph 3.7, to:

3.6.1 develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;

3.6.2 take all decisions which are not reserved to the Council or delegated to another committee of the Council;

3.6.3 set standards for service delivery and secure value for money;

3.6.4 set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals.

- 3.6.5 monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
- 3.6.6 monitor arrangements to ensure best value and continuous improvement across all services;
- 3.6.7 facilitate and encourage public, engagement, consultation, participation and feedback;
- 3.6.8 set and monitor all relevant grants programmes and award grants;
- 3.6.9 consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action; and

3.6.10 review the impact of the committee's policies on the city in particular with regard to the Council's strategic priorities of ending poverty, delivering a net zero city, becoming a better place to live and work

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3.7 The matters referred to in paragraph 3.6 are as follows:

3.7.1 the Council's education, children and families services;

3.7.2 Criminal and community justice;

3.7.23 Lifelong Learning; and

3.7.34 major capital programmes or projects implementation, asset planning and facilities management for the Council's education, children and families services.

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4. Finance and Resources Committee

4.1. **Constitution:** 11 members of the Council as follows:

- 4.1.1. 3 SNP
- 4.1.2. 2 Labour
- 4.1.3. 2 Scottish Liberal Democrat
- 4.1.4. 2 Green
- 4.1.5. 2 Conservative

Convener and Vice Convener

4.2. The Convener ~~and Vice Convener~~ will be a members of the City of Edinburgh Council.

Quorum

4.3. Four members will constitute a quorum.

17 April 2023 ~~30 June 2022~~

11

Substitution

- 4.4. Substitutes are permitted.

Delegated functions

- 4.5. Power is delegated to the Finance and Resources Committee in relation to matters listed in paragraph 4.6 to:

- 4.5.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
- 4.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
- 4.5.3. set standards for service delivery and secure value for money;
- 4.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
- 4.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
- 4.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
- 4.5.7. facilitate and encourage public engagement, consultation, participation and feedback;
- 4.5.8. set and monitor all relevant grants programmes and award grants;
- 4.5.9. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action to be taken; and
- 4.5.10. review the impact of the committee's policies on the city in particular with regard to the Council's strategic priorities of ending poverty, delivering a net zero city, becoming a better place to live and work-

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- 4.6. The matters referred to in paragraph 4.5 are as follows:

- 4.6.1. Council's revenue and capital budgets;
- 4.6.2. Council's expenditure and budget policy;
- 4.6.3. Monitoring the Council's Treasury Management policies and practices;
- 4.6.4. Council's long term financial plan;
- 4.6.5. Procurement and contracts;

- 4.6.6. Monitoring of Council debt and debt recovery;
- 4.6.7. Common Good Fund;
- 4.6.8. Human resources (not including policy);
- 4.6.9. ICT
- 4.6.10. Disposal and development of Council owned property and land transactions;
- 4.6.11. All charitable and other trust funds vested in the Council except where the Council has expressly made other arrangements.

5. Housing, Homelessness and Fair Work Committee

5.1. **Constitution:** 11 members of the Council as follows:

- 5.1.1. 3 SNP
- 5.1.2. 2 Labour
- 5.1.3. 2 Scottish Liberal Democrat
- 5.1.4. 2 Green
- 5.1.5. 2 Conservative

Convener ~~and Vice-Convener~~

5.2. The Convener ~~and Vice-Convener~~ will be a members of the City of Edinburgh Council.

Quorum

5.3. Four members will constitute a quorum.

Substitution

5.4. Substitutes are permitted.

Delegated functions

5.5. Power is delegated to the Housing, Homelessness and Fair Work Committee in relation to matters listed in paragraph 5.6 to:

- 5.5.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
- 5.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;

- 5.5.3. set standards for service delivery and secure value for money;
- 5.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
- 5.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
- 5.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
- 5.5.7. facilitate and encourage public, engagement, consultation, participation and feedback;
- 5.5.8. set and monitor all relevant grants programmes and award grants
- 5.5.9. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action to be taken;
- 5.5.10. review the impact of the committee's policies on the city in particular with regard to the Council's strategic priorities of ending poverty, delivering a net zero city, becoming a better place to live and work

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The matters referred to in paragraph 5.5 are as follows:

- 5.5.11. Housing;
- 5.5.12. Homelessness and housing support;
- 5.5.13. Employability and fair work;
- 5.5.14. Economic development projects and policies that are not reserved to the Policy and Sustainability Committee;
- 5.5.15. External relations and inward investment; and
- 5.5.16. Inclusive growth.

6. Transport and Environment Committee

6.1. **Constitution:** 11 members of the Council as follows:

- 6.1.1. 3 SNP
- 6.1.2. 2 Labour
- 6.1.3. 2 Scottish Liberal Democrat
- 6.1.4. 2 Green
- 6.1.5. 2 Conservative

17 April 2023 ~~30 June 2022~~

14

Convener and Vice Convener

- 6.2. The Convener ~~and Vice Convener~~ will be a members of the City of Edinburgh Council.

Quorum

- 6.3. Four members will constitute a quorum.

Substitution

- 6.4. Substitutes are permitted.

Delegated functions

- 6.5. Power is delegated to the Transport and Environment Committee in relation to the matters listed in paragraph 6.6, to:

- 6.5.1. develop and approve policies, strategies, programmes and projects and work with officers, communities and partners to implement them;
- 6.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council or officers;
- 6.5.3. set standards for service delivery and secure value for money;
- 6.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
- 6.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
- 6.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
- 6.5.7. facilitate and encourage public, engagement, consultation, participation and feedback;
- 6.5.8. set and monitor all relevant grants programmes and award grants;
- 6.5.9. consider petitions addressed to the City of Edinburgh Council on matters within the remit of committee, in accordance with the Council's approved Petitions procedure and determine the appropriate action to be taken;
- 6.5.10. review the impact of the committee's policies on the city-- in particular with regard to the Council's strategic priorities of ending poverty, delivering a net zero city, becoming a better place to live and work.

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- 6.6. The matters referred to in paragraph 6.5 are as follows:

- 6.6.1. Strategic Transport Planning;
- 6.6.2. Traffic management, roads and parking;
- 6.6.3. Public transport;
- 6.6.4. Public Realm Projects;
- 6.6.5. Flood prevention;
- 6.6.6. Waste services; and
- 6.6.7. ~~Environmental health and trading standards; and~~
- 6.6.8. 6.6.7 Street cleaning and open space maintenance.

7. Governance, Risk and Best Value Committee

7.1. **Constitution:** 11 members of the Council as follows:

- 7.1.1. 3 SNP
- 7.1.2. 2 Labour
- 7.1.3. 2 Scottish Liberal Democrat
- 7.1.4. 2 Green
- 7.1.5. 2 Conservative

Convener

7.2. The Convener of the committee will be a member of the opposition.

7.3. The Conveners ~~and Vice Conveners~~ of the following Committees shall not be eligible to serve as members of the Governance, Risk and Best Value Committee:

- 7.3.1 The Policy and Sustainability Committee;
- 7.3.2 The Culture and Communities Committee;
- 7.3.3 The Education, Children and Families Committee;
- 7.3.4 The Finance and Resources Committee;
- 7.3.5 The Housing, Homelessness and Fair Work Committee; and
- 7.3.6 The Transport and Environment Committee.

Quorum

7.3. Four members of the Governance, Risk and Best Value Committee will constitute a quorum.

~~17 April 2023 30 June 2022~~

16

Substitution

- 7.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive.

Delegated functions

- 7.5. Power is delegated to the Governance, Risk and Best Value Committee to exercise the following functions:

7.5.1. To monitor the financial performance of the Council and its subsidiary undertakings, the effectiveness of the Council's audit and inspection, risk management and governance arrangements and of the control environment of the Council and associated anti-fraud and anti-corruption arrangements; including:

7.5.2. Scrutinising information on:

- (a) Council Budgets;
- (b) Management of Council assets;
- (c) The Council's Treasury Management strategy and policies;
- (d) Control, monitoring and review of income and expenditure, both revenue and capital;
- (e) Council subsidiaries;
- (f) Council Companies (excluding those associated with the pension fund);
- (g) Children's Panel; and
- (h) Common Good Fund.

7.5.3. Monitoring the annual audit plan and reviewing all Council audit and inspection work against the plan.

7.5.4. Receiving and considering summaries of internal and external audit reports which relate to any issue falling within the remit of this committee.

7.5.5. Monitoring internal controls, corporate risk management and key operational governance areas.

- 7.6. Scrutiny on a specific issue should follow a committee decision.
- 7.7. To instruct a report on any matter within the remit of an executive committee but where a decision is yet to be taken; the report as instructed will initially be considered by the executive committee.

- 7.8. Referring back to the appropriate Executive Committee for its consideration any service or financial performance issue, which might have implications for policy development within the remit of the Executive Committee
- 7.9. To scrutinise the operational performance of all council services and Council subsidiaries in relation to the Council's agreed pledges, outcomes, policy objectives and statutory performance targets, including:
 - 7.9.1. considering information that relate to issues falling within the remit of Council services, including complaints handling, customer care and ombudsman reports;
 - 7.9.2. monitoring employment, organisational development and equalities issues as they relate to the operation of the council corporately and to its individual services; and
 - 7.9.3. scrutinising major projects and programmes, service reviews and transformational change.
- 7.10. To invite Conveners or Vice-Conveners to attend committee, and where appropriate, to question and hold them to account on the operational or financial performance of any service area falling within their remit.
- 7.11. To ~~refer back to the appropriate Executive Committee for its consideration any service performance issues that might have implications for policy development coming within the remit of the Executive Committee~~consider and scrutinise whistleblowing monitoring and investigation outcome reports and other relevant matters related to the whistleblowing policy and service;
- 7.12. To initiate and undertake planned scrutiny reviews of any matter falling within the remit of this committee or specific scrutiny reviews requested by an Executive Committee.
- 7.13. To promote the observance by Councillors of high standards of conduct and assist them in observing the code of conduct, in accordance with any guidance issued by the Standards Commission for Scotland.
- 7.14. To report, as required, on any matter within the committee's remit to Council.

Other Committees

8. Chief Official Personnel Assessment Committee

- 8.1. **Constitution:** 5 members of the Council as follows:
 - 8.1.1. 1 SNP
 - 8.1.2. 1 Conservative
 - 8.1.3. 1 Labour

8.1.4. 1 Green

8.1.5. 1 SLD

- 8.2. A member of this Committee cannot be a member of the Chief Official Personnel Hearing Committee or the Personnel Appeals Committee. Councillors must have undertaken and completed appropriate training specified by the Service Director: Human Resources.

Convener

- 8.3. The Convener will be a member of the City of Edinburgh Council.

Quorum

- 8.4. Three members of the Chief Official Personnel Assessment Committee will constitute a quorum

Substitution

- 8.5. Substitutes are permitted

Delegated functions

- 8.6. Power is delegated to the Chief Official Personnel Assessment Committee:
- 8.6.1. To decide whether a formal investigation is required into allegations against the Chief Executive and other chief officials, and if so request that the Monitoring Officer or the Service Director: Human Resources appoint an appropriate Investigating Officer;
 - 8.6.2. To decide whether to suspend the Chief Executive and other chief officials on full pay, following a decision to formally investigate allegations and following advice from the Service Director: Human Resources;
 - 8.6.3. To decide, following a report by the Investigating Officer, whether the Chief Official Personnel Hearing Committee should meet to consider the disciplinary hearing; and
 - 8.6.4. To advise the Chief Official Personnel Hearing Committee whether they consider the allegation(s) if substantiated to constitute misconduct or gross misconduct.

9. Chief Official Personnel Hearing Committee

- 9.1. **Constitution:** 5 members of the Council as follows:

9.1.1. 1 SNP

9.1.2. 1 Conservative

9.1.3. 1 Labour

9.1.4. 1 Green

9.1.5. 1 SLD

9.2. A member of this Committee cannot be a member of the Chief Official Personnel Assessment Committee or the Personnel Appeals Committee. Councillors must have undertaken and completed appropriate training specified by the Service Director: Human Resources.

Convener

9.3. The Convener will be a member of the City of Edinburgh Council.

Quorum

9.4. Three members of the Chief Official Personnel Hearing Committee will constitute a quorum

Substitution

9.5. Substitutes are permitted.

Delegated functions

9.6. Power is delegated to the Chief Official Personnel Hearing Committee:

9.6.1. To decide following a fair hearing whether allegations against the Chief Executive and other chief officials have been substantiated; and

9.6.2. To dismiss or take any other form of disciplinary action in line with the disciplinary policy for chief officials;

10. Committee on Discretionary Rating Relief Appeals

10.1. **Constitution:** 5 members of the Council as follows:

10.1.1. 1 SNP

10.1.2. 1 Conservative

10.1.3. 1 Labour

10.1.4. 1 Green

10.1.5. 1 SLD

Convener

10.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

- 10.3. Two members of the Committee on Discretionary Rating Relief Appeals will constitute a quorum

Substitution

- 10.4. Substitutes are permitted.

Delegated functions

- 10.5. Power is delegated to the Committee on Discretionary Rating Relief Appeals:
- 10.5.1. To review decisions taken by the Executive Director of Resources to refuse discretionary rating relief;
 - 10.5.2. To consider representations from organisations or individuals, justifying the granting of discretionary rating relief to them;
 - 10.5.3. To decide whether or not to grant discretionary rating relief as a result of considering the organisation's or individual's representations; and
 - 10.5.4. To decide what, if any, conditions should be fulfilled prior to discretionary rating relief being granted.

11. Leadership Advisory Panel

- 11.1. **Constitution:** 5 members of the Council as follows:

11.1.1. Leader of the Council

11.1.2. Depute Leader of the Council

11.1.3. Conservative Group Leader

11.1.4. Green Group Leader

11.1.5. Scottish Liberal Democrat Group Leader

11.1.6. three statutory representatives, appointed by the Education, Children and Families Committee when considering education business

Convener

- 11.2. The Convener of the Committee will be the Leader of the Council.

Quorum

- 11.3. Two members of the Leadership Advisory Panel will constitute a quorum except on education business when the quorum will be three members.

Substitution

- 11.4. Substitutes are permitted for members of the Council only

Delegated functions

- 11.5. Power is delegated to the Leadership Advisory Panel:

11.5.1. To decide any matter of urgency arising during any recess period, subject to the provision of any relevant enactment, to exercise all functions of the Council or Committee, which would otherwise have dealt with the matter that:

- (a) cannot await the resumption of the normal meetings timetable; and
- (b) cannot appropriately be decided by the Chief Executive or Executive Director in accordance with urgency provisions within these Committee Terms of Reference.

12. Planning Committee

- 12.1. **Constitution:** 11 members of the Council as follows:

12.1.1. 3 SNP

12.1.2. 2 Labour

12.1.3. 2 Scottish Liberal Democrat

12.1.4. 2 Green

12.1.5. 2 Conservative

Convener

- 12.2. The Convener ~~and Vice Convener~~ will be a ~~members~~ of the City of Edinburgh Council.

Quorum

- 12.3. Four members of the Planning Committee will constitute a quorum.

Substitution

- 12.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Planning Officer.

Delegated functions

- 12.5. Power is delegated to the Planning Committee:

- 12.5.1. To exercise the functions of the Council as planning, building standards and statutory addressing authority and to determine planning policies including:
 - (a). Development frameworks including public realm for place making;
 - (b). Strategic Infrastructure;
 - (c). Non-statutory planning guidance;
 - (d). designate and review conservation areas;
 - (e). management plans for world heritage sites.
- 12.5.2. To express and interpret these policies as specific tasks and projects and set service standards;
- 12.5.3. To review performance in the delivery of services, the achievement of service standards and the impact of the Committee's activities on the City;
- 12.5.4. To conduct relations with external bodies relevant to the Committee's service responsibilities, including approval of a response to proposals by other authorities or bodies on which the Council is being consulted;
- 12.5.5. To appoint representatives on outside bodies relevant to the committee's service responsibilities;
- 12.5.6. To consider the development and use of land in the city and wider city region and approve relevant stages of the local development plan and to refer it to Council for adoption;
- 12.5.7. To take decisions in pursuit of the committee's policies, subject to compliance with corporate personnel and financial policies and regulations;
- 12.5.8. To determine any charges for services provided by the committee; and
- 12.5.9. To provide financial assistance, in pursuit of the committee's policies.

13. Pensions Committee

- 13.1. **Constitution:** 7 members including 5 members of the Council as follows:
 - 13.1.1. 1 SNP
 - 13.1.2. 1 Labour
 - 13.1.3. 1 Scottish Liberal Democrat
 - 13.1.4. 1 Green
 - 13.1.5. 1 Conservative

13.1.6. 2 external members representing the employers and members in the pension funds.

13.2. The Pensions Committee will also be attended and overseen by the Pension Board, a body constituted under the Public Services Pensions Act 2013 and the Local Government Pension Scheme (Governance) (Scotland) Regulations 2014 and with powers regulated by the United Kingdom Pensions Regulator. The constitution and operations of the Pension Board will be determined in accordance with regulation and, where appropriate, considered and approved by the Pension Board and/or the Pensions Committee.

Convener

13.3. The Convener will be a member of the City of Edinburgh Council.

Quorum

13.4. Three members of the Pensions Committee will constitute a quorum.

Substitution

13.5. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Executive Director of ~~Resources~~[Corporate Services](#).

Delegated functions

13.6. Power is delegated to the Pensions Committee:

13.6.1. exercise all functions of the pension funds and associated legal and corporate structures, within the terms of the legislation;

13.6.2. determine the overall policy objectives of the pension funds in accordance with the best interests of fund members and employers and within all applicable legislation;

13.6.3. determine the strategy for the investment of pension funds monies including the variety and suitability of investments and to review and monitor investment arrangements;

13.6.4. ensure appropriate investment management arrangements are in place for pension funds monies and to review investment manager performance;

13.6.5. establish and maintain arrangements for the effective management and administration of the pension funds including staffing and budgetary arrangements.

- 13.6.6. approve the allocation of resources to the Lothian Pension Fund group for the operation and administration of the pension funds from the assets of the pension funds in accordance with the applicable pension regulations, including the approval of segregated financial arrangements and accounts for the pension funds and the agreement of contracts;
- 13.6.7. to appoint members to the Pension Board and approve bespoke terms of reference and standing orders where allowable under the Council framework for the Pensions Committee and the Pension Board as required to accommodate the applicable pensions and financial services regulation;
- 13.6.8. approve responses to consultation papers issued by government and other authorities; and
- 13.7. monitor overall performance of the pension funds in the delivery of services and financial performance, consider all matters in respect of the pension funds including:
 - 13.7.1. determining policies for the management and regulation of the Lothian Pension Fund group and within the strategic policy and planning framework approved by the Council;
 - 13.7.2. approving strategies, programmes and projects and work with officers and partners to implement them;
 - 13.7.3. setting standards for service delivery;
 - 13.7.4. securing best value in the provision of services and reviewing the control and assurance environment (including internal audit processes) for the Lothian Pension Fund group;
 - 13.7.5. taking all executive decisions in respect of the pension funds which are not reserved to the Council or delegated to another committee of the Council;
 - 13.7.6. ensuring systematic appraisal of the control environment and framework of internal controls in respect of the Lothian Pension Fund to provide reasonable assurance of effective and efficient operations and compliance with laws and regulations;
 - 13.7.7. promoting the development of an appropriate risk management strategy and risk management procedures;
 - 13.7.8. ensuring highest standards of probity and public accountability;
 - 13.7.9. ensuring sound financial procedures are in place for authorising and monitoring expenditure;

- 13.7.10. agreeing internal audit plans and to ensure internal audit work is properly planned with due regard to risk, materiality and coverage;
- 13.7.11. overseeing and review action taken on internal audit recommendations;
- 13.7.12. reviewing all matters relating to external audit, including audit plan, action points and reports, and to monitor implementation of external audit recommendations; and
- 13.7.13. promoting, monitoring and developing continuous improvement.

14. Personnel Appeals Committee

14.1. **Constitution:** 9 members of the Council as follows:

- 14.1.1. 3 SNP
- 14.1.2. 2 Labour
- 14.1.3. 2 Scottish Liberal Democrat
- 14.1.4. 1 Green
- 14.1.5. 1 Conservative

Convener

14.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

14.3. Three members of the Personnel Appeals Committee will constitute a quorum.

Substitution

14.4. Substitutes are permitted.

Delegated functions

14.5. Power is delegated to the Personnel Appeals Committee to:

~~14.5.1.~~ hear and decide appeals on a decision taken, or a failure to take a decision, by an Executive Director, Service Director or his/her nominee, under the ~~Procedures for Hearing Employee Grievances.~~ Grievance Procedure for Local Government Employees or the Grievance Procedure for Teaching Staff, as appropriate. Where grievance appeals concern operational matters, the Personnel Appeals Committee can make recommendations to the Executive Director, Service Director, or their nominee and any recommendations made will be considered and a decision taken on whether or not the recommendations will be implemented. Where grievance appeals concern terms and conditions of staff, the Personnel Appeals Committee does not possess delegated

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~~authority to vary terms and conditions for any individual staff member or group of staff under any circumstances.~~

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~~14.5.2. hear and decide appeals to a decision to dismiss, or take other forms of punitive disciplinary action under the Disciplinary Policy for Local Government Employees and the Disciplinary Policy for Teaching Staff. Where an appeal is upheld or partially upheld, the Personnel Appeals Committee has delegated authority to withdraw the disciplinary action completely or to replace it with a lesser sanction. :~~

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~~14.5.3. dismiss or take other forms of punitive disciplinary action; and~~

~~14.5.4. issue a warning, oral or written under the Procedure for Consideration of Appeals by Executive Directors against Disciplinary Action and the Procedure for Consideration of Appeals against Disciplinary Action.~~

~~14.5.5.14.5.1.~~ decide appeals from teaching staff in regard to the application and interpretation of the terms of the Scheme of Salaries and Conditions of Service for Teaching Staff in School Education.

~~14.5.6.14.5.2.~~ hear and decide appeals to decisions by the Chief Official Personnel Hearing Committee in accordance with the Chief Executive/Chief Officer Disciplinary Policy.

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15. Placing in Schools Appeals Committee

15.1. **Constitution:** One person from each of the following panels:

15.2. Panel 1 All members of Council and religious representatives on the Education, Children and Families Committee.

Panel 2 Parents/carers of children of school age.

Panel 3 Persons with experience in education and acquainted with educational conditions in the Council's area, nominated by the Executive Director for Education and Children's Services~~Communities and Families.~~

Chair

15.3. Each meeting appoints a Chair.

Quorum

15.4. Three members of the Placing in Schools Appeals Committee will constitute a quorum.

Substitution

15.5. Substitutes are only permitted from the same Panel.

Delegated functions:

- 15.6. Power is delegated to the Placing in Schools Appeals Committee:
- 15.6.1. To hear and decide appeals against decisions of the Council to refuse placing requests and exclude pupils all in terms of Section 28 C, D, E, G and H of the Education (Scotland) Act 1980 as amended; and
 - 15.6.2. To consider appeals against decisions by the Executive Director of ~~Communities and Families~~ Education and Children's Services to refuse early admission to school.

16. Committee on Pupil Student Support

- 16.1. **Constitution:** 5 members of the Council as follows:

- 16.1.1. 1 SNP
- 16.1.2. 1 Labour
- 16.1.3. 1 Scottish Liberal Democrat
- 16.1.4. 1 Green
- 16.1.5. 1 Conservative
- 16.1.6. 1 religious representative from the Education, Children and Families Committee

Convener

- 16.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

- 16.3. Two members of the Committee on Pupil and Student Support will constitute a quorum.

Substitution

- 16.4. Substitutes are permitted.

Delegated functions:

- 14.5. To consider school placing requests for the P1 and S1 intakes for August in each year where parents/guardians/carers have set out exceptional reasons in their applications for places in oversubscribed schools.
- 4.6. To decide if there are exceptional circumstances which apply to each individual child or young person and to determine the priority order on waiting lists for that specific child or young person.

Note: The Committee cannot grant individual placing requests even if it has decided that exceptional circumstances exist; places can only be awarded in these circumstances by the Placing in Schools Appeal Committee if an appeal is submitted.

17. Recruitment Committee

17.1. **Constitution:** 7 members of the Council as follows:

17.1.1. Leader of Council

17.1.2. Deputy Leader of the Council

17.1.3. Appropriate Convener for the role

17.1.4. A group leader from each of the opposition groups

Convener

17.2. The Convener of the committee will be the Leader of the Council.

Quorum

17.3. Three members of the Recruitment Committee will constitute a quorum.

Substitution

17.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive and in line with the relevant Council policy.

Delegated functions

17.5. Power is delegated to the Recruitment Committee to short list and interview candidates and recommend an appointment to the Council for posts at Chief Executive, Executive Director and Heads of Service Division level (Chief Officials).

18. Regulatory Committee

18.1. **Constitution:** 9 members of the Council as follows:

18.1.1. 3 SNP

18.1.2. 2 Labour

18.1.3. 2 Scottish Liberal Democrat

18.1.4. 1 Green

18.1.5. 1 Conservative

Convener

18.2. The Convener ~~and Vice-Convener~~ will be a members of the City of Edinburgh Council.

Quorum

18.3. Three members will constitute a quorum.

Substitution

18.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive.

Delegated functions

18.5. Power is delegated to the Regulatory Committee to:

18.5.1. exercise the functions of the Council as Licensing authority under the Civic Government (Scotland) Act 1982 and other statutory provisions which are not within the remit of any other Committee.

18.5.2. exercise the functions of the Council on all licensing functions which are not reserved to the Council, its officers or delegated to another Committee.

18.5.3. determine individual applications for registration and licences under the Civic Government (Scotland) Act 1982 and other statutory provisions which are not delegated to officers, in accordance with approved policies.

18.5.4. express and interpret licensing policies as specific projects, to set service standards and monitor performance in the delivery of services including financial performance relating to Regulatory Committee matters.

18.5.5. liaise with external bodies relevant to the Committee's service area, considering and approving responses to consultation proposals.

18.5.6. appoint representatives to outside bodies within the Committee's remit.

18.5.7. approve charges as required by statute and determine licence fees.

18.5.8. determine applications for road construction consent which are not delegated to the Executive Director of Place.

18.5.9. determine applications for permission to place tables and chairs on footways which are recommended for refusal by the Executive Director of Place.

18.5.10 exercise the Council's responsibilities in respect of environmental health and trading standards

~~18.5.9.~~ 18.5.11 exercise the statutory element of Traffic Regulation Orders

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18.5.10. [18.5.12](#) exercise the Council's responsibilities in respect of safety at sports grounds.

18.5.11. [18.5.13](#) exercise the Council's functions regarding notification of parades and processions so far as not delegated to officers.

19. The City of Edinburgh Planning Local Review Body

19.1. **Constitution:** 5 members of the Council as follows:

19.1.1. Any five members who are also members of the Planning Committee but not the Convener of the Planning Committee.

Convener

19.2. Each meeting appoints a Convener.

Quorum

19.3. Three members of the City of Edinburgh Planning Review Body will constitute a quorum.

Substitution

19.4. Substitutes are only permitted from the pool of trained members of the Planning Committee.

Delegated functions:

19.5. Power is delegated to the City of Edinburgh Planning Local Review Body to fulfil the obligations of the Council, as planning authority, under section 43A of the Town and County Planning (Scotland) Act 1997 for the conduct of reviews.

20. Committee on the Jean F Watson Bequest

20.1. **Constitution:** 8 members of the council as follows:

20.1.1. 2 SNP

20.1.2. 2 Labour

20.1.3. 2 Scottish Liberal Democrat

20.1.4. 1 Green

20.1.5. 1 Conservative

20.1.6. one nominee of Friends of City Art Centre

20.1.7. one nominee of Friends of City Art Centre

20.1.8. two external members appointed by the Executive Director of Corporate Services, in consultation with the Convener.

Convener

20.2. The Convener of the Committee will be a member of the City of Edinburgh Council.

Quorum

20.3. Four members of the Committee on the Jean F Watson Bequest will constitute a quorum.

Substitution

20.4. Substitutes are permitted.

Delegated functions:

20.5. Power is delegated to the Committee on the Jean F Watson Bequest to:

20.5.1. Use monies from the Jean F Watson Bequest to purchase and commission for the City's collection works of artists and craftspeople born, practising in, or otherwise associated with Scotland, and in particular Edinburgh; all decisions to be guided by the Collection and Disposal Policy for the City Museums and Galleries.

20.5.2. Use monies from the Catherine E Cowper Trust to purchase and commission items for the Museum of Childhood; all decisions to be guided by the Collection and Disposal Policy for the City Museums and Galleries.

21. Community Council Independent Complaints Panel

21.1. Constitution

All members of the Council with each panel consisting of three elected members.

21.2. Councillors whose ward is where the Community Council subject to the complaint is a member will not be eligible for that Panel meeting.

Convener

21.3. The Convener of the Committee will be a member of the City of Edinburgh Council.

Quorum

21.4. Three members of the Community Council Independent Complaints Panel will constitute a quorum.

Delegated functions:

- 21.5. Power is delegated to the Community Council Independent Complaints Panel to:
- 21.5.1. Make a final determination of the complaint against a community councillor.
- 21.5.2. Apply the following sanctions:
- (a). Censure of behaviour and a written undertaking to behave in accordance with the Scheme's Code of Conduct.
 - (b). Suspension from community council meetings and activities for a period of time to be agreed by a majority of the Panel.
 - (c). Request by a majority of the panel members for the named community councillor to step down.
 - (d). In serious cases, an expulsion from the community council, approved by a unanimous vote of the Panel.
- 21.5.3. Make recommendations to the relevant community council; and
- 21.5.4. Make recommendations to the City of Edinburgh Council.

Sub-Committees

22. Development Management Sub-Committee (Parent: Planning Committee)

- 22.1. **Constitution:** All 11 members of the Planning Committee, as follows:

- 22.1.1. 3 SNP
- 22.1.2. 2 Labour
- 22.1.3. 2 Scottish Liberal Democrat
- 22.1.4. 2 Green
- 22.1.5. 2 Conservative

Convener

- 22.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

- 22.3. Four members of the Development Management Sub-Committee will constitute a quorum.

Substitution

- 22.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Planning Officer.

Delegated Functions

- 22.5. To discharge all functions of Management of Development Control required under the Planning Acts including the determination of planning applications (except for applications under the Council's Scheme of Delegation for Local Developments).
- 22.6. To determine applications for High Hedge Notices and withdraw or vary such notices as prescribed under the High Hedges (Scotland) Act 2013.
- 22.7. To determine cases for street naming and the numbering of properties.

23. Whistleblowing Sub-Committee (Parent: Governance Risk and Best Value Committee)

23.1. Constitution: the membership of the Sub-Committee will be the same as the Governance, Risk and Best Value Committee

Convener

23.2. The Convener of the Whistleblowing Sub-Committee is the Convener of the Governance, Risk and Best Value Committee.

Quorum

23.3. Four members of the Whistleblowing Sub-Committee will constitute a quorum.

Substitution

23.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive.

Delegated functions:

23.5. Power is delegated to the Whistleblowing Sub-Committee to:

23.5.1. Consider and scrutinise monitoring reports;

22.7.1-23.5.2. Consider and scrutinise investigation outcome reports;

23.5.3. Consider any other relevant matter related to the whistleblowing policy and service.

23.24. Licensing Sub-Committee (Parent: Regulatory Committee)

23.1-24.1. Constitution: 9 members of the Council as follows:

23.1.1-24.1.1. 3 SNP

23.1.2-24.1.2. 2 Labour

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[23.1.3-24.1.3.](#) 2 Scottish Liberal Democrat

[23.1.4-24.1.4.](#) 1 Green

[23.1.5-24.1.5.](#) 1 Conservative

Convener

[23.2-24.2.](#) The Convener of the Licensing Sub-Committee is the Convener of the Regulatory Committee.

Quorum

[23.3-24.3.](#) Three members of the Licensing Sub-Committee will constitute a quorum.

Substitution

[23.4-24.4.](#) Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Chief Executive.

Delegated functions:

[23.5-24.5.](#) Power is delegated to the Licensing Sub-Committee to:

[23.5.1-24.5.1.](#) exercise the functions of the Council as Licensing authority under the Civic Government (Scotland) Act 1982 and other statutory provisions which are not within the remit of any other Committee;

[23.5.2-24.5.2.](#) exercise the functions of the Council on all licensing functions which are not reserved to the Council, its officers or delegated to another Committee;

[23.5.3-24.5.3.](#) determine individual applications for registration and licences under the Civic Government (Scotland) Act and other statutory provisions which are not delegated to officers, in accordance with approved policies;

[24.5.4.](#) determine applications for road construction consent not delegated to the Executive Director of Place;

[24.5.5.](#) [exercise the statutory element of Traffic Regulation Orders](#)

[24.5.6.](#) determine applications for permission to place tables and chairs on footways recommended for refusal by the Executive Director of Place;

[24.5.7.](#) exercise the Council's responsibilities in respect of safety at sports grounds; and

[24.5.8.](#) exercise the Council's functions regarding notification of parades and processions so far as not delegated to officers.

24.25. Pensions Audit Sub-Committee (Parent: Pensions Committee)

Constitution

24.1-25.1. Three members from the Pensions Committee of which a minimum are two City of Edinburgh elected members.

24.2-25.2. Two non-voting members of the Pension Board will also be able to attend the Pensions Audit Sub-Committee to oversee its activities.

Quorum

24.3-25.3. Two members of the Pensions Audit Sub Committee will constitute a quorum.

Convener

24.4-25.4. The Convener of the Pensions Audit Sub-Committee will be appointed from the membership of the Pensions Committee, excluding the Convener of that committee.

Substitution

24.5-25.5. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Executive Director of Resources.

Delegated functions

24.6-25.6. Power is delegated to the Pensions Audit Sub-Committee to consider and make appropriate recommendation(s) to the Pensions Committee:

24.6.1-25.6.1. To ensure systematic appraisal of the control and assurance environment and framework of internal control (including internal audit processes) of pension funds to provide reasonable assurance of the effective and efficient operations and compliance with laws and regulations;

24.6.2-25.6.2. To promote the development of an appropriate risk management strategy and risk management procedures;

24.6.3-25.6.3. To ensure the highest standards of probity and public accountability;

24.6.4-25.6.4. To ensure sound financial procedures are in place for authorising and monitoring expenditure and the allocation of pension fund resources;

[24.6.5-25.6.5.](#) To consider and scrutinise an annual report on any companies owned by the Council that are connected to the activities of the pension funds and the Lothian Pension Fund Group;

[24.6.6-25.6.6.](#) To review the consolidated annual financial statements of the pension funds/Lothian Pension Fund Group and the International Standard on Auditing 260 (ISA 260) communication of audit matters;

[24.6.7-25.6.7.](#) To agree internal audit plans and to ensure that internal audit work is planned with due regard to risk, materiality and coverage;

[24.6.8-25.6.8.](#) To oversee in light of the audit plan the performance of the audit service;

[24.6.9-25.6.9.](#) To oversee and review action taken on internal audit recommendations; and

[24.6.10-25.6.10.](#) To review all matters relating to external audit, including audit planning, action points and reports, and to monitor the implementation of external audit recommendations.

25.26. Property Sub-Committee (Parent: Finance and Resources Committee)

[25.1-26.1.](#) **Constitution:** 10 members of the Council as follows:

[25.1.1-26.1.1.](#) 3 SNP

[25.1.2-26.1.2.](#) 2 Labour

[25.1.3-26.1.3.](#) 2 Scottish Liberal Democrat

[25.1.4-26.1.4.](#) 2 Green

[25.1.5-26.1.5.](#) 1 Conservative

Convener

[25.2-26.2.](#) The Convener will be a member of the City of Edinburgh Council.

Quorum

[25.3-26.3.](#) Four members of the Property Sub-Committee will constitute a quorum.

Substitution

[25.4-26.4.](#) Substitutes are permitted.

Delegated functions:

[25.5-26.5.](#) Power is delegated to the Property Sub-Committee to:

[25.5.1-26.5.1.](#) oversee the work of the Edinburgh Shared Repairs Service;

~~26.5.2-26.5.2.~~ to take decisions in relation to the Council's Shared Repair Service that fall within the remit of the Finance and Resources Committee in relation to financial and legal risks; and

~~26.5.3-26.5.3.~~ consider any outstanding issues that require detailed scrutiny in relation to the closure of the Property Conservation Programme Momentum project.

~~26. Special Sub-Committee on Adult Social Care (Parent: Culture and Communities Committee)~~

~~26.1. Constitution: 5 members of the Council as follows:~~

~~26.1.1. 1 Labour~~

~~26.1.2. 1 SNP~~

~~26.1.3. 1 Conservative~~

~~26.1.4. 1 Green~~

~~26.1.5. 1 SLD~~

~~Convener~~

~~26.2. The parent committee appoints the Convener.~~

~~Quorum~~

~~26.3. Two members of the Special Sub-Committee on Adult Social Care will constitute a quorum.~~

~~Substitution~~

~~26.4. Substitutes are permitted.~~

~~Delegated functions~~

~~26.5. Power is delegated to the Special Sub-Committee on Adult Social Care to:~~

~~26.5.1. maintain an overview of the quality of social work experience for Edinburgh's citizens by considering reports of HMI, SWIA, and Care Commission inspections and internal reviews of health and social care establishments and services, and action taken;~~

~~26.5.2. monitor the implementation of new initiatives relating to quality;~~

~~26.5.3. maintain an overview of the implementation of national and local policies.~~

~~26.5.4. address issues relating to the work of services which arise during the course of the business of the sub-committee and make recommendations to the Culture and Communities Committee;~~

~~26.5.5. celebrate the success of services, including identification of examples of good practice; and~~

~~26.5.6. provide a high quality experience for officers and Sub-Committee members by adopting an agreed set of protocols for the conduct of Special Sub-Committees.~~

~~**27. Sub-Committee on Standards for Children and Families (Parent: Education, Children and Families Committee)**~~

~~27.1. **Constitution:** 9 Members of the Council as follows:~~

~~27.1.1. 3 SNP~~

~~27.1.2. 2 Labour~~

~~27.1.3. 2 Scottish Liberal Democrat~~

~~27.1.4. 2 Green~~

~~27.1.5. 2 Conservative~~

~~**Convener**~~

~~27.2. The parent committee will appoint the convener.~~

~~**Quorum**~~

~~27.3. Three members will constitute a quorum.~~

~~**Substitution**~~

~~27.4. Substitutes are permitted.~~

~~**Delegated functions**~~

~~27.5. Power is delegated to the Sub-Committee on Standards for Children and Families to:~~

~~27.5.1. Provide oversight of the quality of education and care experiences for young people in the City of Edinburgh by scrutinising the reports and follow up actions of Education Scotland inspections in schools;~~

~~27.5.2. Consider an annual report on Care Inspectorate inspections in early years provision;~~

~~27.5.3. Consider individual reports on Care Inspectorate inspections in residential schools, care services for children and local authority reviews of service areas, establishments and units;~~

~~27.5.4. Monitor the implementation of initiatives relating to quality improvement and assurance, and attainment and achievement;~~

~~27.5.5. Maintain an overview of the implementation of national and local policies specifically related to quality standards by officers, establishments and services;~~

~~27.5.6. Contribute to the support and challenge agenda within the context of establishment plans; and~~

~~27.5.7 Celebrate the success of establishments, units, teams and the service including recognising items of good practice.~~

Appendix 3

CITY OF EDINBURGH COUNCIL
SCHEME OF DELEGATION TO
OFFICERS

Page 1 of 108

Contents

1. GENERAL	5
Scheme	5
Principles of delegation	6
2. CONSULTATION WITH ELECTED MEMBERS	7
Politically controversial matters and material decisions	7
Local members	7
Responsibility to inform	7
Reports	8
3. DELEGATION	8
Delegated authority	8
Material decisions	9
Major Projects	10
Contracts Standing Orders	11
4. DELEGATION TO CHIEF EXECUTIVE	11
5. DELEGATION TO CHIEF EXECUTIVE AND EXECUTIVE DIRECTORS	12
<u>6. DELEGATION TO SERVICE DIRECTORS</u>	
<u>67.</u> DELEGATION TO THE EXECUTIVE DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES	12
<u>78.</u> DELEGATION TO THE EXECUTIVE DIRECTOR OF CORPORATE SERVICES	13
<u>89.</u> DELEGATION TO THE CHIEF OFFICER - EDINBURGH HEALTH AND SOCIAL CARE PARTNERSHIP	13
<u>910.</u> DELEGATION TO THE EXECUTIVE DIRECTOR OF PLACE	13
<u>1011.</u> DELEGATION TO THE CHIEF PLANNING OFFICER	14
<u>1412.</u> DELEGATION TO THE SERVICE DIRECTOR: HUMAN RESOURCES AND MONITORING OFFICER	14
Appendix 1 – General Delegation to Chief Executive and Executive Directors	15
<i>Funds, contracts and property</i>	15
<i>Proper officers</i>	15
<i>Legal</i>	16
<i>Staff</i>	16

<i>Health and Safety</i>	18
<i>Health and Wellbeing</i>	18
<i>Use of land and buildings</i>	18
<i>Regulation of investigatory powers</i>	19
<i>Grants</i>	19
<i>Hospitality</i>	19
<i>Write off</i>	20
<i>Access to information</i>	20
<i>Consultations</i>	20
<i>Grant offers</i>	20
<i>Council companies</i>	20
Appendix 2 – Delegation to the Executive Director of Education and Children’s Services	22
<i>Education</i>	22
<i>Social Work</i>	25
<i>Sport</i>	32
<i>Libraries</i>	32
Appendix 3 – Delegation to the Executive Director of Corporate Services	34
<i>Legal and Assurance</i>	34
<i>Human Resources</i>	34
<i>Finance</i>	35
<i>Customer and Digital Services</i>	36
<i>Investment and Pensions</i>	37
Appendix 4 – Delegation to the Chief Officer - Edinburgh Health and Social Care Partnership	43
<i>All service users</i>	43
<i>Community Care</i>	45
Appendix 5 – Delegation to the Executive Director of Place	49
<i>Notices and Orders</i>	49
<i>Roads</i>	49
<i>Traffic</i>	56
<i>Housing and Regeneration</i>	62
<i>Property and Facilities Management</i>	65
<i>Edinburgh Shared Repair Service</i>	68
<i>Licensing</i>	69
<i>Community safety, environmental, consumer protection and registration etc.</i>	72
<i>Parks and Greenspace</i>	80
<i>Waste Services</i>	82
<i>Building Standards</i>	85
<i>Floods, Reservoirs and Coasts</i>	86

<i>City Strategy and Economy</i>	90
<i>Culture</i>	91
<i>Public Safety</i>	92
Appendix 6 – Chief Planning Officer	93
<i>Planning policy</i>	93
<i>Local Development Plan Preparation</i>	94
<i>Planning applications etc.</i>	94
<i>Enforcement action</i>	98
<i>Landscape</i>	100
<i>Appeals</i>	100
<i>Legal Agreements</i>	101
<i>Miscellaneous</i>	101
<i>Flooding</i>	102
Appendix 7 – Statutory functions and Statutory officers	103
Appendix 8 – Proper Officer functions	105
Appendix 9 – List of legislation	107

CITY OF EDINBURGH COUNCIL
SCHEME OF DELEGATION TO OFFICERS

1. GENERAL

- 1.1 This Scheme of Delegation to Officers ("**Scheme**") applies from ~~30 June 2023~~³² and sets out the powers delegated by the City of Edinburgh Council ("**Council**") to officers, pursuant to the Local Government (Scotland) Act 1973. The Scheme is intended to facilitate the efficient conduct of Council business by clearly setting out the nature and extent of the powers delegated to officers by the Council.
- 1.2 The powers delegated to officers in terms of this Scheme are subject to change by act of Council in accordance with the Standing Orders of the Council.
- 1.3 The Local Government (Scotland) Act 1973 requires the Council to maintain a list specifying those powers which are exercisable by officers and stating the title of the officer who exercises that power. The lists of powers are set out in this Scheme.
- 1.4 In this Scheme:
- (a) a reference to "**Executive Director**" means any of the Executive Directors of the Council or the Chief Officer - Edinburgh Health and Social Care Partnership (and "**Executive Directors**" shall be interpreted accordingly);
 - (b) a reference to a statute or statutory provision:
 - (i) is a reference to it as amended, extended or re-enacted from time to time; and
 - (ii) shall include all subordinate legislation made from time to time under that statute or statutory provision;
 - (c) any reference to this Scheme shall include the appendices to the Scheme ("**Appendices**" and each an "**Appendix**");
 - (d) a reference to "**Council Policies**" shall include all and any policies approved

by the Council from time to time (and “**Council Policy**” shall be interpreted accordingly);

- (e) references to paragraphs are to paragraphs of this Scheme; and
- (f) headings are for convenience, do not form part of this Scheme and shall not be used in its interpretation.

Principles of delegation

1.5 Officers to whom power is delegated in terms of this Scheme must exercise their powers in accordance with the following principles:

- (a) the decision or action must not be a matter (“**Reserved Matter**”):
 - (i) reserved by law to the Council or a Committee or sub-committee of the Council (“**Committee**”); or
 - (ii) that the Council or a Committee has expressly determined should be discharged otherwise than by an officer;
- (b) the decision or action must not alter or be contrary to law or to policy set by the Council and its Committees;
- (c) the decision or action must be taken in accordance with the Council’s Standing Orders as amended from time to time;
- (d) the decision or action must be taken in accordance with the Financial Regulations and Corporate Debt Policy as amended from time to time and comply with the financial limits set out in those documents;
- (e) the financial consequences of the decision or action must be contained within the budget approved by Council for the financial year in question;
- (f) the decision or action must not give rise to a conflict of interest as set out in the Council’s code of conduct for employees; and
- (g) elected members must be appropriately consulted, and officers must comply

1.6 If there is a question or dispute on whether a decision taken or proposed to be taken by an officer contravenes the provisions of this Scheme, it will be decided by the Chief Executive in consultation with the Leader of the Council (or the ~~deputy-depute~~ Leader if the Leader is absent).

1.7 Each Executive Director shall have authority to take all decisions or actions necessary to implement a policy approved by or a decision previously taken by the Council or a Committee or which facilitate or are conducive to the implementation of such a policy or decision.

2. CONSULTATION WITH ELECTED MEMBERS

Politically controversial matters and material decisions

2.1 Where a decision or action proposed to be taken under delegated powers is likely to be regarded as politically controversial or is a decision (“**Material Decision**”) that will have or is likely to have:

- (a) a significant effect on financial, reputational or operational risk; and/or
- (b) a significant impact on service delivery or performance;

the appropriate elected members will be consulted before any decision or action is taken. Appropriate elected members will include the relevant convener or vice-convener(s) and, where appropriate, the Leader and/or deputy Leader.

Local Members

2.2 Where a decision or action relates to a particular ward or wards (and not to the whole area of the Council) and is likely to directly affect the ward interests of a local member or members, those members will be consulted before any decision or action is taken (save in the case of matters of a routine or confidential nature).

Responsibility to inform

2.3 It is the responsibility of the Chief Executive or relevant Executive Director to keep

the elected members of the Council appropriately informed about activity arising within the scope of the delegated authority under this Scheme.

Reports

2.4 The Council or any Committee may require the Chief Executive or Executive Directors to submit reports on the decisions taken and action authorised by them under delegated authority. The Chief Executive or relevant Executive Director shall submit a report in relation to any Material Decision to Council or the appropriate Committee.

3. DELEGATION

Delegated authority

3.1 The Council delegates authority for certain powers or functions to the Chief Executive, Executive Directors and service directors as detailed in this Scheme.

3.2 In the event that the Chief Executive, Executive Director is unavailable, his/her deputy or the relevant service director will have delegated authority to take urgent decisions in the absence of the Chief Executive or Executive Director.

3.3 The Chief Executive, ~~or~~ Executive Directors and Service Directors may sub-delegate their delegated powers ~~to their deputy or service director or such other~~ officer(s) in their service area as they may consider appropriate. Each officer to whom powers are delegated may sub-delegate to such other officers in their service area as they may consider appropriate. This will be in each case the officer of an appropriate level of seniority who is most closely involved with the matter in question. The Chief Executive, ~~and~~ Executive Directors and Service Directors will remain accountable for decisions taken by their sub-delegates.

3.4 Sub-delegation of functions by any officer to another officer in accordance with this Scheme will not prevent the officer from whom the authority is being delegated from also discharging those functions.

3.5 Where authority has been sub-delegated by one officer to another in accordance with this Scheme, such authority can be revoked at any time without prejudice to any previous decisions made under that authority.

~~3.53.6~~ Where authority has been sub-delegated, the details of these powers and who it is sub-delegated to, should be outlined in writing and held by the relevant directorate with a copy sent to the Head of Democracy, Governance and Resilience.

~~3.63.7~~ Certain functions (“**Statutory Functions**”) must, by law, be carried out by certain statutory officers. The Council delegates authority to those statutory officers (“**Statutory Officers**”) to carry out the Statutory Functions. A list of the Statutory Functions and the Statutory Officers can be found in Appendix 8.

~~3.73.8~~ The authority delegated to the Chief Executive ~~and~~ Executive Directors and Service Directors in terms of this Scheme shall not include any Statutory Function, which shall be exercised by the appropriate Statutory Officer.

~~3.83.9~~ Legislation requires that certain functions be exercised by a "**proper officer**". This Scheme sets out Council officers who are designated as proper officers in relation to functions. An officer who is designated as a proper officer by this Scheme may also designate in writing other officer(s) in his or her service area to exercise his or her functions as proper officer. Such designation can be revoked at any time by the designating officer without prejudice to any previous actions taken under that designation. Designated proper officers are set out in paragraph 5 of Appendix 1, paragraph 21 of Appendix 7 and in Appendix 9.

~~3.9~~ Appropriate records must be kept of any sub-delegations of powers made under the Scheme.

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Material Decisions

3.10 Notwithstanding the terms of any delegation of authority to Executive Directors or other officers in terms of this Scheme, all Material Decisions shall be taken in consultation with the Corporate Leadership Team (“**CLT**”). It is intended that this will engender greater transparency; foster a collegiate culture of collective decision-making among Executive Directors; and ensure proper corporate oversight, scrutiny and challenge of Material Decisions.

3.11 It is the responsibility of each Executive Director or other officer to whom powers are delegated to consider whether a decision or action in relation to a matter delegated to him/her is a Material Decision and in the case of an officer other than an Executive

Director, to bring it to the attention of the relevant Executive Director and/ or Statutory Officers. The relevant Executive Director/ or Statutory Officer will bring any Material Decision to the next available meeting of the CLT.

3.12 In the case of any Material Decision that relates to a Statutory Function, the provisions of paragraphs 2.1 and 3.~~42-11~~ of this Scheme shall be without prejudice to the legal duties and responsibilities of the relevant Statutory Officer.

3.13 The provisions of paragraph 3.~~42-11~~ of this Scheme shall be without prejudice to the principles of delegation set out in paragraph 1.5 of this Scheme and the requirement to consult with elected members set out in paragraph 2.1 of this Scheme.

Major Projects

3.14 The following projects (“**Major Projects**”) shall be dealt with as set out in paragraph 3.15 of this Scheme:

- (a) any project which has an estimated value of £5 million or more; or
- (b) any other corporate project the Executive Director of Corporate Services shall, in consultation with the CLT and the Convener ~~or Vice Convener~~ of the Finance and Resources Committee, so designate.
- (c) Does not include projects involving the Lothian Pension Fund.

3.15 In order to ensure effective governance and delivery of Major Projects, the relevant Executive Director ~~of Corporate Services~~ will make arrangements to:

- (a) oversee all Major Projects to ensure they are initiated appropriately, and independently assess elements of the Major Projects including:
 - (i) options appraisal; (ii) affordability; (iii) implementation; (iv) resource planning;
 - (v) sustainability; (vi) equalities; (vii) environmental impact; and (viii) stakeholder engagement;
- (b) provide ongoing support to Major Projects through key stage or gateway reviews, management dashboard reporting, post completion reviews and tracking benefits realisation; and

- (c) update the CLT and the Governance, Risk and Best Value Committee on the status and progress of Major Projects.

Contracts Standing Orders

3.16 Any officer to whom relevant authority is delegated in terms of this Scheme must comply with the terms of the standing orders and have regard to the Council's procurement handbook which apply to all contracts made by or on behalf of the Council for the procurement of the execution of works, the supply of goods and materials to the Council and/or for the provision of services

4. DELEGATION TO CHIEF EXECUTIVE

4.1 As the Council's Statutory Head of Paid Service the Chief Executive has overall responsibility for the corporate management and operational functions of the Council that are delegated to officers under this Scheme. The Chief Executive is authorised to discharge any function or exercise any power delegated to any officer under this Scheme.

4.2 In addition, the Council authorises the Chief Executive to:

- (a) take action to ensure that the Council's responsibilities and duties under the Civil Contingencies Act 2004 and other emergency planning, business continuity and resilience legislation are discharged;
- (b) take any urgent action necessary in the event of a civil emergency, business continuity or resilience incident;
- (c) act as Returning Officer for local government elections, Westminster elections, Scottish Parliament elections, European elections and Business Improvement District elections under sections 25 and 41 of the Representation of the People Act 1983;
- (d) act as Counting Officer for referendums held in terms of the Political Parties, Elections and Referendums Act 2000;

(e) perform the Council's functions under the Regulation of Investigatory Powers (Scotland) Act 2000 and the Regulation of Investigatory Powers Act 2000 in accordance with Council policy, including:

- (i) appointing authorising officers;
- (ii) authorising directed surveillance or the use of a covert human intelligence source which involves the likelihood of obtaining confidential information; and
- (iii) authorising the use of covert human intelligence sources in relation to juveniles or vulnerable adults;

5. DELEGATION TO THE CHIEF EXECUTIVE AND ALL EXECUTIVE DIRECTORS

5.1 Subject to the provisions of paragraphs 1 to 3 of this Scheme, the Chief Executive, each Executive Director and shall have delegated authority to manage all human, financial and other resources within his/her service area, including those functions set out in Appendix 1.

6. DELEGATION TO SERVICE DIRECTORS

6.1 Subject to the provisions of paragraphs 1 to 3 of this Scheme, and the delegation to the Chief Executive and Executive Directors, each Service Director, shall have delegated authority to manage those functions set out in Appendix 2.

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~~6.7.~~ DELEGATION TO EXECUTIVE DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES

~~6.7.1~~ Subject to the provisions of paragraphs 1 to 3 of this Scheme, the Executive Director of Education and Children's Services, or the Chief Social Work Officer where relevant, shall have delegated authority to exercise the schools, early years, children's social work services, childcare, ~~libraries, sports, and wellbeing services,~~ community based services relating to youth work and community justice, including those set out in Appendix ~~23~~.

~~7.8.~~ DELEGATION TO EXECUTIVE DIRECTOR OF CORPORATE SERVICES

~~78~~.1 Subject to the provisions of paragraphs 1 to 3 of this Scheme, the Executive Director of Corporate Services shall have delegated authority to carry out all financial, commercial and procurement, treasury management, investments, pensions, human resources, recruitment, payroll, learning and development, customer services, [registration](#), business support, banking and payments, policy and insight, [sustainability](#), communications, strategic change and delivery, democracy, governance and resilience, welfare reform and benefits administration, digital services (ICT), legal, risk management, health and safety and internal audit functions of the Council, including those set out in Appendix ~~34~~.

~~89~~. **DELEGATION TO CHIEF OFFICER - EDINBURGH HEALTH AND SOCIAL CARE PARTNERSHIP**

~~89~~.1 Subject to the provisions of paragraphs 1 to 3 of this Scheme, the Chief Officer - Edinburgh Health and Social Care Partnership, or the Chief Social Work Officer where relevant, shall have delegated authority to exercise the social work, social care and social welfare functions of the Council including those set out in Appendix ~~45~~, except to the extent that those functions are delegated by Council to the Integration Joint Board.

~~910~~. **DELEGATION TO EXECUTIVE DIRECTOR OF PLACE**

~~910~~.1 Subject to the provisions of paragraphs 1 to 3 of this Scheme, the Executive Director of Place shall have delegated authority to carry out all powers and responsibilities associated with the Council's housing and regeneration, [housing support](#), [homelessness and household support](#), community safety, environmental health, Coronavirus public health restrictions, scientific services, trading standards, licensing, ~~registration~~, advice services, parks, waste management and disposal, street cleaning, grounds maintenance, operational estate and investment property, [capital construction projects](#), strategic asset management, catering, facilities management, cleaning, catering, security and ~~the~~ Edinburgh shared repairs, ~~economic development~~ [business gateway](#), [business growth and inclusion](#), ~~sustainability~~, public safety, culture, libraries, sport and wellbeing ~~services~~, ~~community empowerment~~, community centres, corporate fleet management and maintenance, community transport, building standards, transport ~~planning strategy~~ [and network management](#), roads management and maintenance, flood prevention, reservoir and coastal functions including those set out in Appendix ~~56~~.

~~40~~11. **DELEGATION TO CHIEF PLANNING OFFICER**

~~40~~11.1 Subject to the provisions of paragraphs 1 to 3 of this Scheme, the Chief Planning Officer shall have delegated authority to exercise the planning functions set out in Appendix ~~6~~7

~~12~~4. **DELEGATION TO SERVICE DIRECTOR: HUMAN RESOURCES AND MONITORING OFFICER**

~~44~~12.1 The Service Director: Human Resources and/or the Monitoring Officer, when directed by the Chief Official Personnel Hearing Committee, have delegated authority to appoint an investigating officer to conduct a formal investigation into allegations made against the Chief Executive or other chief officials in line with the Council disciplinary policy.

~~44~~12.2 The Service Director: Human Resources and Monitoring Officer have delegated authority, in consultation with the Leader of the Council, to determine whether the Chief Executive is conflicted in any disciplinary process involving other officers which means the matter must be dealt with by elected members under the Council's disciplinary policies.

~~44~~12.3 The Monitoring Officer, in consultation with the Service Director: Human Resources has delegated authority to initiate an investigation into a Chief Official.

APPENDIX 1

GENERAL DELEGATION TO CHIEF EXECUTIVE AND EXECUTIVE DIRECTORS

These are the functions referred to in paragraph 5 of the Scheme:

Funds, contracts and property

1. spending money and managing their budgets in accordance with Council approved resource allocations and with the Financial Regulations;
2. subject to any policies and/or directions issued by the Executive Director of Corporate Services:

(a) transferring funds between headings within their approved revenue budgets;

(b) transferring funds between capital projects included in the capital budgets for their service;

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provided that (1) the Executive Director of Corporate Services is informed of the transfer and (2) the transfer does not affect revenue or capital budgets for future years;

3. entering into, terminating, varying, suspending or extending contracts (including call-off contracts or direct awards under Framework Agreements established by the Council) subject to compliance with the Council's Contract Standing Orders or as otherwise authorised by the Council;
4. declaring property or land surplus to requirements, including one-off blocks of flats and main door properties;

Proper officers

5. acting as proper officer in terms of any provisions of the Local Government (Scotland) Act 1973, the Requirements of Writing (Scotland) Act 1995 and generally any local government legislation and signing all deeds and other

Appendix 1 – General Delegation to Chief Executive and Executive Directors
documents which require to be sealed with the Common Seal of the Council or
are binding on the Council;

Legal

6. settling legal actions and claims in consultation with the Service Director: Legal and Assurance;
7. initiating, entering into, defending and withdrawing from legal proceedings in consultation with the Service Director: Legal and Assurance;

Staff

8. appointing employees within agreed staffing levels up to but excluding Service Directors;
9. appointing an acting Service Director from the staff of the Council when a Service Director is absent, or the post is vacant;
10. conducting disciplinary and grievance proceedings for employees in accordance with the Council's approved policy and procedures;
11. authorising staff attendance at training courses, conferences, seminars and other developmental activities, in accordance with Council's approved policy and procedures;
12. changing staffing structures, numbers and gradings in accordance with approved job evaluation arrangements, with the exception of significant change— at a divisional level (e.g. merging of divisions, removal of service director posts) requiring a formal organisational review, provided that such changes comply with guidelines issued by the Executive Director of Corporate Services;
13. remedying inconsistencies in pay or terms and conditions of service in conjunction with the Executive Director of Corporate Services;
14. deciding the following staffing matters in accordance with approved Council policy, procedures and/or guidance issued by the Executive Director of Corporate Services (or, in the case of teaching staff, by the Executive Director of Education and Children's Services):

Page 16 of 108

Appendix 1 – General Delegation to Chief Executive and Executive Directors

- (a) approval of paid or unpaid leave for special circumstances, secondment, or leave to work or visit abroad;
- (b) entering into compromise or settlement agreements with staff in relation to their employment with the Council in consultation with the Service Director: Legal and Assurance, and subject also to consultation with the appropriate convener;
- (c) save in the case of an Executive Director, where the decision shall be reserved to the Finance and Resources Committee, making decisions in relation to the Local Government Pension Scheme membership (including, for example, early payment of pensions, late transfers, late applications to pay optional pensions contributions, augmented membership, additional pensions, and fraud/forfeiture cases);
- (d) extension of occupational sick pay allowance;
- (e) approval of payroll deductions and the recovery of overpayments;
- (f) closure of buildings in emergency or exceptional circumstances and early closure during the festive season;
- (g) approval of transfer of annual leave;
- (h) approval of overtime or additional hours of work;
- (i) approval of applications for secondary employment;
- (j) authorisation of payments for lectures, speeches etc. to external organisations;
- (k) determination of claims of up to ~~£250~~-1000 for damage to or loss of the personal property of employees in consultation with the Executive Director of Corporate Services;
- (l) payment of removal expenses and allowances;
- (m) payment of car users' allowances;

- (n) authorisation of telephone allowances;
- (o) placement of employees on appointment on a point within a grade or grades applicable to the posts;
- (p) establishment and filling of fixed term posts in accordance with the relevant Council Policy; and,
- (q) appointment of apprentices ~~on completion of indentures~~;

Health and Safety

- 15. implementing the Council's Health and Safety Policy and arrangements;

Staff Wellbeing

- 16. implementing the Council's Wellbeing Strategy and Policy for staff and associated arrangements;

Use of land and buildings

- 17. approving, subject to compliance with any ~~approved~~ scheme of charges, the use by appropriate organisations, bodies or persons of land and premises owned, occupied or managed by the Council (including land managed on behalf of the Common Good);
- 18. regulating access to, ~~and~~ ~~conduct of~~ ~~persons on~~ ~~property owned, occupied or~~ managed by the Council, including (1) eviction, ejection and expulsion from property and (2) the application and enforcement of management rules under sections 112 and 116 of the Civic Government (Scotland) Act 1982 as approved by the Council from time to time;
- 19. approving the temporary closure of property owned, occupied or managed by the Council to:

- (a) ensure the safety of Council staff or members of the public;
- or

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subject to consultation with the appropriate convener ~~or vice convener~~ and local elected members and insertion of a public notice in the press informing the public of the closure when relevant;

Regulation of investigatory powers

20. performing the Council's functions under the Regulation of Investigatory Powers (Scotland) Act 2000 and the Regulation of Investigatory Powers Act 2000 in accordance with Council policy, with the exception in the case of the Executive Directors of the following functions which are reserved to the Chief Executive:

- a) appointing authorising officers;
- b) authorising directed surveillance or the use of a covert human intelligence source which involves the likelihood of obtaining 'confidential' information; and
- c) authorising the use of covert human intelligence sources in relation to juveniles or vulnerable adults.

Grants

21. The approval of grants should be undertaken in line with the rules and authority level set out in Grant Standing Orders (officer approval for grants under £25,000).

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Hospitality

- 22. approving expenditure on hospitality in accordance with Council Policy;
- 23. approving expenditure on overseas visits by officers in accordance with Council Policy;

Write off

24. writing off or disposing of any stores, plant, furniture, equipment, or any other tangible or monetary asset not falling within the scope of the Corporate Debt policy in accordance with the Financial Regulations provided that:

(a) the stores, plant, furniture, equipment or such asset has become unfit for use and unsaleable, or in the case of relevant monetary assets, all reasonable steps to achieve recovery have been exhausted; and

(b) the decision is made in consultation with the Executive Director of Corporate Services;

Access to information

25. responding to requests for information made to the Council under the Freedom of Information (Scotland) Act 2002; Environmental Information (Scotland) Regulations 2004; INSPIRE (Scotland) Regulations 2009 and the Data Protection Act 1998;

Consultations

26. responding to consultations from external bodies seeking the input of the Council to the extent necessary to provide any technical, scientific, or other factual information, or professional opinion or analysis of an operational nature;

Grant offers

27. applying for grant funding on behalf of the Council;

28. accepting offers of grant funding on behalf of the Council; and

Council Companies

29. monitoring the performance of each Council company delivering services in his or her service area, including the attendance of a nominated Council observer at all company Board meetings and, where practicable, the relevant Audit Committee.

APPENDIX 2

GENERAL DELEGATION TO SERVICE DIRECTORS

These are the powers referred to in paragraph 6 of the Scheme.

Funds, contracts and property

1. spending money and managing their budgets in accordance with Council approved resource allocations and with the Financial Regulations;
2. entering into, terminating, varying, suspending or extending contracts (including call-off contracts or direct awards under Framework Agreements established by the Council) subject to compliance with the Council's Contract Standing Orders or as otherwise authorised by the Council;

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Staff

8. appointing employees within agreed staffing levels up to ~~but excluding Service Directors~~ and including Heads of Service
10. conducting disciplinary and grievance proceedings for employees in accordance with the Council's approved policy and procedures;
11. authorising staff attendance at training courses, conferences, seminars and other developmental activities, in accordance with Council's approved policy and procedures;
12. remedying inconsistencies in pay or terms and conditions of service in conjunction with the Executive Director of Corporate Services;
13. deciding the following staffing matters in accordance with approved Council policy, procedures and/or guidance issued by the Executive Director of Corporate Services (or, in the case of teaching staff, by the Executive Director of Education and Children's Services):
 - (a) approval of paid or unpaid leave for special circumstances, secondment, or leave to work or visit abroad;

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Appendix 1 – General Delegation to Chief Executive and Executive Directors

(b) extension of occupational sick pay allowance;

(c) approval of payroll deductions and the recovery of overpayments;

(d) closure of buildings in emergency or exceptional circumstances and early closure during the festive season;

(e) approval of transfer of annual leave;

(f) approval of overtime or additional hours of work;

(g) approval of applications for secondary employment;

(h) authorisation of payments for lectures, speeches etc. to external organisations;

(i) determination of claims of up to £250 for damage to or loss of the personal property of employees in consultation with the Executive Director of Corporate Services;

(j) payment of removal expenses and allowances;

(k) payment of car users' allowances;

(l) authorisation of telephone allowances;

(m) placement of employees on appointment on a point within a grade or grades applicable to the posts;

(n) establishment and filling of fixed term posts in accordance with the relevant Council Policy; and,

(o) appointment of apprentices;

Health and Safety

14. implementing the Council's Health and Safety Policy and arrangements;

Staff Wellbeing

15. implementing the Council's Wellbeing Strategy and Policy for staff and associated arrangements;

Hospitality

16. approving expenditure on hospitality in accordance with Council Policy;

17. approving expenditure on overseas visits by officers in accordance with Council Policy;

Access to information

18. responding to requests for information made to the Council under the Freedom of Information (Scotland) Act 2002; Environmental Information (Scotland) Regulations 2004; INSPIRE (Scotland) Regulations 2009 and the Data Protection Act 1998;

Consultations

19. responding to consultations from external bodies seeking the input of the Council to the extent necessary to provide any technical, scientific, or other factual information, or professional opinion or analysis of an operational nature;

Grant offers

20. applying for grant funding on behalf of the Council;

21. accepting offers of grant funding on behalf of the Council; and

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APPENDIX 23

DELEGATION TO THE EXECUTIVE DIRECTOR OF EDUCATION AND CHILDREN’S SERVICES

(or, where applicable, the Chief Social Work Officer)

These are the powers referred to in paragraph ~~6~~7 of the Scheme:

Education

1. taking steps to discharge the duty of the Council, as education authority, to secure adequate and efficient provision of school education (including pre-school education) and further education in accordance with section 1 of the Education (Scotland) Act 1980, and in doing so (1) having regard to the duty to ensure that education is directed to the development of the personality, talents and mental and physical abilities of children and young people (section 2 of the Standard in Scotland’s Schools etc. Act 2000) and (2) endeavouring to ensure that schools managed by them promote the physical, social, mental and emotional health and well-being of pupils (section 2A of the Standard in Scotland’s Schools etc. Act 2000);
2. maintaining and equipping schools and other buildings (section 17 of the Education (Scotland) Act 1980);
3. improving the access to premises for the safety of pupils (section 18 of the Education (Scotland) Act 1980);
4. operating arrangements for pupils from outside the Council’s area (sections 23 and 24 of the Education (Scotland) Act 1980);
5. setting school commencement dates for primary schools (section 32 of the Education (Scotland) Act 1980);
6. managing placing requests including publishing of information on arrangements in accordance with the provisions of section 28A, and representing the Council at any placing appeal committee in accordance with section 28F, both of the

Education (Scotland) Act
1980;

7. enforcing attendance at school, including bringing proceedings against parents in respect of children’s non-attendance (sections 36, 37, 38, 39 and 43(2) of the Education (Scotland) Act 1980);
8. allowing pupils to miss school (section 34 of the Education (Scotland) Act 1980);
9. excluding pupils from school (Regulation 4 of the Schools (General) Scotland Regulations 1975);
10. promoting the involvement of the parents of pupils in attendance at schools in the education provided to those pupils (section 1 of the Scottish Schools (Parental Involvement) Act 2006);
11. awarding bursaries (section 49 of the Education (Scotland) Act 1980);
12. providing transport for pupils and students (section 51 of the Education (Scotland) Act 1980);
13. ensuring copies of education records are available including the ability to set charges (section 4 of the Education (Disability Strategies and Pupils’ Educational Records) (Scotland) Act 2002);
14. awarding Education Maintenance Allowances (section 73(f) of the Education (Scotland) Act 1980);
15. providing school meals (section 53 of the Education (Scotland) Act 1980);
16. providing clothing (section 54 of the Education (Scotland) Act 1980);
17. discharging the Council’s duties in relation to the employment of children (Children and Young Persons (Scotland) Act 1937);
18. licensing stage or theatrical performances by children (Children and Young Persons Act 1963);

19. providing child guidance services (section 4 of the Education (Scotland) Act 1980);
20. referring young people in medically unsuitable employment to the Employment Medical Advisory Service of the Department of Employment;
21. application of national circulars regarding service conditions of teaching staff. Where there is a choice of action, the circular will be sent to Committee;
22. providing programmes of adult education;
23. providing or arranging in-service training for staff;
24. providing the education authority's representatives on the recruitment panels for all Head Teachers,
25. providing work experience for pupils who are eligible (section 123 of the Education (Scotland) Act 1980);
26. operating health and safety checks on work-experience placements;
27. dealing with the use of educational premises for licensed functions;
28. managing the Education Arts Development Programme;
29. specifying the level of service and other relevant details for getting tenders for the School and Welfare Catering Services;
30. negotiating variation orders for changes in the level of School and Welfare Catering services with the approved contractor within the contract price approved by the Council;
31. making awards of up to ~~£5~~£10,000 for distribution of Childcare Partnership funds;
32. approving joint working arrangements with other bodies;
33. liaising with the Scottish Government Education & Training Department;

34. carrying out the consultations processes required by the Schools (Consultation) (Scotland) Act 2010;
35. in consultation with the Chief Executive and with the Service Director: Legal and Assurance, receiving notice of, representing the Council and responding to referrals by the Children’s Reporter to the Scottish Ministers under the Children’s Hearings (Scotland) Act 2011;
36. implementing the duties and powers set out in the Education (Additional Support for Learning) (Scotland) Act 2004;

Social Work

37. taking necessary steps to discharge the Council’s duties under the Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995, the Social Care (Self-directed Support) (Scotland) Act 2013 and the Children and Young People (Scotland) Act 2014;
38. arranging for the protection of property of people who have gone into hospital or care as in section 48 of National Assistance Act 1948;
39. maintaining a Complaints Procedure and service as in section 5B of the Social Work (Scotland) Act 1968;
40. where the carer of a person over 18 years of age is a child under 18 years of age, assisting Health and Social Care staff to assess the carer’s needs and provide information about the assessment as in sections 12A, 12AA and 12AB of the Social Work (Scotland) Act 1968;
41. making direct payments to individuals to allow them to purchase community care services or if they are disabled, to assist them to care for their children under the Social Care (Self-directed Support) (Scotland) Act 2013;
42. making direct payments to 16- and 17-year olds with a disability and to parents of children under 18 with a disability to allow them to pay for children’s services under the Social Care (Self-directed Support) (Scotland) Act 2013;
43. burying or cremating any person who was in the care of, or receiving help from,

the Council, immediately before their death as in section 28 of the Social Work (Scotland) Act 1968;

44. deciding whether to pay the expenses of parents, relatives etc. visiting people (including looked after children) who are being cared for or maintained in accommodation by the Council, or in attending funerals as in section 29 of the Social Work (Scotland) Act 1968;
45. providing and maintaining whatever residential and other establishments are needed for the Council’s functions under Part II of the Children (Scotland) Act 1995;
46. recovering from other local authorities any costs for services provided to people ordinarily resident there under the Social Work (Scotland) Act 1968 as in section 86 of the Social Work (Scotland) Act 1968;
47. authorising the following finance related issues in accordance with the Corporate Debt Policy and wider Council Policies:
 - (a) writing off debts on social grounds or in exceptional circumstances;
 - (b) reimbursing carers and substitute carers for loss or damage (*ex gratia*) of up to ~~£500~~£1500, subject to appropriate consultation with the convener or vice-convener;
 - (c) reimbursing staff for loss or damage (*ex gratia*) of up to ~~£500~~£1500;
 - (d) making payments to staff for emergency expenses (*ex gratia*) of up to £150;
and
 - (e) reimbursing neighbours and/or relatives of departmental carers for damage caused by service users (*ex gratia*), where it would be in the interest of the Council to maintain goodwill, subject to appropriate consultation with the convener or vice-convener;
48. providing reports and information to the courts in private law proceedings as in section 11 of the Matrimonial Proceedings (Children) Act 1958 and section 11 of

the Children (Scotland) Act 1995;

49. assessing and recovering contributions for “maintainable” children looked after by the Council as in sections 78 to 82 of the Social Work (Scotland) Act 1968;

50. where there is an assessed need, paying allowances to people who have children and young people residing with them as in section 50 of the Children Act 1975;

51. providing an adoption service in accordance with section 1 of the Adoption and Children (Scotland) Act 2007;

52. supervising and providing reports to the court in respect of non-agency adoptions as in sections 17 and 18 of the Adoption and Children (Scotland) Act 2007;

53. taking necessary or facilitative steps to implement arrangements for the adoption of children;

54. providing adoption support plans under section 45 of the Adoption and Children (Scotland) Act 2007;

55. approving and paying adoption allowances as in section 71 of the Adoption and Children (Scotland) Act 2007;

56. securing the welfare of all foster children, receiving and assessing notifications, inspecting premises, imposing requirements and removing children from unsuitable premises (sections 3, 5, 6, 8, 9, 10 and 12 of the Foster Children (Scotland) Act 1984);

57. preparing and publishing a plan for services to children under 8 years of age as in section 19 of the Children Act 1989;

58. preparing and publishing a three-year plan for day care services to children in need as in section 19 of the Children (Scotland) Act 1995;

59. publishing information about services for children in need as in section 20 of the Children (Scotland) Act 1995;

60. safeguarding and promoting the welfare of children looked after by the Council and

giving them the opportunity to fulfil their potential as in section 17 of the Children (Scotland) Act 1995;

61. safeguarding and promoting the welfare of children in need giving help “in kind or in cash” as in section 22 of the Children (Scotland) Act 1995;
62. minimising the effect of disability on children, assessing the needs of children with or affected by disability, assessing the ability of their carers to meet those needs and providing information assessment as in sections 23, 24, and 24A of the Children (Scotland) Act 1995 and the and the Social Care (Self-directed Support) (Scotland) Act 2013;
63. providing accommodation for children and young people when lost or abandoned or when no-one with parental responsibility can do it as in section 25 of the Children (Scotland) Act 1995;
64. providing accommodation for young people aged 18 to 21 years of age when to do so would safeguard and promote their welfare as in section 25 of the Children (Scotland) Act 1995;
65. providing accommodation and maintenance for children looked after by the Council as in section 26 of the Children (Scotland) Act 1995;
66. providing day care for pre-school and other children as in section 27 of the Children (Scotland) Act 1995;
67. providing after-care for children (under 21 years of age) who were previously looked after by a local authority as in section 29 of the Children (Scotland) Act 1995;
68. providing financial help towards maintaining, educating or training for young people who were looked after by the Council at the time of leaving school age as in section 30 of the Children (Scotland) Act 1995;
69. reviewing cases of children looked after by the Council as in section 31 of the Children (Scotland) Act 1995;
70. removing children from residential establishments as in section 32 of the Children

(Scotland) Act 1995;

71. accepting responsibility for orders made in respect of children in other parts of the UK where the child is now ordinarily resident in Edinburgh as in section 33 of the Children (Scotland) Act 1995;
72. providing short term refuges where a child may be at risk of harm as in section 38 of the Children (Scotland) Act 1995;
73. making enquiries and providing information to the Principal Reporter to the Children’s Panel where children may need compulsory measures of care as in section 60 of the Children’s Hearings (Scotland) Act 2011;
74. where a child may be at risk of significant harm, investigating the matter and if need be applying for the following orders:
 - (a) Child Assessment Order (under section 35 of Children’s Hearings (Scotland) Act 2011);
 - (b) Child Protection Order (under sections 37 to 39 of Children’s Hearings (Scotland) Act 2011);
 - (c) Emergency Child Protection Order (under section 55 of Children’s Hearings (Scotland) Act 2011); and
 - (d) Exclusion Order (under sections 76 to 80 of the Children (Scotland) Act 1995);
75. providing reports on children and their social background for a Children’s Hearing as in section 66 of the Children’s Hearings (Scotland) Act 2011;
76. implementing supervision requirements made by a Children’s Hearing under the Children’s Hearings (Scotland) Act 2011;
77. in consultation with Chief Executive and with the Service Director: Legal and Assurance, receiving, responding to and representing the Council in respect of all referrals by the Children’s Reporter to the Sheriff Principal under the Children’s Hearings (Scotland) Act 2011;

78. arranging the emergency move of a child subject to a supervision requirement with condition of residence under the Children’s Hearings (Scotland) Act 2011;
79. recommending that a supervision requirement is reviewed by a Children’s Hearing under the Children’s Hearings (Scotland) Act 2011;
80. where assessed as necessary, applying to a court for a Permanence Order, or Permanence Order with authority to adopt, under sections 80-83 of the Adoption and Children (Scotland) Act 2007;
81. applying for variation or revocation of permanence order when there has been a material change of circumstances under section 99 of the Adoption and Children (Scotland) Act 2007;
82. providing information to the Courts and arranging accommodation for the detention of children being prosecuted for, or convicted of criminal offences as in sections 42, 43, 44, and 51 of the Criminal Procedure (Scotland) Act 1995;
83. making purchases, outside the central purchasing arrangements, for necessary food, clothing and other essential items for children in care of the Council and living within the Council’s residential establishments for young people;
84. discharging the Council’s duties in relation to children and young people under the Secure Accommodation (Scotland) Regulations 2013;
85. undertaking all activities, powers and duties as the appropriate local authority to do with Parental Orders as provided for in section 13 and in Part 9 of the Antisocial Behaviour etc (Scotland) Act 2004 including:
 - (a) applying for the making of an order or review of an order;
 - (b) supervising parents who are subject to an order and reporting breaches to the relevant court; and
 - (c) providing services and programmes of work or training for parents and generally giving effect to parenting orders.
- 93.

- 86. undertaking housing offender management (sex and serious violent offenders);
- 87. supervise and manage offenders subject to community orders or released from prison (or in similar circumstances) including:
 - (i) reports for courts and hearings (excluding children);
 - (ii) probation orders;
 - (iii) community payback orders;
 - (iv) community service;
 - (v) supervised attendance orders;
 - (vi) drug treatment and testing orders;
 - (vii) orders under section 57 of the Criminal Procedure (Scotland) Act;
 - (viii) diversion from prosecutions;
 - (ix) parole, or other supervised conditional release from prison;
 - (x) provision of advice, guidance and assistance if requested by a person released from prison or detention within the previous 12 months; and
 - (xi) throughcare services for serving and released prisoners;
- 88. supervise and manage offenders subject to community orders or released from prison (or in similar circumstances) including:
- 89. take steps to ensure the Council complies with its duties to co-operate with the Scottish Minister when carrying out its functions in accordance with sections 1 and 10 to 12 of the Management of Offenders etc. (Scotland) Act 2005.

Sport

- 90. devising and implementing [school](#) events and sports programmes;
- 91. allocating space within [school](#) sports facilities to relevant partners and agreeing the terms of any such arrangements, taking advice as necessary from other service areas, and bringing those arrangements to conclusions as required;

~~92. monitoring arms’ length organisations which operate Sport facilities or services, or both, on the Council’s behalf, including Edinburgh Leisure;~~

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Libraries

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~~93. providing and managing the Council’s library services;~~

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~~94. requiring any person to whom any article (other than a book or periodical) is lent to deposit with the Council a sum of money for the safe return of such article (section 6 of the City of Edinburgh District Council Order Confirmation Act 1991);~~

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~~95. making a charge for notifying a person that an article reserved by him has become available for borrowing (section 6 of the City of Edinburgh District Council Order Confirmation Act 1991);~~

~~96. charging for the borrowing of any article (other than a book or periodical) or the provision of any service provided at libraries (section 6 of the City of Edinburgh District Council Order Confirmation Act 1991); and~~

~~97. prescribing periods within which any article borrowed from a library must be returned, and exacting penalties for the retention by borrowers of any article beyond such period (section 39(1)(a) of the Edinburgh Corporation Order Confirmation Act 1967).~~

APPENDIX 3

DELEGATION TO THE EXECUTIVE DIRECTOR OF CORPORATE SERVICES

These are the powers referred to in paragraph 7 of the Scheme:

Legal and Assurance

1. signing court documents;
2. signing missives, other holograph conveyancing documents and notices and orders relating to compulsory purchase orders;
3. engaging private legal firms, counsel, sheriff officers, patent agents and parliamentary agents as appropriate;
4. monitor the Council's compliance with information compliance legislation, including the Freedom of Information (Scotland) Act 2002, Environmental Information (Scotland) Regulations 2004, INSPIRE (Scotland) Regulations 2009 and the General Data Protection Regulation 2016/679;
5. monitor the management of Council records in line with the provisions of the Public Records (Scotland) Act 2011;
6. approve expenditure on civic hospitality in accordance with Council Policy;

Human Resources

7. approving applications for early retirement/voluntary severance payments (including teaching staff)(excluding Executive Directors) subject to an annual report being submitted to the Finance and Resources Committee;
8. issuing certificates as required for employees to apply to the adjudicator for exemption from political restriction;
9. approving all new career development/salary progression schemes and changes to

existing schemes;

10. implementing nationally agreed pay awards;

11. approving and making payment of:

(a) all elements of pay, remuneration and expenses to all employees;

(b) pension entitlements to existing and former employees; and

(c) tax, national insurance and apprenticeship levy contributions to Her Majesty's Revenue and Customs;

Finance

12. determining all accounting and financial records and procedures of the Council.

Where such procedures and records are maintained in a directorate/division other than that of the Executive Director of Corporate Services, the Executive Director shall, before making any determination, consult with the Executive Director of the service area concerned;

13. performing any function on behalf of the Common Good Fund, charitable endowments and any other Council funds which would reasonably be deemed to be investment business provided that the Executive Director takes the appropriate advice where necessary and reports any actions to Committee;

14. opening, closing and operating bank accounts on behalf of the Council;

15. approving and making payments due to Her Majesty's Revenue and Customs, and Revenue Scotland;

16. reviewing and amending as appropriate the financial limits given in the Financial Regulations, Finance Rules and supporting policies every year, in line with the relevant inflation indexes;

17. the pooling and treasury management of all surplus funds under the Council's administration and all executive decisions on the approved treasury management

Appendix 4 – Delegation to the Chief Officer - Edinburgh Health and Social Care Partnership

activities subject to compliance with CIPFA's "Code of Practice for Treasury Management in the Public Services" and other relevant professional guidance;

18. all borrowing and lending in accordance with the Treasury Management Policy Statement;
19. providing cash advances as considered appropriate for officers of the Council to defray petty cash, other expenses and any other matters on the administration of imprest accounts;
20. assessing business cases for the taking out of new leases to ensure they are consistent with the securing of best value;
21. effecting insurance cover and negotiating with the Council's insurers for all claims in consultation with other officers where necessary;
22. reviewing annually all insurances in consultation with the other chief officers as appropriate and reporting annually to the convener or vice- convener;
23. approving the rate of interest the Council is required to charge to borrowers with variable interest rate loans;
24. being responsible for all purchasing arrangements as detailed in the Contract Standing Orders;
25. collecting and where necessary recovering debt, and where appropriate authorising the write-off of debt, in accordance with Council Policies;

Customer and Digital Services

26. collecting (and where necessary recovering) council tax as set by the Council in accordance with section 97(1) and Schedules 2 and 8 of the Local Government Finance Act 1992 and the provisions of the Council Tax (Administration and Enforcement) (Scotland) Regulations 1992;
27. issuing demand notices for the collection of rates payable to the Council under section 237 of the Local Government (Scotland) Act 1947;

28. recovering rates under section 247(5) of the Local Government (Scotland) Act 1947, where necessary in consultation with the convener or vice-convener;
29. administering benefits in accordance with the Social Security Contributions and Benefits Act 1992 and the Social Security Administration Act 1992;
30. administering council tax reduction scheme in accordance with the Council Tax Reduction (Scotland) Regulations 2012;
31. paying all sums to all creditors subject to the certification and authorisation of the appropriate chief officers;
32. signing the certificates and petitions that the Sheriff Court requires for Summary Warrant applications to collect arrears of Community Charge Non-Domestic Rates, Council Tax and other income;
33. deciding to call-up loans where borrowers have fallen into arrears with their house purchase loans;
34. establishing procedures for considering, authorising and making discretionary housing payments and for the consideration by officers, other than the original decision makers, of appeals against decisions on such applications;

The Lothian Pension Fund Group

36. implementing strategies and policies agreed by the Pensions Committee including the investment strategy of the pensions funds and performing any function on behalf of the pensions funds which would reasonably be deemed to be investment business provided that the Executive Director takes the appropriate advice;
37. implementing pension regulations including the application of discretions as required in accordance with policies approved by the Pensions Committee from time to time;
38. appointing, monitoring and reviewing such specialist managers and advisers as are

Appendix 4 – Delegation to the Chief Officer - Edinburgh Health and Social Care Partnership

necessary to make sure that the pensions funds' assets are managed effectively;

39. determining all accounting, records and financial procedures of the pension funds;
40. writing off pension overpayments of up to £35,000 subject to compliance with the appropriate Council Policies;

APPENDIX 4

DELEGATION TO THE CHIEF OFFICER - EDINBURGH HEALTH AND SOCIAL CARE PARTNERSHIP

(or, where applicable, the Chief Social Work Officer)

These are the powers referred to in paragraph 8 of the Scheme:

All service users

1. Taking any necessary action on behalf of the Council to ensure that it discharges its duties under the National Assistance Acts, the Disabled Persons (Employment) Act 1958, the Social Work (Scotland) Act 1968, the Chronically Sick and Disabled Person's Act 1970, the Disabled Persons (Services, Consultation and Representation) Act 1986, the National Health Service and Community Care Act 1990, the Criminal Procedure (Scotland) Act 1995, the Adults with Incapacity (Scotland) Act 2000, the Housing (Scotland) Act 2001, the Curators ad litem and Reporting Officers (Panels) (Scotland) Regulations 2001, the Community Care and Health (Scotland) Act 2002, the Homelessness (Scotland) Act 2003, the Mental Health (Care and Treatment) (Scotland) Act 2003, the Adult Support and Protection (Scotland) Act 2007, the Public Services Reform (Scotland) Act 2010, the Social Care (Self-directed Support) (Scotland) Act 2013 or generally any legislation concerning the Council's functions relating to the provision of social care and support services;
2. arranging for the protection of property of people who have gone into hospital or care as in section 48 of the National Assistance Act 1948;
3. maintaining a Complaints Procedure and service as in section 5B of the Social Work

Page 39 of 108

Appendix 4 – Delegation to the Chief Officer - Edinburgh Health and Social Care Partnership
(Scotland) Act 1968;

4. making direct payments to individuals to help them purchase community care services as in sections 12B and 12C of the Social Work (Scotland) Act 1968;
5. providing home help and laundry facilities as in section 14 of the Social Work (Scotland) Act 1968;
6. burying or cremating any person who was in the care of, or receiving help from, the Council and so on, immediately before their death as in section 28 of the Social Work (Scotland) Act 1968;
7. deciding whether to pay the expenses of parents, relatives etc. visiting people who are being cared for or maintained in accommodation by the Council, or in attending funerals as in section 29 of the Social Work (Scotland) Act 1968;
8. providing and maintaining whatever residential and other establishments are needed for the Council's functions under the Social Work (Scotland) Act 1968 and the Mental Health (Care and Treatment) (Scotland) Act 2003, in terms of section 59 of the Social Work (Scotland) Act 1968;
9. recovering from other local authorities any costs for services provided to adults ordinarily resident there under the Social Work (Scotland) Act 1968 as in section 86 of the Social Work (Scotland) Act 1968;
10. recovering charges for services provided under the Social Work (Scotland) Act 1968 as in section 87 of the Social Work (Scotland) Act 1968, but subject to directions or regulations under sections 1 to 6 of Community Care and Health (Scotland) Act 2002;
11. providing welfare services for people (including, for example, assistance in arranging the carrying out of any works of adaptation in homes);
12. providing information on Health and Social Care services for people to whom the section applies and any relevant services of other authorities or organisations as in section 9 of the Disabled Persons (Services, Consultation and Representation) Act 1986;

13. making arrangements for facilities for seriously disabled persons for sheltered employment and training as in section 3 of the Disabled Persons (Employment) Act 1958;
14. co-ordinating and overseeing applications for the registration of all services provided by the Council and all related matters as in sections 59, 62 to 75 and 83 to 89 of the Public Services Reform (Scotland) Act 2010
15. administering the Panel or Panels appointed under the Curators ad litem and Reporting Officers (Panels) (Scotland) Regulations 2001, including arrangements for training of members of said Panel or Panels;
16. authorising the following finance related issues in accordance with the Financial Regulations and Council Policies:
 - (a) authorise the write-off of debts or charges in the following circumstances:
 - i. incorrect assessment brought to light at later date;
 - ii. where the service user has died and there is no money in the estate;
 - iii. where the service user cannot be traced;
 - iv. in the case of a service dispute where a complaint has been upheld; and
 - v. for social reasons;
 - (b) reimbursing carers and substitute carers for loss or damage (*ex gratia*) of up to £1500;
 - (c) reimbursing staff for loss or damage (*ex gratia*) of up to £1500;
 - (d) making payments to staff for emergency expenses (*ex gratia*) of up to £250;
and
 - (e) reimbursing neighbours and relatives of departmental carers for loss or

damage caused by service users (*ex gratia*) of up to £500, where it would be in the interest of the Council to maintain goodwill, subject to appropriate consultation with the relevant convener or vice-convener;

Community Care

17. taking any necessary action on behalf of the Council to ensure that it discharges its duties under the Adult Support and Protection (Scotland) Act 2007, including:
 - (a) making inquiries about a person's well-being, property or financial affairs if it is known or believed that the person is an adult at risk and that intervention might be needed to protect the person's well-being, property or financial affairs (section 4);
 - (b) applying to the sheriff for an order which authorises a Council officer to take a specified person from a place being visited (sections 7 and 11);
 - (c) if recommended by the relevant medical officer, applying for an order to remove to suitable premises a person in need of care and attention (sections 14 to 18); and
 - (d) applying for a banning order (sections 19 to 34);
18. preparing and publishing a plan for providing community care services in Edinburgh as in section 5A of the Social Work (Scotland) Act 1968;
19. promoting social welfare including giving help "in kind or in cash" where the terms of section 12 of the Social Work (Scotland) Act 1968 are met;
20. safeguarding and promoting the welfare of children in need and giving help "in kind or in cash" as in section 22 of the Children (Scotland) Act 1995;
21. collaborating with individuals and carers to assess their needs and providing information in accordance with sections 12A, 12AA and 12AB of the Social Work (Scotland) Act 1968;
22. deciding with voluntary or other organisations for residential accommodation where nursing is provided for people who appear to need such accommodation as in

section 13A of the Social Work (Scotland) Act 1968;

23. approving rates for and contracts for delivery of residential and other services in circumstances where the politically approved pricing policy does not apply;
24. assessing needs of disabled or chronically sick people as in section 4 of the Disabled Persons (Services, Consultation and Representation) Act 1986;
25. assisting in persons in need disposal produce of their work as in section 13 of the Social Work (Scotland) Act 1968;
26. approving waivers or disregards in respect of determining a client's liability for contribution to social care and housing support services provided;
27. approving waivers and disregards in respect of determining a client's liability for contribution to care home (residential/nursing) costs;
28. approving the variation, suspension or termination of contracts with providers in line with the Council's Quality Assurance arrangements for health and social care services;
29. providing or securing the provision of care and support services including residential services for people who are, or have been, suffering from mental disorder as defined in section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003;
30. providing after-care services for people who are/have been, suffering from mental disorder as in section 26 of the Mental Health (Care and Treatment) (Scotland) Act 2003;
31. appointing Mental Health officers as in section 32 of the Mental Health (Care and Treatment) (Scotland) Act 2003, and supervising the discharge of their statutory responsibilities; and
32. discharging the Council's duties under the Adults with Incapacity (Scotland) Act 2000, including:

(a) the following duties within section 10:

- i. supervising guardians;
- ii. consulting the Public Guardian and Mental Welfare Commission on matters of common interests;
- iii. receiving and investigating complaints about welfare attorneys and matters of common interests;
- iv. receiving and investigating complaints about welfare attorneys and guardians; and
- v. providing a guardian, welfare attorney or person authorised under an intervention order when requested; and

(b) the following duties within section 57:

- i. applying to be a guardian of an adult if there is no other suitable adult and managing the property, financial affairs and welfare of that adult in accordance with any order issued by the court in that regard; and
- ii. providing court reports of private applications to be a guardian.

33. Awarding and refusing grants in line with the decision of the Edinburgh integration Joint Board.

APPENDIX 56

DELEGATION TO THE EXECUTIVE DIRECTOR OF PLACE

These are the functions referred to in paragraph 9 of the Scheme:

Notices and Orders

1. signing notices and orders about road traffic matters;

Roads

2. overseeing the general management and maintenance of roads (section 1(1) of Roads (Scotland) Act 1984);
3. adding roads to or taking them off the roads authority's list of public roads (section 1(4) of the Roads (Scotland) Act 1984);
4. advising frontagers of the Council's intention to add to or delete from the list of public roads (section 1(5) of the Roads (Scotland) Act 1984);
5. altering or improving existing or proposed roads that cross public roads (section 12 of the Roads (Scotland) Act 1984);
6. serving notice on frontagers of a private road to make up and maintain that road (section 13(1) of the Roads (Scotland) Act 1984);
7. contributing to, or carrying out work on private roads (section 14(1) of the Roads (Scotland) Act 1984);
8. carrying out emergency work on private roads (section 15 of the Roads (Scotland) Act 1984);
9. determining applications for private roads to become public roads when Road Construction Consents are sought (section 16 of the Roads (Scotland) Act 1984);
10. entering into agreements to take over footpaths in accordance with section 18 of the

Roads (Scotland) Act 1984;

11. constructing new roads other than special roads which are considered requisite (section 20(1) of the Roads (Scotland) Act 1984);
12. entering new roads constructed by the local roads authority into the list of public roads (section 20(2) of the Roads (Scotland) Act 1984);
13. granting all road construction applications (section 21 of the Roads (Scotland) Act 1984) except:
 - (a) where there are unresolved objections;
 - (b) when the application is recommended for refusal;
and
 - (c) when an applicant wishes to be heard by the Committee in connection with a conditional consent or refusal that has been recommended;
14. serving notices to conform to conditions imposed in a Road Construction Consent (section 21(5) of the Roads (Scotland) Act 1984);
15. stopping up or temporarily closing a new road where there is no construction consent, or it is not conformed with (section 23 of the Roads (Scotland) Act 1984);
16. raising, lowering or altering the level of a public road (section 24 of the Roads (Scotland) Act 1984);
17. providing footways for the safety or convenience of pedestrians (section 25 of the Roads (Scotland) Act 1984);
18. constructing, lighting and maintaining pedestrian subways under, or footbridges over, the road for the purpose of making the crossing of a public road less dangerous for pedestrians or protecting traffic along the road from danger (section 26 of the Roads (Scotland) Act 1984);
19. constructing and maintaining works in the carriageway of a public road (section 27 of the Roads (Scotland) Act 1984);

20. providing and maintaining raised paving, pillars, walls, rails, fences or barriers at certain places (section 28 of the Roads (Scotland) Act 1984);
21. putting up and maintaining fences or posts to prevent access or to set the boundary for a road or proposed road (section 29 of the Roads (Scotland) Act 1984);
22. carrying out work to protect roads against hazards of nature (such as snow, flood or landslide) (section 30 of the Roads (Scotland) Act 1984);
23. using the road authority's powers for draining roads (section 31 of the Roads (Scotland) Act 1984);
24. contributing to the costs of drainage work (e.g. for flood prevention) (section 32 of the Roads (Scotland) Act 1984);
25. providing and maintaining snow gates for the purpose of temporarily closing a road to vehicular traffic on any occasions when snow is rendering or has rendered that road unsafe; and closing and securing any snow gate on the road against traffic (except traffic engaged in the provision or restoration of essential services) in accordance with the provisions set out in section 33 of the Roads (Scotland) Act 1984;
26. taking reasonable steps to prevent snow and ice endangering safe passage over public roads (section 34 of the Roads (Scotland) Act 1984);
27. providing and maintaining lighting on roads or proposed roads (section 35 of the Roads (Scotland) Act 1984);
28. constructing road humps (section 36 of the Roads (Scotland) Act 1984);
29. consulting on providing road humps (section 37 of the Roads (Scotland) Act 1984);
30. constructing traffic calming works (section 39A of the Roads (Scotland) Act 1984);
31. providing, maintaining and removing cattle-grids (sections 41, 42 and 43 of the Roads (Scotland) Act 1984);

32. entering into agreements with other neighbouring authorities in respect of cattle grids (section 44 of the Roads (Scotland) Act 1984);
33. providing cattle grids to supersede gates (section 45 of the Roads (Scotland) Act 1984);
34. making agreements for cattle grids with landowners (section 46 of the Roads (Scotland) Act 1984);
35. contributing towards the cost of cattle grids (section 47 of the Roads (Scotland) Act 1984);
36. entering into agreements with any persons willing to contribute to the construction or improvement of a road (section 48 of the Roads (Scotland) Act 1984);
37. maintaining structures and equipment for the detection of traffic offences (section 49A of the Roads (Scotland) Act 1984);
38. planting trees, shrubs, grass and other plants within the boundaries of a public road (section 50 of the Roads (Scotland) Act 1984);
39. allowing trees, shrubs, grass and other plants to be planted by people other than the roads authority (section 51 of the Roads (Scotland) Act 1984);
40. carrying out works to mitigate any adverse effect which the construction, improvement, existence or use of any road has or will have on the surroundings (section 52 of the Roads (Scotland) Act 1984);
41. making agreements to use land for landscaping to mitigate the effects of road construction (section 53 of the Roads (Scotland) Act 1984);
42. providing and maintaining rubbish bins or storage bins on roads (section 54 of the Roads (Scotland) Act 1984);
43. authorising in writing work in or excavation under a public road (section 56 of the Roads (Scotland) Act 1984);
44. taking action to eliminate danger caused by works in or under a road (section 57 of

Appendix 5-6 – Delegation to the Executive Director of Place
the Roads (Scotland) Act 1984);

45. granting permission in writing for any person to leave material on a road, or occupy it in any other way, for building purposes (section 58 of the Roads (Scotland) Act 1984);
46. giving written consent, with reasonable conditions attached as appropriate, for things to be placed or deposited in a road (section 59 of the Roads (Scotland) Act 1984);
47. enforcing rectification of failures to mark, light, fence or sign an obstruction in a road, or enforcing a person to shore up or otherwise protect a building in accordance with section 60 of the Roads (Scotland) Act 1984;
48. allowing equipment to be placed under a road (section 61 of the Roads (Scotland) Act 1984);
49. temporarily prohibiting or restricting the use of roads which are dangerous (section 62 of the Roads (Scotland) Act 1984);
50. serving notice that a satisfactory vehicle crossing must be made (section 63 of the Roads (Scotland) Act 1984);
51. giving statutory undertakers consent to work on footways, footpaths and cycle tracks (section 64 (2) of the Roads (Scotland) Act 1984);
52. serving notices on owners or occupiers who fail to keep any structures or fixtures (including cellar openings, doors and covers) or vaults, arches, cellars and tunnels in good condition and repair and requiring them to replace, repair or put into good condition such structures, and paying any associated expenditure incurred by owners or occupiers (section 66 of the Roads (Scotland) Act 1984);
53. issuing notices to enforce an owner to alter a door, gate, window, window shutter or bar in order that it does not reduce safety or convenience by opening outwards into a road (section 67 of the Roads (Scotland) Act 1984);
54. starting the consultation process to stop up public and private access to land (sections 70 and 72 of the Roads (Scotland) Act 1984);

Page 49 of 108

55. stopping up public and private access to land where no objections have been received following notice to the public (sections 70 and 72 of the Roads (Scotland) Act 1984);

(a) Stopping up or diversion of any road under section 207 of the Town and Country Planning (Scotland) Act 1997 which is not:

(i) A trunk road within the meaning of the Roads (Scotland) Act 1984,

or

(ii) A special road provided by the Scottish Ministers in pursuance of a scheme under that Act

where the Chief Planning Officer is satisfied that it is necessary to do so to enable the development to be carried out in accordance with planning permission granted or section 242A of the Town and Country Planning (Scotland) Act 1997, or by a government department provided there have been no objections received following notice to the public made under Section 209 and Schedule 16 of that Act.

(b) Stopping up or diversion of any footpath or bridleway under section 208 of the Town and Country Planning (Scotland) Act 1997 where the Chief Planning Officer is satisfied that it is necessary to do so to enable the development to be carried out in accordance with planning permission granted or section 242A of the Town and Country Planning (Scotland) Act 1997, or by a government department provided there have been no objections received following notice to the public made under Section 209 and Schedule 16 of that Act.

56. making land temporarily available for alternative routes during road improvement works (section 74 of the Roads (Scotland) Act 1984);

57. diverting waters (to construct, improve, protect roads) (section 78 of the Roads (Scotland) Act 1984);

58. entering into agreements to maintain or contribute to the cost of maintaining bridges (section 79 of the Roads (Scotland) Act 1984);

59. serving notices relating to the obstruction of views at corners, bends and junctions (section 83 of the Roads (Scotland) Act 1984);

60. giving written permission for skips to be left on a road (section 85 of the Roads (Scotland) Act 1984);

61. removing skips which are causing danger or obstruction (section 86 of the Roads (Scotland) Act 1984);

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62. requiring persons to remove structures that have been erected, deposited or placed on a road in accordance with section 87 of the Roads (Scotland) Act 1984;
63. removing or altering projections of any buildings that interfere with safe or convenient passage along a road (section 88 of the Roads (Scotland) Act 1984);
64. intimating to owners that they must remove objects which have fallen onto a road causing an obstruction, and if the owner cannot be traced or fails to remove the object within a reasonable period of time, or if the case is one of emergency, removing such objects (section 89 of the Roads (Scotland) Act 1984);
65. taking all reasonable steps for the purpose of warning road users of obstructions in accordance with section 89 of the Roads (Scotland) Act 1984;
66. recovering from owners any expenses reasonably incurred in the removal of obstructions in accordance with section 89 of the Roads (Scotland) Act 1984;
67. agreeing to any overhead bridge, beam, rail or similar apparatus being fixed or placed over, along, or across a road (section 90 of the Roads (Scotland) Act 1984);
68. serving notices on owners to carry out work to remove danger where a hedge, tree, or shrub is causing danger, obstruction or interference to passing vehicles or pedestrians, and carrying out such work if required in accordance with section 91 of the Roads (Scotland) Act 1984;
69. giving consent for trees or shrubs to be planted within 5 metres of a carriageway and removing trees or shrubs planted without such consent (section 92 of the Roads (Scotland) Act 1984);
70. taking steps to protect road users from dangerous things on land beside or near a road (section 93 of the Roads (Scotland) Act 1984);
71. serving notices on occupiers of land adjoining a road to take steps to remove any risks of injury caused by wire, electrified fence, spikes, glass or any device (section 93 of the Roads (Scotland) Act 1984);
72. filling in a pipe or ditch next to or near a public road which is a danger to road users

Appendix 5-6 – Delegation to the Executive Director of Place

(section 94 of the Roads (Scotland) Act 1984);

73. recovering the cost of clearing mud, clay and so on, on a road (section 95 of the Roads (Scotland) Act 1984);
74. recovering extraordinary costs for maintaining a road that has excessively heavy traffic (section 96 of the Roads (Scotland) Act 1984);
75. giving consent in writing to stalls and similar structures being put up next to a principal road for the purposes of selling goods (section 97 of the Roads (Scotland) Act 1984);
76. acting related to stray and other animals on roads (section 98 of the Roads (Scotland) Act 1984);
77. serving notices on the owners or occupiers of land who are not preventing the flow of water, filth or other offensive matter from their land onto a road, and consenting to other persons carrying out such preventative work with any reasonable conditions in accordance with section 99 of the Roads (Scotland) Act 1984;
78. acquiring land when constructing or improving roads for schemes approved by the Council (sections 104, 106 and 107 of the Roads (Scotland) Act 1984);
79. acquiring land to improve amenity of new or improved road for schemes approved by the Council (section 105 of the Roads (Scotland) Act 1984);
80. obtaining materials for road repairs (section 121 of the Roads (Scotland) Act 1984);
81. giving people powers of entry for surveys and inspections (section 140(1) of the Roads (Scotland) Act 1984);
82. recovering expenses incurred when surveying land, etc. in connection with the Council's duties as roads authority (section 140(6) of the Roads (Scotland) Act 1984);
83. carrying out work that someone has failed to do (section 141 of the Roads (Scotland) Act 1984);

84. carrying out the roads authority's enforcement functions under the Roads (Scotland) Act 1984;

Traffic

85. commencing and completing the statutory procedure set out in the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, and doing all necessary preparation prior to making orders under the following sections of the Road Traffic Regulation Act 1984:

- (a) sections 1, 2, and 4 (road traffic orders);
- (b) section 9 (experimental traffic orders);
- (c) section 19 (regulation of highways by public service vehicles);
- (d) sections 32, 35, 45, 46 and 49 (parking places);
- (e) section 37 (extension of powers for purposes of general scheme traffic control);
- (f) section 53 (designation orders);
- (g) sections 82 and 83 (restricted roads); and
- (h) section 84 (speed limit orders);

86. making orders under sections 1, 2, 4, 9, 19, 32, 35, 37, 45, 46, 49, 53, 82, 83 and 84 (as described in paragraph 84 above) of the Road Traffic Regulation Act 1984 where there have been no more than 6 material objections received by the public. Where an order under the above-noted sections of the Road Traffic Regulation Act 1984 covers locations in different streets, or contains no other proposals located within 100 metres in the same street, the order can be made under delegated powers where there have been no more than six material objections per location.

- (a) If statutory objections are received then consideration of the Order should be by the relevant committee;

87. in relation to orders made under paragraph 85 of the Scheme, making decisions that section 3(1) of the Road Traffic Regulation Act 1984 shall not have effect;
88. commencing and completing the statutory procedure set out in the Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986 prior to:
 - (a) making orders determining the means of exercise of a public right of passage under section 152(2) of the Roads (Scotland) Act 1984; and
 - (b) making orders stopping up roads and dangerous accesses under sections 68 and 69 of the Roads (Scotland) Act 1984;
89. making orders determining the means of exercise of a public right of passage where no objections have been following notice to the public (section 152(2) of the Roads (Scotland) Act 1984);
90. making orders to stop up roads and dangerous accesses where no objections have been received following notice to the public (sections 68 and 69 of the Roads (Scotland) Act 1984);
91. recovering the costs of stopping-up orders made under section 68(1) of the Roads (Scotland) Act 1984 (section 147 of the Roads (Scotland) Act 1984) [or sections 207 or 208 of the Town and Country Planning \(Scotland\) Act 1997](#);
92. recovering the costs of stopping up roads for safety reasons (section 147 of the Roads (Scotland) Act 1984);
93. recovering the costs of re-determination orders made under section 152(2) of the Roads (Scotland) Act 1984;
94. remitting proposed orders made under sections 68, 69 or 152(2) of the Roads (Scotland) Act 1984 to the Scottish Ministers for consideration where objections have been received and not subsequently withdrawn, in accordance with Regulation 13 of the Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986;

Appendix 5-6 – Delegation to the Executive Director of Place

95. modifying in order to make less onerous (where the modification will remove an objection), or suspending, experimental traffic orders (section 10 of the Road Traffic Regulation Act 1984);
96. temporarily restricting or banning the use of roads (section 14 and 16A of the Road Traffic Regulation Act 1984);
97. putting up, maintaining and altering pedestrian crossings on roads other than trunk roads (section 23 of the Road Traffic Regulation Act 1984);
98. deciding for school crossing patrols (siting, selecting and training staff) (section 26 of the Road Traffic Regulation Act 1984);
99. managing off-street parking places including provision of buildings and apparatus, etc (including the contracting out of any charges) (section 33 of the Road Traffic Regulation Act 1984);
100. providing access to premises through off-street parking places where this would relieve or prevent congestion (section 34 of the Road Traffic Regulation Act 1984);
101. acquiring land for off-street parking for schemes approved by the Council (section 40 of the Road Traffic Regulation Act 1984);
102. buying or hiring parking meters (section 49 of the Road Traffic Regulation Act 1984);
103. providing stands and racks for bicycles in a road or elsewhere (section 63 of the Road Traffic Regulation Act 1984);
104. causing or allowing traffic signs to be placed on or near any road (section 65 of the Road Traffic Regulation Act 1984);
105. consulting on the placing of traffic signs in certain circumstances (section 68 of the Road Traffic Regulation Act 1984);
106. serving notices on owners to remove unauthorised traffic signs (section 69 of the Road Traffic Regulation Act 1984);

107. entering any land and carrying out other powers for placing, replacing, converting and removing traffic signs (section 71 of the Road Traffic Regulation Act 1984);
108. putting up and maintaining signs showing a speed limit (section 85 of the Road Traffic Regulation Act 1984);
109. placing bollards or other obstructions on roads where an order is in force that prevents or restricts the passage of vehicles (section 92 of the Road Traffic Regulation Act 1984);
110. placing bollards on a road where authorised or ordered by the Scottish Ministers (section 93 of the Road Traffic Regulation Act 1984);
111. taking action to secure the expeditious, convenient and safe movement of traffic, including pedestrians, especially for access control of commercial and public service vehicles (section 122 of the Road Traffic Regulation Act 1984);
112. carrying out studies and implementing a programme of measures designed to promote safety (section 39 of the Road Traffic Act 1988);
113. consulting about road hump proposals and the placing of signs (Road Humps (Scotland) Regulations 1998);
114. effecting duties as to the general procedure to be followed before a temporary order is made (Paragraph 3 of the Road Traffic (Temporary Restrictions) Procedure Regulations 1992);
115. effecting duties as to various procedures to be followed in respect of timing of road works (Road Works (Scottish Road Works Register, Notices, Directions and Designations) (Scotland) Regulations 2008);
116. effecting duties as to procedures to be followed in respect of timing of road works (The Road (Traffic Calming) (Scotland) Regulations 1994);
117. effecting duties as to procedures to be followed for consultation about traffic calming works and to the placing of signs at such works (The Roads (Traffic Calming) (Scotland) Regulations 1994 as amended);

118. carrying out the roads authority's responsibilities under the Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958;
119. carrying out the roads authority's responsibilities including enforcement functions under the New Roads and Street Works Act 1991;
120. commenting as roads authority on planning applications (Town and Country Planning (Development Management Procedure) (Scotland) Regulations ~~2008~~2013);
121. agreeing to the provision of seats and other street furniture on footways (section 30 of the Local Government and Planning (Scotland) Act 1982);
122. advising other authorities on their proposals to 'stop up' roads (sections 1 and 9 of the Road Traffic Regulation Act 1984; sections 68, 69 and 152 of the Roads (Scotland) Act 1984);
123. providing and maintaining lighting on roads that are not maintained by the Council;
124. deciding for tenders and contracts for supported bus services under the Transport Act 1985;
125. arranging for minor spending on bus services to the limits in force for minor contracts under the Transport Act 1985;
126. erecting, moving and removing bus stops, shelters and information panels provided that no objections are made following notice to the public;
127. installing, moving and removing bus stop clearway markings under the Traffic Signs Regulations and General Directions 2002;
128. carrying out the Council's enforcement functions under the Road Traffic Regulation Act 1984, the Road Traffic Act 1991, the Transport (Scotland) Act 2001 and the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011;
129. assessing whether people are eligible for forms of concessionary travel;

130. issuing and refusing to issue a disabled person's badge under the criteria prescribed in the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;
131. asking the Traffic Commissioner to make a traffic regulation condition in respect of a local bus service (section 7 of the Transport Act 1985);
132. dealing with applications to run vehicles for the benefit of the community exempt from Public Service Vehicle etc requirements (section 19 of the Transport Act 1985);
133. dealing with applications to run a community bus service for the benefit of the community exempt from Public Service Vehicle, etc requirements (section 22 of the Transport Act 1985);
134. securing public transport services having regard for transport needs of members of the public who are elderly or disabled (section 63 of the Transport Act 1985); deciding the numbers of, and charges for, Edinburgh healthcare workers' parking permits subject to any disagreement with NHS Lothian being reported to Committee for decision;
135. approving or refusing applications for school crossing patrols in accordance with the Council Policies;

Housing and Regeneration

136. approving offers and authorising payments of grants to Registered Social Landlords;
137. authorising and carrying out repairs and maintenance to homes owned by the Council for the purposes of affordable rent ("Council Homes") in accordance with the Council's repairs policy;
137. operating the "Right to Repair" scheme for tenants of Council Homes;
139. consenting to repairs and improvements of Council Homes;

Appendix 5-6 – Delegation to the Executive Director of Place

140. determining whether the costs of repair and improvements to Council Homes should be reimbursed and to what extent;
141. maintaining a common housing register and allocating Council Homes in accordance with the Council's lettings policy;
142. collecting rent, service charges and court costs where applicable from current and former tenants of Council Homes;
143. writing off the arrears balances of former tenants of Council Homes in accordance with Council Policies;
144. consulting with tenants of Council Homes on increases to rent and service charges;
145. carrying out regular maintenance of land held on the Housing Revenue Account;
146. instructing repairs to common areas in accordance with the Tenements (Scotland) Act 2004;
147. preparing and implementing a Tenant Participation Strategy, including keeping a register of tenant organisations in accordance with the Housing (Scotland) Act 2001;
148. registering the Council as a property factor with the Scottish Government and taking steps to comply with the code of conduct's standards of practice, in accordance with the Property Factors (Scotland) Act 2011;
149. ~~preparing and maintaining~~ respond to applications and updating a the register of private landlords under the Antisocial Behaviour etc. (Scotland) Act 2004;
150. carrying out functions under Part 9-8 of the Antisocial Behaviour etc. (Scotland) Act 2004;
151. entering relevant persons on the register of private landlords on receipt of a valid application to register or where a relevant person has made a valid houses of multiple occupancy application;

152. approving the entitlement to the relevant discounts of the fee to be entered on the register of private landlords;
 153. carrying out the Council's duties as a landlord under section 30 of the Housing (Scotland) Act 1988;
 154. issuing, serving, suspending and revoking work notices under sections 30, 31 and 32 of the Housing (Scotland) Act 2006;
 155. carrying out work where the owner of a house fails to comply with a work notice or a demolition notice under section 35 of the Housing (Scotland) Act 2006;
 156. carrying out work after notification by a private rented housing committee under section 36 of the Housing (Scotland) Act 2006;
 157. carrying out the Council's functions in relation to maintenance under Part 1, Chapter 6 of the Housing (Scotland) Act 2006;
 158. carrying out the Council's functions in relation to the licensing of houses in multiple occupation under Part 5 of the Housing (Scotland) Act 2006;
- [NEW determine whether it is appropriate to restrict the grant of a houses in multiple occupation license to one year rather than three;](#)
159. carrying out the Council's functions in relation to rights of entry under Part 9 of the Housing (Scotland) Act 2006;
 160. exercising the Council's powers under Part 10 of the Housing (Scotland) Act 2006;
 161. granting, varying, refusing, extending and revoking temporary exemption orders in terms of section 142 and 143 of the Housing (Scotland) Act 2006;
 162. issuing rent penalty notices under the Antisocial Behaviour etc. (Scotland) Act 2004;
 163. where appropriate, refunding fees that have been paid by applicants to be placed on the register of landlords;

Appendix 5-6 – Delegation to the Executive Director of Place

164. processing applications for improvement grants and domestic sound- proofing grants including authority to make payments;
165. seeking the Scottish Minister's approval to raise the level of grant given grant to an owner-occupier for reasons of hardship;
166. Carrying out the Council's duties as a landlord under section 30 of the Housing (Scotland) Act 1988.
167. carrying out assessments to determine homelessness or the threat of homelessness, and discharging the Council's duties in respect of those assessed as either being homeless or under threat of homelessness;
168. carrying out spot purchases of accommodation, including Bed and Breakfasts, for homeless, temporary or emergency accommodation;
169. entering into leasing agreements with Registered Social Landlords for homeless, temporary or emergency accommodation;
170. carrying out repairs to white goods and furnishings in homeless, temporary or emergency accommodation and core furnished tenancies;
171. kennelling pets for households staying in homeless, temporary or emergency accommodation;
172. determining who receives housing support in line with Council Policies;
173. Provide advice, guidance and assistance on debt, welfare rights and income maximisation.
174. implementing and enforcing the conditions of the Council's tenancy agreements for Council Homes including decisions to progress cases for repossession and eviction action;
175. determining eligibility of applicants and administering the sale of Council Homes under "Right to Buy" legislation;
176. purchasing and selling property on the Housing Revenue Account up to a value of

£250,000, provided that such purchases are reported annually to the appropriate committee;

Property and Facilities Management

177. concluding leases, missives of let, licence agreements or extensions of leases and licence agreements or similar on behalf of the Council where:

(a) the length of the lease/missive/agreement/~~extension~~ is no more than ~~five-ten~~ years and the rent (exclusive of VAT) is no more than ~~£5075~~,000 a year; or

(b) the length of the ~~lease/licence~~ agreement is no more than ~~one-24~~ months;

(c) save where any lease offer ~~which includes an element of community benefit as set out in Council Policy is received~~ is at a rental level considered to be ~~concessionary~~, when the decision shall be referred to Committee;

178. negotiating, processing and instructing the Service Director, Legal and Assurance to conclude all rent reviews;

179. taking any action to ensure all terms of a lease or licence agreement are enforced, including terminating any lease or agreement and taking whatever action is necessary to effect an eviction where the tenant or licensee has failed to comply with the terms and conditions of the lease or agreement;

180 granting on behalf of the Council 'wayleave' agreements, and concluding missives and leases for sites for sub-stations, gas governors and similar installations for any period whatsoever, ~~except for:~~

~~(a) wayleaves for gas mains of a diameter greater than 225 mm;~~

~~(b) grids, oil or chemical pipelines;~~

~~(c) overhead transmission lines with capacity greater than 33,000 volts which would only be granted with the Council's consent;~~

181. granting and obtaining a Minute of Waiver for no more than £50,000;

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Appendix 5-6 – Delegation to the Executive Director of Place

182. buying and selling property or property rights up to £50,000 when this is required to help in the acquisition or disposal of a more valuable property and the cost can be offset against the acquisition/disposal;
183. permitting a tenant to assign their lease/agreement subject to the Council being in no worse a financial position;
184. buying land or property if it has been specifically budgeted for;
185. marketing surplus property for sale or lease and accepting the highest offer subject to being satisfied that this represents market value (if it is proposed that any offer other than the highest received be accepted, or when any offer includes an element of community benefit as set out in Council Policy then the matter must be considered and approved by the Finance and Resources Committee);
186. agreeing terms for the sale of small plots of land (including land held on the Housing Revenue Account) and instructing the Service Director, Legal and Assurance to conclude the sale, subject to being satisfied that this represents market value, and where:
 - (a) the land is existing open space, for example amenity land, landscaping or verges adjoining roads and footpaths;
 - (b) the land does not exceed 150 metres²; and
 - (c) the use of the land would be for garden ground or for any other ancillary residential use;
187. negotiating and instructing the Service Director, Legal and Assurance to conclude the sale of residential properties under “Right to Buy” legislation;
188. where property is held for commercial or economic development purposes doing the following:
 - (i) negotiating to dispose of land or property (including property held on the Housing Revenue Account) at values up to £250400,000;
 - (ii) negotiating the grant of “minutes of waiver”;

(ii) signing all offers on behalf of the Council to let or take on lease properties where:

(ii) the length of the lease is no more than ~~ten~~five years and the exclusive rent is no more than ~~£5075,000~~ a year; or

(ii) the length of the ~~lease licence agreement~~ is no more than ~~one~~24 months;

save where any lease offer ~~which includes an element of community benefit as set out in Council Policy is received~~is at a level considered to be concessionary, when the decision shall be referred to Committee;

(d) negotiating to renew or extend leases where it is uneconomic or unsuitable to advertise the properties;

(e) agreeing to proposed transfers of leases where the Council is landlord, and instructing the Service Director, Legal and Assurance to conclude these;

189. where property is held on behalf of the Common Good, doing the following:

- (a) negotiating the grant of “minutes of waiver” or wayleaves;
- (b) signing on behalf of the Council, as manager, to let properties
- (c) negotiating to renew or extend leases where it is uneconomic or unsuitable to advertise these properties;

190. publishing notices of a proposed appropriation or disposal of land in accordance with sections 24(2A) and 27(2A) of the Town and Country (Scotland) Act 1959;

191. negotiating and settling all claims for compensation where property has been purchased by the Council under a compulsory purchase order or requires to be purchased for a scheme or project included within the Council’s Capital Investment Programme or where there has been a loss in value of property relating to works carried out by the Council;

192. managing or instructing the lease of Council community centres, working with locally elected Management Committees;

Edinburgh Shared Repairs [and Mixed Tenure Improvement Service](#)

193. serving notices for repairs, enforcement, carrying out and recovery of costs and expenses in terms of Part 8 of the Civic Government (Scotland) Act 1982 and Part 4 of the Building (Scotland) Act 2003;

194. withdrawing, waiving and relaxing notices issued under Part 4 of the Building (Scotland) Act 2003;

[instructing building condition surveys and repairs to common areas and registering Notices of Potential Liability at Registers of Scotland, in accordance with the Tenements \(Scotland\) Act 2004](#)

New Evacuation of Buildings Under Section 42 of the Building (Scotland) Act 2003.

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195. recovering reasonable costs incurred in respect of surveys undertaken under section 22 of the Local Government in Scotland Act 2003

196. responding in emergency situations and carrying out repairs immediately where damage to property or health or safety matters are issues and recovering the costs and expenses of doing so;

197. inspecting properties, serving (as proper officer) and enforcing notices and recovering costs under section 24 of the [City of Edinburgh District Council Order Confirmation Act 1991](#); and

198. executing any works necessary for securing, restoring or repairing privately owned properties, and recovery from the owners of the relevant properties of any expenses reasonably incurred by the Council in doing so, all in accordance with section 26 and 57 of the [City of Edinburgh District Council Order Confirmation Act 1991](#).

199. cancelling and serving new notices under section 48 of the City of Edinburgh District Council Order Confirmation Act 1991;

200. make missing share payments into owners' maintenance accounts for sums between £500 and £20,000 under section 50 (3) of the Housing Act 2006.

201. recover missing share payments from the owner of the house concerned under section 59 of the Housing Scotland Act 2006 and in line with the Council's Corporate Debt Policy.

Licensing

202. granting or refusing permits for public charitable collections in accordance with criteria approved by the Regulatory Committee;

203. granting, attaching conditions to, refusing and issuing applications for licences including variation applications etc. under the Civic Government (Scotland) Act 1982 and the legislation listed in Part A of Appendix 40-9 (including taxi and private hire car licence applications where an adverse medical report has been received) subject to:

(I) ~~(1)~~ there being no objection ~~or unresolved representation~~ from a member of the public or the Chief Constable to the application;

(II) In consultation with the convener of the Licensing Sub-Committee to determine whether any unresolved representation should be referred to a hearing of that sub-committee.

204. subject to consultation with the Convener ~~or Vice-Convener~~ of the Licensing Sub-Committee, granting, attaching conditions to, refusing and issuing applications for any temporary licences etc. under the Civic Government (Scotland) Act 1982 and the legislation listed in Part of A of Appendix 10 where there has been an objection or unresolved representation from a member of the public or the Chief Constable to the application and where it is not practicable for the application to be considered by a scheduled meeting of the Licensing Sub-Committee prior to the date the licence, if granted, is due to commence;

205. granting, renewing, varying and issuing any licence where Police Scotland has made a representation about conditions to be attached to the licence and where the applicant has indicated in writing that he/she agrees to the conditions;

206. renewing, varying and or issuing licences etc. under the Civic Government (Scotland) Act 1982 and the legislation listed in Part A of Appendix 10 if satisfied (after considering reports by appropriate officials) as to their non-contentious nature;

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207. keeping a public register of applications, permissions and licences;
208. granting and issuing late hours catering licence renewals with hours in excess of zoning policy, where those hours had been enjoyed in the preceding year without complaint;
209. determining an application for an exemption from the requirement to have a late hours catering licence in respect of any particular occasion or during a specified period not exceeding two months in any period of 12 months, and, where appropriate, to attach to such exemption any of the standing conditions applying to late hours catering licences;
210. refunding the appropriate application fee (or part of the fee) for applications which have been withdrawn or refused and licences which have been granted, in accordance with Council Policy;
211. advertising any proposed taxi stance appointment, variation or revocation and:
- (a) determining the proposal where no public objections or representations are received; and
 - (b) determining the starting date of any change;
212. determining whether good cause has been shown to deem an application for renewal of a licence made up to 28 days after the expiry of the existing licence [issued under the Civic Government \(Scotland\) Act 1982](#) is to be treated as if the licence had been made prior to its expiry;
213. subject to consultation with the Convener ~~or Vice-Convener~~ of the Licensing Sub-Committee, considering whether there is a serious threat to public order or public safety which would justify a temporary suspension of any licences etc. under the Civic Government (Scotland) Act 1982 and the legislation listed in Part A of Appendix 10, and where it is considered that such a serious threat to public order or public safety exists, temporarily suspending the relevant licences etc. for a period of not more than 6 weeks or until the suspension is considered by the Licensing Sub-Committee, whichever is sooner;

214. suspending taxi and private hire driver licences on a temporary basis on medical grounds during the currency of a licence where the licence holder agrees;
215. exempting new taxi driver licence applicants from elements of the compulsory training course if they have alternative equivalent qualifications;
216. accepting new applications to drive taxis or private hire cars from previously licensed drivers up to six months after the expiry of their licence at the appropriate renewal fee;
217. exercising the Council's overriding discretion in respect of section 187(a)(l) of the City of Edinburgh Council's Licensing Conditions for Taxis, Private Hire Cars, Taxi Drivers and Private Hire Car Drivers 2006) to consider any negative factor such as:
 - (a) whether the width deviated from the manufacturer's specification for standard vehicles of that type;
 - (b) whether factory options such as wide wheels and tyres had been added; and
 - (c) whether the vehicle could safely fit/utilise any taxi stance, without the stance being modified;
218. approving the installation of WIFI, CCTV or another camera equipment in any relevant licensed vehicle;
219. determining whether alleged changes in circumstances are adequate to allow the processing of a further application for a civic licence within 12 months of a refusal (including licences for houses in multiple occupation);
220. accepting a re-application for a civic licence within 12 months of a refusal under existing delegated powers due to an error of material fact and transferring the original fee to the re-application (including licences for houses in multiple occupation);
221. issuing letters of confirmation in respect of notification of public processions received except for any notification attracting representations that cannot be resolved through negotiation;

Appendix 5-6 – Delegation to the Executive Director of Place

222. determining requests for variation of fees for Houses in Multiple Occupation licences;
223. appointing members to vacancies arising in the membership of the Council's Licensing Forum;
224. appointing Licensing Standards Officers in accordance with section 13 of the Licensing (Scotland) Act 2005 and Civic Licensing Standards officers in accordance with the Civic Government (Scotland) Act 1982;
225. determining and issuing wheelchair exemptions on a temporary basis in respect of the City of Edinburgh Council's Licensing Conditions for Taxis, Private Hire Cars, Taxi Drivers and Private Hire Car Drivers;
226. determining whether to hold a hearing to consider the suspension of a licence in terms of the Civic Government (Scotland) Act 1982;
227. approve in terms of standard licence condition 26 for individual applications to install Admits and to vary the standard conditions of licence to disapply condition 299 insofar as it applies to Admits.
228. approve exemptions to the age and emissions policy in respect of vehicle owners who are retiring, subject to meeting the criteria agreed by the Regulatory Committee
229. approve in terms of standard licence condition 26 for individual applications to install 'Brightmove taxi tops' and to vary the standard conditions of licence to disapply condition 299 insofar as it applies to 'Brightmove taxi tops'
230. Carrying out the functions of the Civic Licensing Standards Officers as laid out in the Air Weapons and Licensing (Scotland) Act 2015.

Community safety, environmental and consumer protection and registration etc.

230. exercising statutory duties, functions and enforcement under the legislation listed in Part B of Appendix 10;
231. when appointed by the Scottish Ministers, acting on any Emergency Order made

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Appendix 5-6 – Delegation to the Executive Director of Place

under Part I of the Food and Environment Protection Act 1985;

- 232. carrying out reviews of air quality in accordance with section 82 of the Environment Act 1995;
- 233. carrying out assessments of air quality and the achievement of air quality standards or objectives in accordance with section 84 of the Environment Act 1995;
- 234. complying with any regulations made under section 87 of the Environment Act 1995;
- 235. enforcing pollution and nuisance control measures in accordance with sections 107, 108 and 109 of the Environment Act 1995;
- 236. issuing suspension notices under section 14 of the Consumer Protection Act 1987 for goods which are suspected to be unsafe;
- 237. granting licences under the Health and Safety at Work etc. Act 1974 and the Petroleum Acts 1928 and 1936;
- 238. making registrations under the Health and Safety and Work etc. Act 1974 and The Poisons Act 1972;
- 239. appointing and exercising the powers of health and safety inspectors under sections 19 and 20 of the Health and Safety at Work etc. Act 1974;
- 240. serving improvement notices and prohibition notices under sections 21 and 22 and in accordance with section 23 of the Health and Safety at Work etc. Act 1974;
- 241 dealing with causes of imminent danger in accordance with section 25 of the Health and Safety at Work etc. Act 1974;
- 242. providing information upon request under section 27 of the Health and Safety at Work etc. Act 1974;
- 243. issuing credentials to enforcement staff so that they can deal with enforcing and licensing as provided by the relevant legislation and European directives;

Page 70 of 108

Appendix 5-6 – Delegation to the Executive Director of Place

244. providing mobile toilet units, waste containers and assistance in kind to community organisations and charities for special events for which budget provision has been made, and charging for provisions of these services where appropriate;
245. performing the Council's public health duties under sections 11 to 21 of the [City of Edinburgh District Council Order Confirmation Act 1991](#), including registering premises for acupuncturists, ear piercers and electrolysis's;
246. enforcing the removal or discontinuation of advertisements under section 186 of the [Town and Country Planning \(Scotland\) Act 1997](#);
247. removing or obliterating placards or posters in accordance with section 187 of the [Town and Country Planning \(Scotland\) Act 1997](#);
248. appointing officer to carry out the functions of the Public Analyst and Food Examiner (Food Safety Act 1990) and Agricultural Analyst/Depute Agricultural Analyst (Agriculture Act 1970);
249. exercising the Council's statutory duties and functions under the Food Safety Act 1990 in relation to issues of food hygiene, food safety and food standards, including labelling;
250. burying or cremating the body of any person who has died or been found dead in the Council's area in any case where it appears to the Council that no suitable arrangements for the disposal of the body have been or are being made otherwise than by the Council, and recovering from the estate of the deceased person the expenses incurred in doing so (~~section 50 of the National Assistance Act 1948~~[part 3 of the Burial and Cremation \(Scotland\) act 2016](#));
251. burying or cremating the body of any deceased person who immediately before his death was in the care of, receiving assistance from, or was a child being looked after by the Council, and recovering the expenses of doing so from the estate of the deceased person or from any person who was liable to maintain the deceased person immediately before his death expenses incurred (~~section 28 of the Social Work (Scotland) Act 1968~~[87 of the Burial and Cremation \(Scotland\) aAct 2016](#));
252. maintaining cemeteries in accordance with [section 87 Part 1 of the Burial and](#)

~~Cremation (Scotland) Act 2016 section 10 of the Edinburgh District Council Order Confirmation Act 1991;~~

253. awarding community grants from dedicated budgets;
254. requiring any person to whom any article (other than a book or periodical) is lent to deposit with the Council a sum of money for the safe return of such article (section 6 of the City of Edinburgh District Council Order Confirmation Act 1991);
255. making a charge for notifying a person that an article reserved by him has become available for borrowing (section 6 of the City of Edinburgh District Council Order Confirmation Act 1991);
256. charging for the borrowing of any article (other than a book or periodical) or the provision of any service provided at libraries (section 6 of the City of Edinburgh District Council Order Confirmation Act 1991);
257. prescribing periods within which any article borrowed from a library must be returned, and exacting penalties for the retention by borrowers of any article beyond such period (section 39(1)(a) of the Edinburgh Corporation Order Confirmation Act 1967);
258. exercising the Council's functions under the Registration of Births, Deaths and Marriages (Scotland) Act 1965, including registering births and deaths, appointing a registrar and providing and maintaining a registration office;
259. appointing an officer to carry out the function of dealing with stray dogs, and dealing with dogs under sections 149, 150 and 151 of the Environmental Protection Act 1990;
260. exercising the Council's functions under the Public Health etc. (Scotland) Act 2008, including serving notices on owners or occupiers of infected premises, inspecting premises and recovering expenses, and providing mortuaries;
261. carrying out periodical inspections and exercising the Council's inspections functions under sections 9A to 12 of the Zoo Licensing Act 1981;
262. considering and deciding for the welfare of animals following the closure of a zoo

Appendix 5-6 – Delegation to the Executive Director of Place

under sections 16E and 16G of the Zoo Licensing Act 1981;

- 263. controlling noise from construction sites by investigating, and serving and publishing notices in accordance with section 60 of the Control of Pollution Act 1974;
- 264. considering applications for consents for works in accordance with section 61 of the Control of Pollution Act 1974;
- 265. investigating noise nuisance, serving warning notices and fixed penalty notices, and seizing and removing equipment in accordance with sections 41 to 54 of the Antisocial Behaviour etc (Scotland) Act 2004;
- 266. inspecting and investigating statutory nuisances in accordance with section 79 of the Environmental Protection Act 1990;
- 267. serving abatement notices and fixed penalty notices and initiating proceedings in relation to statutory nuisances in accordance with sections 80, 80ZA and 80A of the Environmental Protection Act 1990;
- 268. abating nuisances and recovering costs in relation to statutory nuisances in accordance with sections 81, 81A and 81B of the Environmental Protection Act 1990;
- 269. issuing fixed penalty notices for contravention of unauthorised or harmful depositing of waste in accordance with section 33A of the Environmental Protection Act 1990;
- 270. complying with the duty of care in relation to controlled waste in accordance with section 34 of the Environmental Protection Act 1990;
- 271. issuing notices and requiring the removal of waste unlawfully deposited in accordance with section 59 of the Environmental Protection Act 1990;
- 272. promoting the abatement of litter in accordance with section 87 of the Environmental Protection Act 1990;
- 273. issuing fixed penalty notices for leaving litter in accordance with section 88 of the

Page 73 of 108

Appendix 5-6 – Delegation to the Executive Director of Place

Environmental Protection Act 1990;

274. designating litter control areas in accordance with section 90 of the Environmental Protection Act 1990;

275. serving litter abatement notices in accordance with section 92 of the Environmental Protection Act 1990;

276. issuing street litter control notices in accordance with section 93 of the Environmental Protection Act 1990;

277. complying with regulations made by Scottish Ministers in relation to the display of advertisements in accordance with section 182 of the Town and Country Planning (Scotland) Act 1997;

278. removing abandoned vehicles in accordance with section 3 of the Refuse Disposal (Amenity) Act 1978;

279. disposing of removed vehicles in accordance with section 4 of the Refuse Disposal (Amenity) Act 1978;

280. recovering expenses in connection with removed vehicles in accordance with section 5 of the Refuse Disposal (Amenity) Act 1978;

281. dealing with graffiti in accordance with sections 58 to 65 of the Antisocial Behaviour (Scotland) Act 2004, including serving graffiti removal notices;

282. exercising the Council's functions and powers in relation to drains in accordance with sections 29 to 34 of the [City of Edinburgh District Council Order Confirmation Act 1991](#), including removing obstructions and serving notices;

283. serving notices in relation to environmental matters in accordance with section 160 of the Environmental Protection Act 1990;

284. discharging the Council's functions in relation to genetically modified organisms, including entering and inspecting premises, in accordance with sections 114 to 117 of the Environmental Protection Act 1990;

Page 74 of 108

Appendix 5-6 – Delegation to the Executive Director of Place

285. entering into agreements with Scottish Ministers to exercise the enforcement functions of the Scottish Ministers in relation to genetically modified organisms, in accordance with section 125 of the Environmental Protection Act 1990;
286. inspecting land in relation to contaminated land in accordance with section 78B of the Environmental Protection Act 1990;
287. serving notices to require the remediation of contaminated land in accordance with section 78E of the Environmental Protection Act 1990;
288. determining appropriate people to bear responsibility for remediation in accordance with section 78F of the Environmental Protection Act 1990;
289. consulting in relation to remediation notices in accordance with sections 78G and 78H of the Environmental Protection Act 1990;
290. serving remediation notices in relation to the pollution of controlled waters in accordance with section 78J of the Environmental Protection Act 1990;
291. serving remediation notices in relation to contaminating substances which escape to other land in accordance with section 78K of the Environmental Protection Act 1990;
292. carrying out remediation to the relevant land or water environment in accordance with section 78N of the Environmental Protection Act 1990;
293. recovering costs incurred in relation to remediation in accordance with section 78P of the Environmental Protection Act 1990;
294. exercising the Council's functions where remediation notices have been served and the land becomes special land, in accordance with section 78Q of the Environmental Protection Act 1990;
295. maintaining a register in relation to contaminated land in accordance with sections 78R, 78S and 78T of the Environmental Protection Act 1990;
296. providing SEPA with information when requested in accordance with section 78U of the Environmental Protection Act 1990;

Appendix 5-6 – Delegation to the Executive Director of Place

297. having regard to guidance issued by SEPA in accordance with section 78V of the Environmental Protection Act 1990;

298. exercising the Council's functions in relation to contaminated land in accordance with section 78X of the Environmental Protection Act 1990;

299. carrying out the Council's enforcement functions under sections 68, 71, 74 and 78 of the Antisocial Behaviour etc. (Scotland) Act 2004

300. carrying out the Council's enforcement functions in relation to fireworks in accordance with sections 2, 3 and 12 of the Fireworks Act 2003;

301. entering and inspecting premises, issuing fixed penalties and commencing legal proceedings in relation to smoking, in accordance with sections 1 to 10 of the Smoking, Health and Social Care (Scotland) Act 2005;

302. enforcing the safety provisions of the Motorcycle Noise Act 1987;

303. enforcing the provisions of the Tobacco Advertising and Promotion Act 2002 in accordance with sections 13 and 14 of that acts;

304. enforcing the duty to provide information on sale of houses, in accordance with sections 109 to 112 of the Housing (Scotland) Act 2006;

305. exercising the Council's enforcement functions in accordance with sections 25 and 26 of the Tobacco and Primary Medical Services (Scotland) Act 2010;

306. applying for tobacco retailing banning orders and ancillary orders in accordance with sections 15 to 19 of the Tobacco and Primary Medical Services (Scotland) Act 2010;

307. issuing fixed penalty notices in accordance with section 27 of the Tobacco and Primary Medical Services (Scotland) Act 2010;

308. exercising the Council's powers of entry in accordance with sections 28 to 31 of the Tobacco and Primary Medical Services (Scotland) Act 2010;

309. exercising the Council's enforcement powers in relation to copyright infringement

Appendix 5-6 – Delegation to the Executive Director of Place

in accordance with sections 107A and 198A of the Copyright, Designs and Patents Act 1988;

310. exercising the Council's enforcement functions and powers under the Enterprise Act 2002;

311. dealing with the clean-up of spills in accordance with the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998;

312. requiring the owner of a public building to execute works necessary to minimise the risk to the public in the event of danger in accordance with section 23 of the City of Edinburgh District Council Order Confirmation Act 1991;

313. requiring owners to carry out, or carrying out works to secure, restore or repair structures, fixtures, walls or fences that has become insecure, worn out, damaged or in need of repair, and recovering the costs of doing so, all in accordance with section 24 of the [City of Edinburgh](#) District Council Order Confirmation Act 1991;

314. giving notice to person requiring them to take steps to reduce the emission of dust in accordance with section 25 of the City of Edinburgh District Council Order Confirmation Act 1991;

315. serving notices in accordance with section 26 and in relation to sections 23 to 25 of the City of Edinburgh District Council Order Confirmation Act 1991;

316. cancelling and serving new notices under section 48 of the City of Edinburgh District Council Order Confirmation Act 1991;

317. entering premises to perform the Council's functions under the City of Edinburgh District Council Order Confirmation Act 1991 in accordance with section 53 of that act;

318. executing works and recovering the costs of doing so where an owner or occupier fails to do so after being served notice to do so in accordance with section 57 of the City of Edinburgh District Council Order Confirmation Act 1991;

319. enforcing powers (and any amendments) given to the Council for Coronavirus public health restrictions ~~and other similar public health regulations~~

[320 determine applications for licences under the Animal Welfare \(Licensing of Activities Involving Animals\) \(Scotland\) Regulations 2021;](#)

Parks and Greenspace

320. approving in accordance with conditions considered appropriate to individual applications, and in accordance with Council Policy, all requests from organisations to make use of parks and recreational areas, subject to consultation with:

- (a) the Convener ~~or vice Convener~~ of the Culture and Communities Committee;
- (b) the Festival and Events Champion;
- (c) local ward Councillors;
- (d) as appropriate, other Council service areas; and/or
- (e) as appropriate, Lothian and Borders Police (or its successor) and other emergency services;

321. issuing felling orders for trees affected by Dutch Elm Disease (sections 3(1) (2) and (4) and 5(1) of the Plant Health Act 1967 and section 20 of the Agricultural (Miscellaneous Provisions) Act 1972 (B) and Dutch Elm Disease (Amendment) (Local Authorities) Order 1975);

322. creating, maintaining, enhancing and removing physical and natural assets within the Council's parks and greenspaces;

323. creating, maintaining, enhancing and removing trees and other landscape features managed by the Council;

324. implementing the provisions of the Council's Park Management Rules;

325. implementing the provisions of the Allotments (Scotland) Acts and administering the Council's allotment regulations;

326. implementing the provisions of wildlife, nature, access and parks legislation, including:
- (a) Countryside (Scotland) Act 1967;
 - (b) Wildlife and Countryside (Scotland) Act 1981;
 - (c) National Parks and Access to the Countryside Act 1949;
 - (d) Nature Conservation (Scotland) Act 2004;
 - (e) Wildlife and Natural Environment (Scotland) Act 2011; and
 - (f) Land Reform (Scotland) Act 2003;
327. drafting, managing and implementing Council approved policy and strategy that relates to parks and greenspace responsibilities;
328. managing the Council's Green Flag Award and other quality management programmes;
329. managing events and activities taking place within parks and greenspaces;

Waste Services

330. preparing specifications and award contracts for repairing and maintaining the Council's vehicles and plant fleet, and for buying replacements, all in accordance with the Contracts Standing Orders as amended from time to time;
331. discharging duties relating to the conduct of the Council's significant trading operations in accordance with section 10 of the Local Government in Scotland Act 2003;
332. specifying the level of services and other relevant details for providing waste management, street cleansing and refuse collection services;
333. negotiating variation orders for changes in the level of waste management, street cleansing and refuse collection services with approved contractors, within the

contract prices approved by the Council;

334. setting the prices of trade waste services provided by the Council;
335. exercising statutory duties, functions and enforcement under the legislation listed in Part B of Appendix 10 that relate to waste management;
336. carrying out the Council's waste management functions in accordance with its approved integrated waste management plan, and providing the Scottish Ministers upon request with a statement setting out whether the Council is carrying out such functions (section 44Z of the Environmental Protection Act 1990);
337. collecting household, commercial or industrial waste, (including, where applicable, issuing reasonable charges for doing so), and exercising the Council's other ancillary powers all in accordance with section 45 of the Environmental Protection Act 1990;
338. arranging for the provision of receptacles to enable separate collection of dry recyclable waste and food waste in accordance with section 45C of the Environmental Protection Act 1990;
339. serving notice on occupiers regarding the placing of waste for collection in receptacles in accordance with section 46 of the Environmental Protection Act 1990;
340. supplying receptacles for commercial or industrial waste, and making reasonable charges for doing so, in accordance with section 47 of the Environmental Protection Act 1990;
341. arranging for the disposal of waste collected, providing places at which to deposit waste before the Council transfers it, providing places at which to dispose of or recycle waste and permitting another person to use the facilities provided by the Council, all in accordance with section 53 of the Environmental Protection Act 1990;
342. ensuring that land occupied by the Council and used as a site in or on which to deposit, treat, keep or dispose of controlled waste is used and operated in accordance with certain conditions, in accordance with section 54 of the

Environmental Protection Act 1990;

343. enabling waste to be recycled, used for the purpose of producing heat or electricity, buying or acquiring waste to be recycled and using, selling or disposing of waste belonging to the authority in accordance with section 56 of the Environmental Protection Act 1990;
344. carrying out the Council's duties in response to directions issued by the Scottish Ministers, in accordance with sections 57 and 58 of the Environmental Protection Act 1990;
345. consenting to people sorting or disturbing anything deposited at a place for the deposit of waste or anything deposited in a receptacle for waste, in accordance with section 60 of the Environmental Protection Act 1990;
346. carrying out the Council's duties in response to regulations issued by the Scottish Ministers, in accordance with section 62 of the Environmental Protection Act 1990;
347. minimising the quantities of controlled waste in the Council's area and contributing towards the expenses of doing so, in accordance with section 63A of the Environmental Protection Act 1990;
348. exercising the power to require any person to furnish information in accordance with section 71 of the Environmental Protection Act 1990;
349. participating in legal proceedings in accordance with section 73 of the Environmental Protection Act 1990;
350. carrying out the Council's duties in relation to keeping roads clear of litter and refuse in accordance with section 89 of the Environmental Protection Act 1990;
351. participating in legal proceedings arising from a person complaining that he is aggrieved by the defacement, by litter or refuse, of road or land in accordance with section 91 of the Environmental Protection Act 1990;
352. giving notice under section 99 of the Environmental Protection Act 1990 that the Council has resolved to use the powers to seize and remove shopping trolleys,

and exercising such powers under Schedule 4 of that act;

Building Standards

353. submitting comments on relaxation applications determined by the Scottish Ministers;
354. signing certificates of evidence in relation to Sheriff Court procedures involving offences in terms of sections 8(2) and 21(5) of the Building (Scotland) Act 2003;
355. undertaking building standards assessments under section 6 of the Building (Scotland) Act 2003;
356. deciding on completion certificate submissions under section 18 of the Building (Scotland) Act 2003;
357. deciding on application under section 21(3) of the Building (Scotland) Act 2003 for a building to be temporarily occupied or used before a completion certificate under section 18 has been accepted;
358. deciding on the imposition of a continuing requirement in terms of section 22 of the Building (Scotland) Act 2003;
359. deciding on the discharge or variation of a continuing requirement in terms of section 23 of the Building (Scotland) Act 2003;
360. maintaining and administering a building standard register in terms of section 24 of the Building (Scotland) Act 2003;
361. serving enforcement notices in terms of sections 25, 26, 27, 28, 29, 30 and 42 of the Building (Scotland) Act 2003 and carrying out all consequential enforcement procedures;
362. signing certificates which certify the reason why occupants need to remove from a property as required by a notice under section 42 of the Building (Scotland) Act 2003;
363. processing section 50 certificates in relation to Building Standards in terms of the

Licensing (Scotland) Act 2005;

364. granting or refusing applications for building warrants, amendments to warrants and extensions to the periods of validity of building warrants;

Floods, Reservoirs and Coasts

365. preparing, reviewing, updating and making available for inspection maps of relevant bodies of water and sustainable urban drainage systems (section 17 of the Flood Risk Management (Scotland) Act 2009);
366. assessing relevant bodies of water (other than canals) for the purpose of ascertaining whether the condition of any such body of water gives rise to a risk of flooding of land prepare schedules of inspection, clearance and repair works (section 18 of the Flood Risk Management (Scotland) Act 2009);
367. preparing maps and responding to the Scottish Environmental Protection Agency (“SEPA”) in accordance with section 19 of the Flood Risk Management (Scotland) Act 2009;
368. responding to consultations with SEPA in accordance with section 29 of the Flood Risk Management (Scotland) Act 2009 on the setting objectives and identification of measures under sections 27 and 29 of the Flood Risk Management (Scotland) Act 2009;
369. responding to consultations by SEPA in accordance with section 30(4)(c) of the Flood Risk Management (Scotland) Act 2009;
370. preparing local flood risk management plans to supplement the relevant flood risk management plan in accordance with section 34 of the Flood Risk Management (Scotland) Act 2009;
371. publishing a “draft supplementary part” of the local flood risk management plan as lead local authority in accordance with section 35 of the Flood Risk Management (Scotland) Act 2009 subject to the draft supplementary part being approved by Council or Committee;
372. responding to consultation by a lead local authority on the “draft supplementary

Appendix 5-6 – Delegation to the Executive Director of Place

part” of the local flood risk management plan in accordance with section 35 of the Flood Risk Management (Scotland) Act 2009;

373. publishing the local flood risk management plan as lead local authority in accordance with section 36(5) of the Flood Risk Management (Scotland) Act 2009 subject to the local flood risk management plan being approved by Council or Committee;
374. responding to consultation by a lead local authority on the finalising, publishing and reviewing of the local flood risk management plan in accordance with section 36 of the Flood Risk Management (Scotland) Act 2009;
375. reviewing the local flood risk management plan and, subject to Council or Committee approval, publish a report on the conclusions of the review in accordance with section 37 of the Flood Risk Management (Scotland) Act 2009;
376. publishing final reports in relation to the local flood risk management plan in accordance with section 38 of the Flood Risk Management (Scotland) Act 2009 subject to Council or Committee approval;
377. taking steps to co-operate with other local authorities where a local plan district covers more than one local authority’s area with a view to assisting the preparation and review of the local flood risk management plan and the preparation of relevant reports in accordance with section 39 of the Flood Risk Management (Scotland) Act 2009;
378. taking steps to ensure the Council has regard to flood risk management plans in accordance with section 41 of the Flood Risk Management (Scotland) Act 2009;
379. providing SEPA and lead authorities with information and assistance in accordance with sections 43, 44, 45 and 46 of the Flood Risk Management (Scotland) Act 2009;
380. taking steps to secure appropriate consistence in the information contained in the plan with information contained in characterisations of river basin districts and river basin management plans in accordance with section 48(3) of the Flood Risk Management (Scotland) Act 2009;

Appendix 5-6 – Delegation to the Executive Director of Place

381. sitting on the flood risk advisory group (section 49) and sub-district flood risk advisory group (section 50) on behalf of the Council in accordance with the Flood Risk Management (Scotland) Act 2009;
382. taking steps to do anything which (a) will contribute to the implementation of current measures described in any relevant local flood risk management plan, (b) is necessary to reduce the risk of a flood in the Council's area which is likely to occur imminently and have serious consequences for human health, the environment, cultural heritage or economic activity, or (c) will otherwise manage flood risk in the Council's area without affecting the implementation of the measures described in any relevant local flood risk management plan, all in accordance with sections 56, 57 and 58 of the Flood Risk Management (Scotland) Act 2009;
383. carrying out works which the Council has a duty to carry out under section 59 of the Flood Risk Management (Scotland) Act 2009;
384. responding to consultation by the Scottish Ministers on flood protection schemes (section 60(5) of the Flood Risk Management (Scotland) Act 2009);
385. giving notice of proposed flood protection schemes, and making copies of proposed flood protection schemes available for public inspection, in accordance with Schedule 2, Paragraphs 1 and 2 of the Flood Risk Management (Scotland) Act 2009;
386. confirming or rejecting proposed flood protection schemes (where there have been no objections received following notice to the public) in accordance with Schedule 2, Paragraph 4 of the Flood Risk Management (Scotland) Act 2009;
387. keeping registers of flood protection schemes in accordance with sections 62 and 63 of the Flood Risk Management (Scotland) Act 2009;
388. recovering expenses incurred from owners and occupiers of land if such expense is as a result of the actions of such owner or occupier in accordance with section 67 of the Flood Risk Management (Scotland) Act 2009;
389. responding to consultations on flood warnings in accordance with section 77 of the Flood Risk Management (Scotland) Act 2009;

390. entering land for the purposes of section 79(2)(a) to (i) of the Flood Risk Management (Scotland) Act 2009;
391. serving notice of right of entry in accordance with section 81 of the Flood Risk Management (Scotland) Act 2009;
392. paying compensation to persons who have sustained damage in accordance with sections 82 and 83 of the Flood Risk Management (Scotland) Act 2009;
393. assisting SEPA with transitional arrangements in accordance with section 85 of the Flood Risk Management (Scotland) Act 2009;
394. reporting incidents occurring at reservoirs in accordance with section 88 of the Flood Risk Management (Scotland) Act 2009;
395. discharging the duty to consider the environmental impact of a proposed flood protections scheme in accordance with Part II of the Flood Risk Management (Flood Protection Scheme, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010;
396. offering relevant objectors (within the meaning of Paragraph 5(4) of Schedule 2 of the Flood Risk Management (Scotland) Act 2009) the opportunity to withdraw the objection in accordance with section 13 of the Flood Risk Management (Flood Protection Scheme, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010;
397. requesting the Scottish Ministers to direct planning permission for any development described in a flood protection scheme in accordance with section 14 of the Flood Risk Management (Flood Protection Scheme, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010;
398. serving notices or other documents to be sent, served or given under the Flood Risk Management (Flood Protection Scheme, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010 or the Flood Risk Management (Scotland) Act 2009 in accordance with section 15 of the Flood Risk Management (Scotland) Act 2009;

Appendix 5-6 – Delegation to the Executive Director of Place

399. in relation to the Braid Burn flood prevention scheme and the Water of Leith prevention scheme (which were confirmed under the Flood Prevention (Scotland) Act 1961) carrying out the powers and duties of the Council, including paying compensation under section 11 of the Flood Prevention (Scotland) Act 1961;
400. exercising the duties and powers of the enforcement authority and all duties of the reservoir undertaker (with respect to all reservoirs owned by the Council) under the Reservoirs Act 1975;
401. exercising the duties and powers of the Council in accordance with the Reservoirs (Scotland) Act 2011; and
402. carrying out the duties and powers of the coast protection authority in accordance with the Coast Protection Act 1949.

City Strategy and Economy Business Growth and Inclusion

403. developing and advising on policies, strategies, programmes and projects for approval by Council or Committee in relation to economic development, ~~external relations and inward investment~~, including working in partnership with external organisations (both public and private) that deliver economic development activities (including making financial contributions to these activities where appropriate by way of a loan or grant in accordance with criteria approved by Committee);
404. ~~performing the Council's functions in respect of the East of Scotland Investment Fund, including authorising loans subject to annual reporting to the Economy Committee;~~
405. ~~allocating space within property managed by Economic Development to relevant partners and agreeing the terms of such arrangements;~~
406. ~~making changes to the opening hours of buildings managed by Economic Development as required for operational or budgetary reasons;~~
407. ~~altering or waiving (in whole or in part) charges of hire of property managed by Economic Development where there are sound financial, operational or other justifiable reasons for doing so, subject to annual reporting to the Economy~~

Committee;

[monitoring the Council's arms' length organisations relating to the city's economic development \(e.g. Capital City Partnership, EDI\).](#)

Culture

- 408. devising and implementing cultural, heritage and events programmes;
- 409. organising museum and gallery exhibitions;
- 410. altering or waiving (in whole or in part) charges for hire of properties managed by the Service Director: ~~---~~ Culture and Wellbeing where there are sound financial, operational or other justifiable reasons for doing so;
- 411. agreeing in principle and instructing the Executive Director of Place to conclude temporary leases of property managed by the Service Director, Culture and Wellbeing;
- 412. allocating space within property managed by the Service Director: ~~---~~ Culture and Wellbeing to relevant partners and agreeing the terms of any such arrangements, taking advice as necessary from other service areas, and bringing those arrangements to conclusions as required;
- 413. making such changes to the opening hours of buildings operated by the Service Director, Culture and Wellbeing as are required for operational and budgetary reasons;
- 414. monitoring arms' length organisations which operate Culture facilities or services, or both, on the Council's behalf, including the Festival City Theatres Trust;
- 415. accepting and rejecting gifts or bequests to the Council's museums and galleries;
- 416. lending any object in the Council's museum and gallery collections to any gallery, museum or exhibition in accordance with section 7 of the [City of Edinburgh District Council Order Confirmation Act 1991](#);
- 417. making recommendations and acting on the purchase of museum and gallery objects

Appendix 5-6 – Delegation to the Executive Director of Place
in accordance with Council Policy;

418. commenting on the impact of planning applications on Edinburgh's archaeology and historic environment in accordance with the Scottish Planning Policy (SPP) or National Planning Framework and accompanying Planning Advice Note (PAN2/2011), and the Town and Country Planning (Development Management Procedure) (Scotland) Regulations ~~2008~~2013;

419. establishing Friends and other groups to support the work of the service area;

420. contributing up to £10,000 from the Jean F Watson Bequest trust funds to secure the purchase of any single work of art in accordance with the purposes of the trust, in consultation with the Convener of the Committee on the Jean F Watson Bequest;

421. buying individual items valued up to £1,000 for the Museum of Childhood collection using the Catherine E Cowper Trust's funds;

Public Safety

422. administering and issuing Safety Certificates and Special Safety Certificates, and carrying out inspection and enforcement duties relating to such certificates, for Designated Stadia and Regulated Stands in accordance with the Fire Safety and Safety of Places of Sports Act 1987, the Safety of Sports Grounds Act 1975 and the Safety of Places of Sports Regulations 1988; and

423. administering and issuing permits and carrying out inspection and enforcement duties relating to such permits, for raised structures built to accommodate people under section 89 of the Civic Government (Scotland) Act 1982.

Sport

monitoring arms' length organisations which operate Sport facilities or services, or both, on the Council's behalf, including Edinburgh Leisure;

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Libraries

providing and managing the Council's library services.

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APPENDIX 6

CHIEF PLANNING OFFICER

These are the functions referred to in paragraph 10 of the Scheme:

Planning policy

1. responding directly to consultations on development plans, planning applications, environmental assessments and planning guidance from neighbouring authorities at any stage in the process unless the **Chief** Planning Officer considers that:
 - (a) the consultation raises a significant planning issue (which may include transport and other infrastructure matters) for the Council which should be draw to the attention of the consulting authority;
 - (b) the consultation raises a matter which is potentially controversial or likely to be of significant public interest; or
 - (c) the Council should formally object to a proposed development plan;
2. responding directly to planning related consultations from the Scottish Government and Government Agencies unless the Chief Planning Officer considers that:
 - (a) the consultation raises a significant planning issue for the Council Which should be drawn to the attention of the Scottish Government/Government Agency; or
 - (b) the consultation raises a matter which is potentially controversial or likely to be of significant public interest;
3. determining whether a qualifying plan, programme or strategy, which is being prepared or modified, requires environmental assessment in accordance with the Environmental Assessment (Scotland) Act 2005 and to undertake environmental assessment where necessary, including preparing an environmental report and carrying out consultations;

Local Development Plan Preparation

- 4 considering the Local Development Plan Report of Examination, save where:
 - (a) grounds set out in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009 are engaged.
- 5 Publishing the Local Development Plan as modified after examination

Planning applications etc.

6. determining applications (including retrospective applications) for planning permission, planning permission in principle, approval of matters specified in conditions, listed building consent, conservation area consent and consent to display an advertisement, provided that:
 - (a) the decision is in accordance with the statutory development plan (Strategic Development Plan and Local Development Plan until such time as National Planning Framework is adopted by Scottish Ministers and thereafter National Planning Framework and Local Development Plan);
 - (b) conditions added by the Development Management Sub-Committee are not removed or amended;
 - (c) where approval is recommended, not more than ~~six-20~~ material objections have been received from third parties , no elected member has requested referral of the application to the Development Management Sub-Committee under sub-paragraph (i) and the Chief Planning Officer does not consider the application to be controversial or of significant public interest or as having a significant impact on the environment under sub-paragraph (n) except where the application is for listed building consent conterminous with an associated householder development;
 - ~~(d) where approval is recommended and the application is for listed building consent conterminous with an associated householder development, not more than 20 material objections or a petition have been received from third parties;~~
 - ~~(ed)~~ where refusal is recommended, not more than 20 material representations in support of the proposals have been received from third parties , no elected member has requested referral of the application to the Development Management Sub-

Committee under sub-paragraph (i) and the Chief Planning Officer does not consider the application to be controversial or of significant public interest or as having a significant impact on the environment under sub-paragraph (n);

(fe) where a petition has been submitted properly headed with material planning considerations, it has not more than 20 signatures of objection in relation to recommendations for approval and not more than 20 signatures of support in relation to recommendations for refusal, no elected member has requested referral of the application to the Development Management Sub-Committee under sub-paragraph (i) and the Chief Planning Officer does not consider the application to be controversial or of significant public interest or as having a significant impact on the environment under sub-paragraph (n); other than those cases relating to paragraph 6(d);

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(ef) Objections from statutory consultees, where requested to be statutory consultees, including community councils, are resolved in relation to applications recommended for approval and there are no outstanding support comments from community councils in relation to applications recommended for refusal.

(hg) the application does not fall within the definition of national developments as set out in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009;

(h) there is no legal agreement required in connection with the application where the financial value of the matters secured in the agreement will be in excess of, or estimated to be in excess of, £250,000, or where by virtue of any policy or non-statutory guidance on developer contributions there is a requirement to be met and, for whatever reason, that requirement is not being fully met;

(i) no elected member has requested referral of the application to the Development Management Sub-Committee for material planning reasons, within 21 days, as set out in the relevant guidance note for elected members;

(kj) the application is not submitted by, or on behalf of, the Council (except for the approval of routine minor developments);

(lk) the application is not submitted by, or on behalf of, an elected member of the Council or by his/her partner, close friend or relative;

(a) the application is not submitted by, or on behalf of, an officer involved in the statutory planning process, or by their partner, close friend or relative;

(b) the application is not for Hazardous Substance Consent;

(c) the Chief Planning Officer does not consider the application to be controversial or of significant public interest, or as having a significant impact on the environment; and

(d) the application does not meet the criteria approved by the Planning Committee for a hearing by the Development Management Sub-Committee;

7. determining applications for certificates of lawful use or lawful development under sections 150 and 151 of the Town and Country Planning (Scotland) Act 1997 and applications for certificates of appropriate alternative development under Section 26 of the Land Compensation (Scotland) Act 1963 and the Land Compensation (Scotland) Development Order 1975, provided that:

~~(a) the application does not raise a significant planning matter, leading to advice to refuse or to object;~~

~~(b) the Chief Planning Officer does not consider the application to be potentially controversial, or likely to be of significant public interest, or as having a significant impact on the environment;~~

~~(c) the application does not fall within the definition of national developments as set out in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009;~~

~~(d) no elected member has requested referral of the application to the Development Management Sub-Committee for material planning reasons, within 21 days, as set out in the relevant guidance note for elected members;~~

~~(e) the application is not submitted by, or on behalf of, the Council (except for the approval of routine minor developments);~~

~~(f) the application is not submitted by, or on behalf of, an elected member of the Council~~

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~~or by his/her partner, close friend or relative;~~

~~(g) the application is not submitted by, or on behalf of, an officer involved in the statutory planning process, or by their partner, close friend or relative; and~~

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~~(h) the application does not meet the criteria approved by the Planning Committee for a hearing by the Development Management Sub-Committee;~~

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~~NEW authorise the initiation of the stopping up or diversion of any road under section 207 of the Town and Country Planning (Scotland) Act 1997 which is not –~~

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~~(a) A trunk road within the meaning of the Roads (Scotland) Act 1984, or
(b) A special road provided by the Scottish Ministers in pursuance of a scheme under that Act,
where ~~they are~~ satisfied that it is necessary to do so to enable the development to be carried out in accordance with planning permission granted under Part III or section 242A, or by a government department.~~

~~NEW authorise the initiation of the stopping up or diversion of any footpath or bridleway under section 208 of the Town and Country Planning (Scotland) Act 1997 where ~~they are~~ satisfied that it is necessary to do so to enable the development to be carried out in accordance with planning permission granted under Part III or section 242A, or by a government department.~~

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8. determining whether an application for planning permission will need to be accompanied by an Environmental Impact Assessment Report and responding to requests for any associated scoping opinion;

9. issuing an opinion in respect of a Pre-Application Screening request;

10. deciding whether the method of consultation is acceptable, or more is needed in respect of a Proposal of Application Notice;

11. deciding whether or not to decline to determine a repeat application for planning permission in any of the circumstances whereby the planning authority may decline to determine an application for planning permission as set out in Section 39 of the Town and Country Planning (Scotland) Act 1997;

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12. signing a processing agreement in respect of a major application as defined in the hierarchy of development;

13. ~~promoting a direction~~[Imposing a condition](#) altering the [standard](#) duration of a planning [permission, planning permission in principle, or other related planning consent](#);
14. determining whether a change to a ~~granted~~ planning ~~application permission~~ is material or not or whether changes are substantial;
15. deciding whether or not full details of a proposed agricultural building require to be submitted;
16. deciding whether or not full details of a proposed forestry building require to be submitted;
17. deciding whether or not full details of proposed buildings by gas and electricity undertakings, solely for the protection of plant and machinery, are required;
18. deciding whether or not, in the case of proposed demolition of residential property, to require a formal submission;
19. deciding whether or not, in the case of proposed toll facilities on toll roads, to require a detailed submission;
20. determining painting and sundry minor works requiring permission by reason of an Article 4 Direction;
21. determining that alterations to a listed building do not require Listed Building Consent
22. determining whether works or a change of use constitute [development or permitted development or are permitted development under the Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992 or whether prior approval of matters is required as necessary and determining any prior approval applications where required](#);
23. determining the display of advertisements; _____

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Enforcement action

24. acting as proper officer in terms of the signing and service of decision notices, enforcement notices and related notices under section 193 of the Local Government (Scotland) Act 1973 and appointing appropriate officers to prepare, sign and serve such notices on his behalf;
25. initiating, progressing, serving notices and concluding enforcement action, interdict action or direct action in connection with the following, provided that any significant case, or cases where it is in the public interest to do so, shall be reported to the Development Management Sub-Committee for consideration:
- (a) Planning Contravention Notices;
 - (b) Enforcement Notices, including those relating to listed building and advertisements;
 - (c) advertisement discontinuation procedures;
 - (d) reporting to the procurator fiscal;
 - (e) Breach of Condition Notices;
 - (f) Amenity Notices;
 - (g) Stop Notices;
 - (h) Temporary Stop Notices;
 - (i) Fixed Penalty Notices;
 - (j) Hazardous Substances Contravention Notices;
 - (k) Tree Replacement Notices;
 - (l) prosecution in respect of the above as necessary and the giving of evidence in court; and
 - (m) powers of entry;

[\(n\) Notice requiring application for planning permission for development already carried out.](#)

26. carrying out the following functions provided that any significant cases, or cases where it is in the public interest to do so, are reported to the Development Management Sub-Committee for consideration:

(a) withdrawing, relaxing, or varying an enforcement notice (section 129 of the Town and Country Planning (Scotland) Act 1997);

(b) undertaking work required by an enforcement notice and recovering the costs (section 135 of the Town and Country Planning (Scotland) Act 1997);

(c) serving notices in case of compliance or non-compliance with planning consent (section 145 of the Town and Country Planning (Scotland) Act 1997);

(d) lodging an interdict restraining a breach of planning control to the Court of Session/Sheriff Court (section 146 of the Town and Country Planning (Scotland) Act 1997);

(e) undertaking work required by non-compliance with a listed building enforcement notice (Town and Country Planning (Scotland) Act 1997 and section 38 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997);

(f) serving section 270 Notices and Planning Contravention Notices;

(g) determining whether or not it is expedient to take no further action in respect of a breach of control, having regard to the provisions of the development plan and other material planning considerations;

(h) after the service of a notice, taking all necessary subsequent steps to bring the matter to an acceptable conclusion;

(i) instituting any necessary action to remove or obliterate placards or posters which are displayed in contravention of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and the Town and Country Planning

(Scotland) Act 1997;

- (j) undertaking and enforcing the procedures requiring developers to inform the Council of the initiation and completion of developments and in relation to the display of notices indicating the development being carried out; and
- (k) issuing and enforcing notices requiring the owner of land, where planning permission has not been granted but development has been carried out, to make an application for planning permission;

Landscape

- 27. a) making Tree Preservation Orders (with the Planning Committee approving the final order taking into account objections or representations received);
b) confirming Tree Preservation Orders where there have been no objections to the Tree Preservation Order.
- 28. authorising or refusing the felling, pruning, topping, lopping of trees or the carrying out of other prohibited works to trees protected by Tree Preservation Orders (including the imposition of conditions as appropriate);
- 29. determining notifications for the felling, pruning, topping, lopping of trees or the carrying out of other prohibited works to trees in conservation areas;
- 30. serving, progressing, and concluding actions in respect of tree replacement notices, including any necessary follow up direct action;
- 31. investigating unauthorised works to protected trees and reporting offences to the Procurator Fiscal where considered appropriate;
- 32. considering and determining all applications in respect of high hedge notices, taking any subsequent enforcement or other action and exercising powers of entry and other supplementary powers in accordance with the High Hedges (Scotland) Act 2013 provided that any significant cases, or cases where it is in the public interest to do so, are reported to the Development Management Sub-Committee for consideration;

Appeals

33. determining what response should be made to the ~~Directorate of Scottish Government's~~ Planning and Environmental Appeals ~~Division (known as DPEA)~~ in the case of ~~all appeals except those where the Development Management Sub-Committee has refused an application contrary to the recommendation of the Chief Planning Officer or those appeals in relation to conditions where the Development Management Sub-Committee has added or amended a condition to those conditions proposed by the Chief Planning Officer.~~ ~~submitted in respect of the non-determination of an application and/or where the application could otherwise have been dealt with under delegated powers;~~

Legal Agreements

34. entering into a legal agreement with a developer, provided that:
- (a) the agreement complies with the terms of government guidance, relevant development plan policies and supplementary guidance on developer contributions; and
 - (b) does not involve a financial sum or other contributions of a value exceeding £250,000;
35. entering into a discharge of a legal agreement granting partial or full discharge of the relevant party's obligations on the due performance by that party of such obligations;
36. modifying a legal agreement with the relevant party provided that:
- (a) the terms of the modifications comply with the terms of government guidance, relevant development plan policies and supplemental guidance on developer contributions; and
 - (b) it does not involve reducing the financial sum or other contributions in the legal agreement;
37. extending the six-month period for concluding a legal agreement to nine —months, provided meaningful progress is being achieved

Miscellaneous

38. authorising Powers of Entry to land for any purpose (especially surveying) relating to the preparation of a development plan and general planning controls (sections 269 & 270 of the Town and Country Planning (Scotland) Act 1997);
39. allocating new street numbers and, in consultation with the appropriate local ward councillors, changing street numbers and naming new streets;
40. requiring proper maintenance of land affecting listed buildings or conservation areas and to undertake necessary work and recover costs in cases of non-compliance (sections 135 and 179 of the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997);

~~NEW: Initiating the stopping up of roads, footpaths and bridleways under section 207 and 208 of the Town and Country Planning (Scotland) Act 1997 provided that the stopping up is necessary in order to enable the development to be carried out in accordance with the grant of planning permission.~~

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Flooding

41. requesting advice from SEPA as to flood risk under section 72 of the Flood Risk Management (Scotland) Act 2009.

APPENDIX 7

STATUTORY FUNCTIONS AND STATUTORY OFFICERS

<u>Statutory Function</u>	<u>Legislation</u>	<u>Officer</u>
Agricultural Analyst/Depute Agricultural Analyst	Section 67(3) of the Agriculture Act 1970	Scientific Bereavement and Registration Service Senior Manager and Operation Manager— Public Analyst Nominated by the Executive Director
Assessor	Section 27 of the Local Government etc. (Scotland) Act 1994	Assessor of the Lothian Valuation Joint Board
Chief Inspector of Weights and Measures	Section 72 of the Weights and Measures Act 1985	Head of Regulatory Services Licensing and Trading Standards— Service Manager
Inspector of Weights and Measures	Section 72 of the Weights and Measures Act 1985	Certain officers appointed by the Chief Inspector of Weights and Measures
Chief Social Work Officer	Social Work (Scotland) Act 1968	Chief Social Work Officer
Chief Education Officer	Education (Scotland) Act 2016	Chief Education Officer
Clerk of the Licensing Board	Licensing (Scotland) Act 2005	Service Director: Legal and Assurance
Counting Officer	Parties, Elections and Referendums Act 2000	Chief Executive
Data Protection Officer	37-39 of General Data Protection Regulations	Information Governance Manager
Dog Catcher	section 149 of the Environmental Protection Act 1990	Dog Warden

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Appendix 7 – Statutory Functions and Statutory Officers

Food Examiner	Section 30 of the Food Safety Act 1990	Scientific Bereavement and Registration Service Senior Manager and Operation Manager Public Analyst Nominated
Head of Paid Service	Section 4(1) of the Local Government and Housing Act 1989	Chief Executive
Mental Health Officers	Section 32 of the Mental Health (Care and Treatment) (Scotland) Act 2003	Certain social workers as appointed by the Chief Social Work Officer.
Monitoring Officer	Section 5(1) of the Local Government and Housing Act 1989	Service Director: Legal and Assurance
Public Analyst	Sections 27 and 30 of the Food Safety Act 1990	Scientific Bereavement and Registration Service Senior Manager and Operation Manager Public Analyst Nominated
Registrar of Births, Deaths and Marriages	Section 7 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965	Chief Registrar/ Registration Services Manager
Returning Officer	Sections 25 and 41 of the Representation of the People Act 1983	Chief Executive

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APPENDIX 8
PROPER OFFICER FUNCTIONS

<u>Proper Officer Function</u>	<u>Legislation</u>	<u>Officer</u>
Declaration of acceptance of office	section 33A of the Local Government (Scotland) Act 1973	Service Director: Legal and Assurance
Resignation of office by a member	section 34 of the Local Government (Scotland) Act 1973	Chief Executive
Circulating reports and agendas, supplying papers to the press and, where necessary, providing summaries of minutes	sections 50B(2), 50B(7) and 50C(2) of the Local Government (Scotland) Act 1973	Service Director: Legal and Assurance
Compilation of background papers for inspection	section 50D of the Local Government (Scotland) Act 1973	All Executive Directors, Chief Executive
Members' rights of access to documents which enclose "exempt information"	section 50F (2) of the Local Government (Scotland) Act 1973	Chief Executive
Transfer of securities on alteration of area etc.	section 92 of the Local Government (Scotland) Act 1973	Executive Director of Corporate Services
Financial Administration	section 95 of the Local Government (Scotland) Act 1973	Service Director: Finance and Procurement
Education endowments	section 128 of the Local Government (Scotland) Act 1973	Service Director: Legal and Assurance
Ordnance Survey	section 145 of the Local Government (Scotland) Act 1973	Executive Director of Corporate Services

Appendix 8 – Proper Officer Functions

Service of legal proceedings etc.	section 190 of the Local Government (Scotland) Act 1973	Service Director: Legal and Assurance
Claims in sequestrations and liquidations	section 191 of the Local Government (Scotland) Act 1973	Executive Director of Corporate Services
Authentication of documents and execution of deeds	sections 193 and 194 of the Local Government (Scotland) Act 1973 and the Requirements of Writing (Scotland) Act 2005	Executive Director of Corporate Services and Service Director: Legal and Assurance
Inspection and deposit of documents	section 197 of the Local Government (Scotland) Act 1973	Executive Director of Corporate Services and Service Director: Legal and Assurance
Procedure for byelaws	sections 202 and 204 of the Local Government (Scotland) Act 1973	Executive Director of Corporate Services and Service Director, Legal and Assurance
Roll of honorary freemen	section 206 of the Local Government (Scotland) Act 1973	Service Director, Legal and Assurance
Notice of Meeting	Schedule 7 of the Local Government (Scotland) Act 1973	Service Director, Legal and Assurance
Politically restricted posts	section 2 of the Local Government and Housing Act 1989	Executive Director of Corporate Services
Maintaining the register of members' interests	Regulation 6 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (Register of Interests) Regulations 2003	Service Director, Legal and Assurance

APPENDIX 9
LIST OF LEGISLATION

Part A

1. Animal Boarding Establishments Act 1963;
2. Animal Health and Welfare (Scotland) Act 2006;
- ~~3. Breeding of Dogs Act 1973;~~
4. Cinemas Act 1985;
5. City of Edinburgh District Council Order Confirmation Act 1991;
6. Civic Government (Scotland) Act 1982;
7. Dangerous Wild Animals Act 1976;
8. Deer (Scotland) Act 1996;
9. Housing (Scotland) Act 2006;
10. Hypnotism Act 1952;
11. Performing Animals (Regulation) Act 1925;
12. Pet Animals Act 1951;
13. Petroleum (Transfer of Licences) Act 1936;
14. Riding Establishments Acts 1964 and 1970;

~~15. Theatres Act 1968; and~~

16. Zoo Licensing Act 1981.

17. Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021

Part B

1. Accommodation Agencies Act 1953;
- ~~2. Agriculture Produce (Grading and Marking) Acts 1928 and 1931;~~
3. Agriculture Act 1970;
4. Agriculture (Miscellaneous Provisions) Act 1968;
5. Animal Boarding Establishments Act 1963;

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6. Animal Health Act 1981;
7. Animal Health and Welfare (Scotland) Act 2006;
8. Breeding and Sale of Dogs (Welfare) Act 1999;
9. Breeding of Dogs Act 1973 and 1991;
- ~~10. Burial Grounds (Scotland) Act 1855;~~
11. Children and Young Persons (Protection from Tobacco) Act 1991;
12. Church of Scotland (Property and Endowment) Act 1925;
13. Cinemas Act 1985;
14. Civic Government (Scotland) Act 1982;
15. Civil Partnership Act 2004;
16. Clean Air Act 1993;
17. Control of Dogs (Scotland) Act 2010;

~~18. Consumer Credit Act 1974;~~

19. Consumer Protection Act 1987;

~~20. Cremation Acts 1902 and 1952;~~

21. Cremation (Scotland) Amendment Regulations 2003;
22. Dangerous Wild Animals Act 1976;
23. Development of Tourism Act 1969 (sections 17 and 18);
24. Dog Fouling (Scotland) Act 2003;
25. Education Reform Act 1988 (section 215);
26. Energy Conservation Act 1981 (section 20);
27. Environment and Safety Information Act 1988;
28. Estate Agents Act 1979;
29. European Communities Act 1972 (section 2(2));
30. Explosives Act 1875 (sections 74 and 78);
31. Fair Trading Act 1973;

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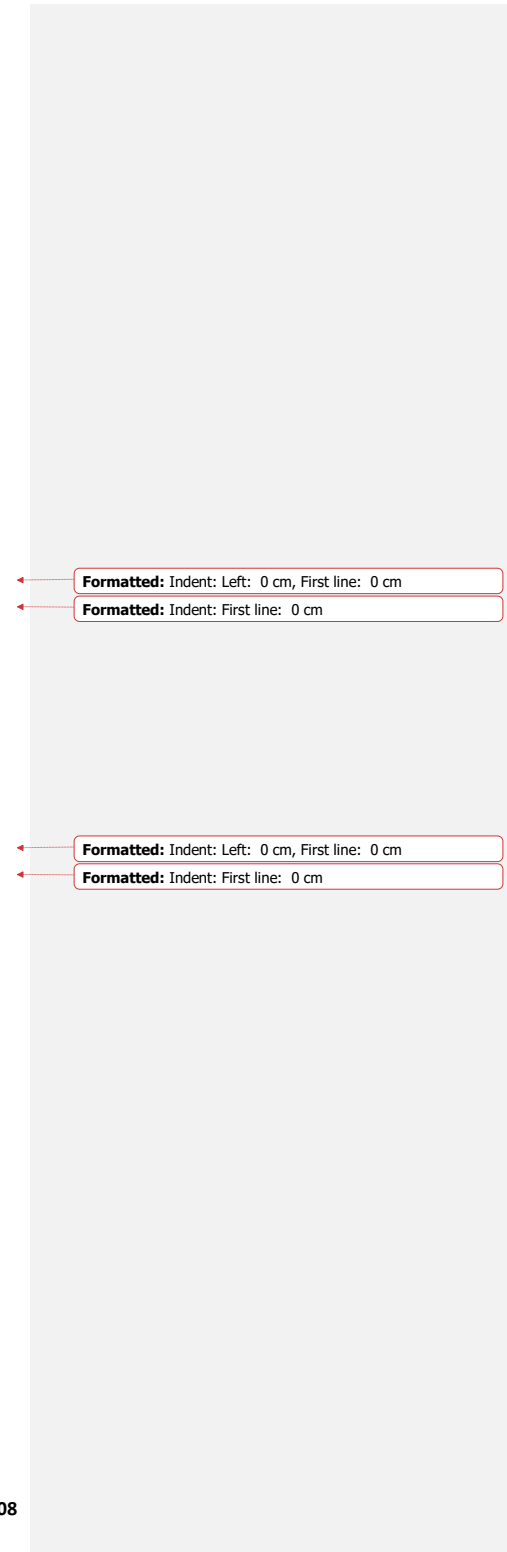
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- 32. Food and Environment Protection Act 1985 (sections 19(1B) and (1C));
- 33. Hallmarking Act 1973;

- 34. Housing (Scotland) Act 1987, Parts IV, V, VII and VIII
- 35. International Health Regulations 2005;
- 36. Marriage (Approval of Places) (Scotland) Regulations 2002;
- 37. Marriage (Scotland) Act 1977;
- 38. Medicines Act 1968;
- 39. Performing Animals (Regulation) Act 1925;
- 40. Pet Animals Act 1951;

- ~~41. Petroleum (Consolidation) Act 1928 (section 17);~~
- 42. Poisons Act 1972;
- 43. Prevention of Damage by Pests Act 1949;
- 44. Prices Act 1974 and 1975;
- 45. Private Rented Housing (Scotland) Act 2011;

- ~~46. Property Misdemeanors Act 1991;~~
- 47. Public Health (Aircraft) (Scotland) Regulations 1971;
- 48. Public Health (Ships) (Scotland) Regulations 1971;
- 49. Rent (Scotland) Act 1984;
- 50. Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003);
- 51. Sewerage (Scotland) Act 1968;
- 52. Single Use Carrier Bags Charge (Scotland) Regulations 2014;
- 53. Telecommunications Act 1984 (section 30);
- 54. Theatres Act 1968;
- 55. Timeshare Act 1992;
- 56. Trade Descriptions Act 1968;
- 57. Trademarks Act 1994;



- 58. Video Recordings Acts 1984 ~~and~~, 1993 and 2010;
- 59. Water (Scotland) Act 1980;
- 60. Water Services etc. (Scotland) Act 2005;
- 61. Weights and Measures Act 1985

- [a. Official Feed and Food Controls \(Scotland\) Regulations 2009.](#)
- [b. Fireworks Act 2003](#)
- [c. Trade in Animals and Related Products \(Scotland\) Regulations 2012.](#)
- [d. The Housing \(Scotland\) Act 1987](#)
- [e. The Water Intended for Human Consumption \(Private Supplies\) \(Scotland\) Regulations 2017.](#)
- [f. Consumer Rights Act 2015;](#)
- [g. Licensing \(Scotland\) Act 2005](#)
- [h. Antisocial Behaviour etc. \(Scotland\) Act 2004](#)
- [i. Consumer Rights Act 2015; Licensing \(Scotland\) Act 2005](#)
- [j. Psychoactive Substances Act 2016](#)
- [k. Public Health \(Ships\) \(Scotland\) Amendment Regulations 2007;](#)
- [l. Environmental Protection Act 1990](#)
- [m. Public Health etc. \(Scotland\) Act 2008](#)
- [n. Food Safety Act 1990](#)
- [o. Food and Environment Protection Act 1985](#)
- [p. Environment Act 1995](#)
- [q. Health and Safety at Work etc. Act 1974](#)
- [r. Burial and Cremation \(Scotland\) Act 2016](#)
- [s. Control of Pollution Act 1974](#)
- [t. Official Feed and Food Controls \(Scotland\) Regulations 2009](#)
- [u. Trade in Animals and Related Products \(Scotland\) Regulations 2012](#)
- [v. Smoking Health and Social Care \(Scotland\) Act 2005](#)
- [w. Pyrotechnic Articles \(Safety\) Regulations 2015](#)
- [x. The Petroleum \(Consolidation\) Regulations 2014](#)
- [y. Gambling Act 2005](#)
- [z. Water Services etc. \(Scotland\) Act 2005-](#)
- [aa. Fireworks and Pyrotechnic Articles \(Scotland\) Act 2022](#)
- [bb. The Environmental Protection \(Single-use Plastic Products\) \(Scotland\) Regulations 2021](#)
- [cc. Air Weapons and Licensing \(Scotland\) Act 2015](#)
- [dd. The Licensing of Relevant Permanent Sites \(Scotland\) Regulations 2016](#)

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THE CITY OF EDINBURGH COUNCIL

LOCAL DEVELOPMENTS

SCHEME OF DELEGATION

Status

- 1 The Council, as planning authority, has made this Scheme of Delegation for the purposes of section 43A of the Town and Country Planning (Scotland) Act 1997 (the Act) and Part 2 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (the Regulations). It provides for the determination of local developments by the Chief Planning Officer subject to certain exceptions.
- 2 The Council has delegated other planning functions to the Executive Director of PLACE and the Chief Planning Officer under section 56 of the Local Government (Scotland) Act 1973. These are listed in the Council's Scheme of Delegation to Officers published on the Council's website.

Appointed Officer

- 3 For the purposes of section 43A (1) of the Act, the Council authorises the Chief Planning Officer to appoint suitable officers to determine applications for local developments in accordance with this Scheme.

Delegated Powers

- 4 Subject to the qualifications and exceptions listed below, the Council delegates authority to the appointed officer to determine:
 - applications for planning permission ¹
 - applications for consent, agreement or approval required by a condition imposed on a grant of planning permissionin respect of local developments, as defined by Sections 3A(4)(b) and 26A of the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

Qualifications and Exceptions

- 5 In exercising authority under this Scheme, the appointed officer should be satisfied that:
 - the decision is in accordance with the statutory Development Plan (Strategic Development Plan and Local Development Plan)
 - the decision does not remove or amend conditions originally added by Committee;
- 6 An appointed officer shall not determine an application which has been submitted:
 - by, or on behalf of, an elected member of the Council or by the partner, close friend or relative of an elected member of the Council;
 - by, or on behalf of, an officer involved in the statutory planning process or by a partner, close friend or relative of such officer.
- 7 An appointed officer shall not determine an application:

¹ The meaning of "application" shall be taken to include applications for planning permission; planning permission in principle; applications for consent, agreement or approval required by condition imposed on a grant of consent for local developments.

- which an elected member has requested, within 21 days from the date of neighbour notification, the date of the advertisement or the validation date whichever is the later, be referred to the Development Management Sub-Committee for material planning reasons; or
- which has outstanding unresolved objections from statutory consultees and the application is recommended for approval;
- which has support comments from the local community council as a statutory consultee and is recommended for refusal.
- which the Chief Planning Officer considers to be controversial, or of significant public interest, or has a significant impact on the environment.

8 An appointed officer shall not approve an application if more than ~~six-20~~ material objections have been received from third parties ~~except if the application is for householder development.~~

~~9 An appointed officer shall not approve an application for householder development if more than 20 material objections have been received from third parties.~~

409 An appointed officer can determine an application for householder development if a petition is submitted;

4110 An appointed officer shall not refuse an application if more than 20 material representations in support of the proposals have been received from third parties.

4211 An appointed officer shall not determine an application where a petition has been submitted properly headed with material planning considerations and it has more than 20 signatures of objection in relation to recommendations for approval and more than 20 signatures of support in relation to recommendations for refusal.

4312 An appointed officer can determine whether changes to an approved local development are material or not;

4413 Applications which are exempt from this Scheme by virtue of paragraphs 6 - 13 above shall be determined by the Development Management Sub-Committee.

~~15 During the period of the where the Council's Leadership Advisory Panel is in operation as a result of Coronavirus measures, in relation to the Chief Planning Officer, the requirement for decisions to be made by the Development Management Sub-Committee shall not apply and instead, decisions which would otherwise be required to be at Committee shall be made by the Chief Planning Officer, in consultation with the Convener and Vice-Convener of the Development Management Sub-Committee, and subject any such decision having regard to the public interest and that decision being reported to the next meeting the Development Management Sub-Committee.~~

Effective Date

4614 This Scheme was adopted by the Council ~~7-April-2020~~[insert date following approval from Scottish Ministers] and will take effect from that date.

4715 The Council will review the Scheme from time to time at intervals of no greater than five years or if required to do so by the Scottish Ministers.

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The City of Edinburgh Council

10.00am, Thursday 9 February 2023

Council Diary 2023/24

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To agree the Council Diary for April 2023 to June 2024 as set out in appendix 1, and authorise the Chief Executive to make minor adjustments, as necessary.
- 1.2 To agree the recess and Council meeting dates for August 2024 to August 2025 as set out in appendix 2.

Richard Carr
Interim Executive Director of Corporate Services

Contact: Gavin King, Head of Democracy, Governance and Resilience
Legal and Assurance Division, Corporate Services
E-mail: gavin.king@edinburgh.gov.uk | Tel: 0131 529 3996

Council Diary 2023/24

2. Executive Summary

- 2.1 This report proposes meeting dates for all Council and Committee meetings from April 2023 to June 2024. It also includes proposed dates for recess periods and Council meetings from August 2024 to August 2025.

3. Background

- 3.1 Standing Order 4.2 states that committees will hold such meetings as the Council prescribes.

4. Main report

- 4.1 The Council considered its political management arrangements in December 2022. It was agreed to continue with the existing arrangements, consisting of six Executive Committees and a number of statutory and other committees and sub-committees, with some minor changes. One of these changes was that the Transport and Environment Committee would begin meeting on a 4-weekly cycle. Other executive committees continue to meet on an 8-weekly cycle. These arrangements were to come into effect following Easter recess in April 2023.
- 4.2 The diary at appendix 1 reflects this decision and includes dates of meetings of all committees, Council meetings and recess periods.
- 4.3 The proposed dates also take into account the decision of the Policy and Sustainability Committee of May 2019 in relation to family friendly scheduling. Specifically, that Council recess periods broadly match school holiday periods, other than during the summer period; to schedule an additional recess week during summer school holiday periods; and to fully align Easter recess with school holidays.
- 4.4 In some cases, dates are subject to confirmation by the board/committee (e.g. Edinburgh and South East of Scotland City Region Deal Joint Committee; Integration Joint Board; Lothian Valuation Joint Board; Licensing Board). Where known these dates have been marked as provisional.

- 4.5 Special Meetings (and minor changes to cycle patterns) have been included where requested by directorates to meet required timescales, for example, setting the Council budget and approving annual accounts.
- 4.6 It is normal practice for the Council to agree the timing of recess periods and Council meetings a year in advance. The proposed recess periods and Council meeting dates for August 2023 to August 2024 are included at appendix 2. School term dates for 2023/24 and 2024/25 have been agreed and the recess periods reflect these.

5. Next Steps

- 5.1 The meeting schedule will be implemented from August 2022 subject to any changes following the Review of Political Management Arrangements.

6. Financial impact

- 6.1 None.

7. Stakeholder/Community Impact

- 7.1 Consultation was undertaken with conveners, group leaders and directors as appropriate.

8. Background reading/external references

- 8.1 Minute of The City of Edinburgh Council of 15 December 2022

9. Appendices

- 9.1 Appendix 1 – Proposed Council Diary 2023/24
- 9.2 Appendix 2 – Proposed Outline Diary 2024/25

<i>Easter recess – until w/c 17 April 2023</i>					
Wk 1	Mon	17	April	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	18	April	a.m.	Licensing Sub-Committee Edinburgh Integration Joint Board
				p.m.	
	Wed	19	April	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee
	Thu	20	April	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
			p.m.		
Wk 2	Fri	21	April	a.m.	
				p.m.	
	Mon	24	April	a.m.	Licensing Board Lothian Valuation Joint Board
				p.m.	
	Tue	25	April	a.m.	FINANCE AND RESOURCES COMMITTEE
				p.m.	
	Wed	26	April	a.m.	Development Management Sub-Committee
			p.m.		
Wk 3	Thu	27	April	a.m.	
				p.m.	
	Fri	28	April	a.m.	
				p.m.	
	Mon	1	May	a.m.	Regulatory Committee
				p.m.	
	Tue	2	May	a.m.	Governance, Risk and Best Value Committee
			p.m.		
Wk 4	Wed	3	May	a.m.	Local Review Body (Panel 2)
				p.m.	
	Thu	4	May	a.m.	COUNCIL
				p.m.	
	Fri	5	May	a.m.	
				p.m.	
	Mon	8	May	a.m.	
			p.m.		
Wk 1	Tue	9	May	a.m.	HOUSING, HOMELESSNESS AND FAIR WORK COMMITTEE
				p.m.	
	Wed	10	May	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	11	May	a.m.	CULTURE AND COMMUNITIES COMMITTEE
				p.m.	
	Fri	12	May	a.m.	
			p.m.		
Wk 1	Mon	15	May	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	16	May	a.m.	Licensing Sub-Committee
				p.m.	
	Wed	17	May	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee Site Visits
	Thu	18	May	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
			p.m.		
Wk 1	Fri	19	May	a.m.	
				p.m.	

Wk 2	Mon	22	May	a.m.	
				p.m.	
	Tue	23	May	a.m.	POLICY AND SUSTAINABILITY COMMITTEE
				p.m.	
	Wed	24	May	a.m.	Development Management Sub-Committee
				p.m.	
Wk 3	Thu	25	May	a.m.	
				p.m.	
	Fri	26	May	a.m.	
				p.m.	
	Mon	29	May	a.m.	Licensing Board
				p.m.	
Wk 4	Tue	30	May	a.m.	
				p.m.	
	Wed	31	May	a.m.	Local Review Body (Panel 2)
				p.m.	
	Thu	1	June	a.m.	COUNCIL
				p.m.	
Wk 1	Fri	2	June	a.m.	Edinburgh and South East Scotland City Region Deal Joint Committee
				p.m.	
	Mon	5	June	a.m.	
				p.m.	
	Tue	6	June	a.m.	EDUCATION, CHILDREN AND FAMILIES COMMITTEE
				p.m.	
Wk 2	Wed	7	June	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	8	June	a.m.	
				p.m.	
	Fri	9	June	a.m.	
				p.m.	
Wk 1	Mon	12	June	a.m.	Licensing Sub-Committee Lothian Valuation Joint Board
				p.m.	
	Tue	13	June	a.m.	Licensing Sub-Committee Edinburgh Integration Joint Board
				p.m.	Joint Consultative Group
	Wed	14	June	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee
Wk 2	Thu	15	June	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
				p.m.	
	Fri	16	June	a.m.	
				p.m.	
	Mon	19	June	a.m.	
				p.m.	Pensions Audit Sub-Committee
Wk 2	Tue	20	June	a.m.	FINANCE AND RESOURCES COMMITTEE
				p.m.	
	Wed	21	June	a.m.	Development Management Sub-Committee
				p.m.	Pensions Committee
	Thu	22	June	a.m.	COUNCIL
				p.m.	
Wk 2	Fri	23	June	a.m.	
				p.m.	

(Summer Recess w/c 26 June until w/c 31 July 2023)

Licensing Sub-Committee – 17 July 2023

Wk 3	Mon	31	July	a.m.	Licensing Board
				p.m.	
	Tue	1	August	a.m.	Governance, Risk and Best Value Committee
				p.m.	
	Wed	2	August	a.m.	Local Review Body (Panel 2)
				p.m.	
Wk 4	Thu	3	August	a.m.	COUNCIL
				p.m.	
	Fri	4	August	a.m.	
				p.m.	
	Mon	7	August	a.m.	Regulatory Committee
				p.m.	
Wk 1	Tue	8	August	a.m.	HOUSING, HOMELESSNESS AND FAIR WORK COMMITTEE Edinburgh Integration Joint Board
				p.m.	Joint Consultative Group (Provisional)
	Wed	9	August	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	10	August	a.m.	CULTURE AND COMMUNITIES COMMITTEE
				p.m.	
Wk 2	Fri	11	August	a.m.	
				p.m.	
	Mon	14	August	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	15	August	a.m.	Licensing Sub-Committee
				p.m.	
Wk 3	Wed	16	August	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee Site Visits
	Thu	17	August	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
				p.m.	
	Fri	18	August	a.m.	
				p.m.	
Wk 4	Mon	21	August	a.m.	
				p.m.	
	Tue	22	August	a.m.	POLICY AND SUSTAINABILITY COMMITTEE
				p.m.	
	Wed	23	August	a.m.	Development Management Sub-Committee
				p.m.	
Wk 5	Thu	24	August	a.m.	
				p.m.	
	Fri	25	August	a.m.	
				p.m.	
	Mon	28	August	a.m.	Licensing Board (Provisional)
				p.m.	
Wk 6	Tue	29	August	a.m.	
				p.m.	
	Wed	30	August	a.m.	Local Review Body (Panel 2)
				p.m.	
	Thu	31	August	a.m.	COUNCIL
			p.m.		
Wk 7	Fri	1	September	a.m.	Edinburgh and South East Scotland City Region Deal Joint Committee
				p.m.	

Wk 4	Mon	4	September	a.m.	
				p.m.	
	Tue	5	September	a.m.	EDUCATION, CHILDREN AND FAMILIES COMMITTEE
				p.m.	
	Wed	6	September	a.m.	Development Management Sub-Committee
				p.m.	
Wk 1	Thu	7	September	a.m.	
				p.m.	
	Fri	8	September	a.m.	
				p.m.	
	Mon	11	September	a.m.	Licensing Sub-Committee
				p.m.	
Wk 2	Tue	12	September	a.m.	Licensing Sub-Committee
				p.m.	
	Wed	13	September	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee
	Thu	14	September	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
				p.m.	
Wk 2	Fri	15	September	a.m.	
				p.m.	
	Mon	18	September	a.m.	Lothian Valuation Joint Board (Provisional)
				p.m.	
	Tue	19	September	a.m.	Governance, Risk and Best Value Committee
				p.m.	
Wk 2	Wed	20	September	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	21	September	a.m.	FINANCE AND RESOURCES COMMITTEE
				p.m.	
	Fri	22	September	a.m.	
				p.m.	

Wk 3	Mon	25	September	a.m.	Licensing Board (Provisional)
				p.m.	
	Tue	26	September	a.m.	Edinburgh Integration Joint Board
				p.m.	Pensions Audit Sub-Committee
	Wed	27	September	a.m.	Local Review Body (Panel 2)
				p.m.	Pensions Committee
	Thu	28	September	a.m.	COUNCIL
			p.m.		
Wk 4	Fri	29	September	a.m.	
				p.m.	
	Mon	2	October	a.m.	Regulatory Committee
				p.m.	
	Tue	3	October	a.m.	HOUSING, HOMELESSNESS AND FAIR WORK COMMITTEE
				p.m.	
	Wed	4	October	a.m.	Development Management Sub-Committee
			p.m.		
Wk 1	Thu	5	October	a.m.	CULTURE AND COMMUNITIES COMMITTEE
				p.m.	
	Fri	6	October	a.m.	
				p.m.	
	Mon	9	October	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	10	October	a.m.	Licensing Sub-Committee Edinburgh Integration Joint Board (TBC)
			p.m.		
Wk 2	Wed	11	October	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee Site Visits
	Thu	12	October	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
				p.m.	
	Fri	13	October	a.m.	
				p.m.	
<i>(October School Week Recess w/c 16 October until w/c 23 October 2023)</i>					
Wk 2	Mon	23	October	a.m.	
				p.m.	
	Tue	24	October	a.m.	POLICY AND SUSTAINABILITY COMMITTEE
				p.m.	
	Wed	25	October	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	26	October	a.m.	
			p.m.		
	Fri	27	October	a.m.	
				p.m.	

Wk 3	Mon	30	October	a.m.	Licensing Board (Provisional)
				p.m.	
	Tue	31	October	a.m.	Governance, Risk and Best Value Committee
				p.m.	
	Wed	1	November	a.m.	Local Review Body (Panel 2)
				p.m.	
Wk 4	Th	2	November	a.m.	COUNCIL
				p.m.	
	Fri	3	November	a.m.	
				p.m.	
	Mon	6	November	a.m.	Lothian Valuation Joint Board (Provisional)
				p.m.	
Wk 1	Tue	7	November	a.m.	EDUCATION, CHILDREN AND FAMILIES COMMITTEE
				p.m.	
	Wed	8	November	a.m.	Development Management Sub-Committee
				p.m.	
	Th	9	November	a.m.	
				p.m.	
Wk 2	Fri	10	November	a.m.	
				p.m.	
	Mon	13	November	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	14	November	a.m.	Licensing Sub-Committee
				p.m.	Joint Consultative Group (Provisional)
Wk 3	Wed	15	November	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee
	Th	16	November	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
				p.m.	
	Fri	17	November	a.m.	
				p.m.	
Wk 4	Mon	20	November	a.m.	
				p.m.	
	Tue	21	November	a.m.	FINANCE AND RESOURCES COMMITTEE
				p.m.	
	Wed	22	November	a.m.	Development Management Sub-Committee
				p.m.	
Wk 5	Th	23	November	a.m.	COUNCIL
				p.m.	
	Fri	24	November	a.m.	
				p.m.	

Wk 3	Mon	27	November	a.m.	Licensing Board (Provisional)
				p.m.	
	Tue	28	November	a.m.	Governance, Risk and Best Value Committee
				p.m.	
	Wed	29	November	a.m.	Local Review Body (Panel 2)
				p.m.	
	Thu	30	November	a.m.	
			p.m.		
Wk 4	Fri	1	December	a.m.	Edinburgh and South East Scotland City Region Deal Joint Committee
				p.m.	
	Mon	4	December	a.m.	Regulatory Committee
				p.m.	Pensions Audit Sub-Committee
	Tue	5	December	a.m.	HOUSING, HOMELESSNESS AND FAIR WORK COMMITTEE
				p.m.	Pensions Committee
	Wed	6	December	a.m.	Development Management Sub-Committee
			p.m.		
Wk 1	Thu	7	December	a.m.	CULTURE AND COMMUNITIES COMMITTEE
				p.m.	
	Fri	8	December	a.m.	
				p.m.	
	Mon	11	December	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	12	December	a.m.	Licensing Sub-Committee Edinburgh Integration Joint Board
			p.m.		
Wk 2	Wed	13	December	a.m.	Local Review Body (Panel 1)
				p.m.	
	Thu	14	December	a.m.	COUNCIL
				p.m.	
	Fri	15	December	a.m.	
				p.m.	
	<i>(Christmas and New Year Recess w/c 18 December 2023 until w/c 8 January 2024)</i>				
Wk 2	Mon	8	January	a.m.	
				p.m.	
	Tue	9	January	a.m.	POLICY AND SUSTAINABILITY COMMITTEE
				p.m.	
	Wed	10	January	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	11	January	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
			p.m.		
Wk 2	Fri	12	January	a.m.	
				p.m.	

Wk 3	Mon	15	January	a.m.	Licensing Sub-Committee (if required)
				p.m.	
	Tue	16	January	a.m.	Governance, Risk and Best Value Committee
				p.m.	
	Wed	17	January	a.m.	Local Review Body (Panel 2)
				p.m.	
	Thu	18	January	a.m.	
			p.m.		
Wk 4	Fri	19	January	a.m.	
				p.m.	
	Mon	22	January	a.m.	Licensing Board (Provisional)
				p.m.	
	Tue	23	January	a.m.	EDUCATION, CHILDREN AND FAMILIES COMMITTEE
				p.m.	
	Wed	24	January	a.m.	Development Management Sub-Committee
			p.m.		
Wk 1	Thu	25	January	a.m.	FINANCE AND RESOURCES COMMITTEE
				p.m.	
	Fri	26	January	a.m.	
				p.m.	
	Mon	29	January	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	30	January	a.m.	Licensing Sub-Committee
			p.m.	Joint Consultative Group (Provisional)	
Wk 2	Wed	31	January	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee
	Thu	1	February	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
				p.m.	
	Fri	2	February	a.m.	
				p.m.	
	Mon	5	February	a.m.	Lothian Valuation Joint Board (Provisional)
			p.m.		
Wk 2	Tue	6	February	a.m.	FINANCE AND RESOURCES COMMITTEE – Special Meeting (budget)
				p.m.	
	Wed	7	February	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	8	February	a.m.	COUNCIL
				p.m.	
	Fri	9	February	a.m.	
			p.m.		

<i>(February Recess w/c 12 February until w/c 19 February 2024)</i>					
Wk 3	Mon	19	February	a.m.	Regulatory Committee
				p.m.	
	Tue	20	February	a.m.	Governance, Risk and Best Value Committee
				p.m.	
	Wed	21	February	a.m.	Local Review Body (Panel 2)
				p.m.	
	Thu	22	February	a.m.	COUNCIL (budget)
			p.m.		
Wk 4	Fri	23	February	a.m.	
				p.m.	
	Mon	26	February	a.m.	Licensing Board (Provisional)
				p.m.	
	Tue	27	February	a.m.	HOUSING, HOMELESSNESS AND FAIR WORK COMMITTEE
				p.m.	
	Wed	28	February	a.m.	Development Management Sub-Committee
			p.m.		
Wk 1	Thu	29	February	a.m.	CULTURE AND COMMUNITIES COMMITTEE
				p.m.	
	Fri	1	March	a.m.	
				p.m.	
	Mon	4	March	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	5	March	a.m.	Licensing Sub-Committee
			p.m.		
Wk 2	Wed	6	March	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee Site Visits
	Thu	7	March	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
				p.m.	
	Fri	8	March	a.m.	
				p.m.	
	Mon	11	March	a.m.	
			p.m.		
Wk 2	Tue	12	March	a.m.	POLICY AND SUSTAINABILITY COMMITTEE
				p.m.	
	Wed	13	March	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	14	March	a.m.	FINANCE AND RESOURCES COMMITTEE – Special Meeting
				p.m.	
	Fri	15	March	a.m.	
			p.m.		

Wk 3	Mon	18	March	a.m.	
				p.m.	
	Tue	19	March	a.m.	
				p.m.	Joint Consultative Group (Provisional) Pensions Audit Sub-Committee
	Wed	20	March	a.m.	Local Review Body (Panel 2)
				p.m.	Pensions Committee
	Thu	21	March	a.m.	COUNCIL
			p.m.		
Fri	22	March	a.m.		
			p.m.		
(Easter Recess w/c 25 March until w/c 15 April 2024) Licensing Board (Provisional) – 25 March 2024					
Wk 4	Mon	15	April	a.m.	Lothian Valuation Joint Board (Provisional)
				p.m.	
	Tue	16	April	a.m.	EDUCATION, CHILDREN AND FAMILIES COMMITTEE
				p.m.	
	Wed	17	April	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	18	April	a.m.	
			p.m.		
Fri	19	April	a.m.		
			p.m.		
Wk 1	Mon	22	April	a.m.	Licensing Sub-Committee
				p.m.	
	Tue	23	April	a.m.	Licensing Sub-Committee
				p.m.	
	Wed	24	April	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee
	Thu	25	April	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
			p.m.		
Fri	26	April	a.m.		
			p.m.		
Wk 2	Mon	29	April	a.m.	Licensing Board (Provisional)
				p.m.	
	Tue	30	April	a.m.	FINANCE AND RESOURCES COMMITTEE
				p.m.	
	Wed	1	May	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	2	May	a.m.	
			p.m.		
Fri	3	May	a.m.		
			p.m.		
Wk 3	Mon	6	May	a.m.	
				p.m.	
	Tue	7	May	a.m.	Governance, Risk and Best Value Committee
				p.m.	
	Wed	8	May	a.m.	Local Review Body (Panel 2)
				p.m.	
	Thu	9	May	a.m.	COUNCIL
			p.m.		
Fri	10	May	a.m.		
			p.m.		

Wk 4	Mon	13	May	a.m.	Regulatory Committee
				p.m.	
	Tue	14	May	a.m.	HOUSING, HOMELESSNESS AND FAIR WORK COMMITTEE
				p.m.	
	Wed	15	May	a.m.	Development Management Sub-Committee
				p.m.	
Wk 1	Thu	16	May	a.m.	CULTURE AND COMMUNITIES COMMITTEE
				p.m.	
	Fri	17	May	a.m.	
				p.m.	
	Mon	20	May	a.m.	Licensing Sub-Committee
				p.m.	
Wk 2	Tue	21	May	a.m.	Licensing Sub-Committee
				p.m.	
	Wed	22	May	a.m.	Local Review Body (Panel 1)
				p.m.	Planning Committee Site Visits
	Thu	23	May	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE
				p.m.	
Wk 3	Fri	24	May	a.m.	
				p.m.	
	Mon	27	May	a.m.	Licensing Board (Provisional)
				p.m.	
	Tue	28	May	a.m.	POLICY AND SUSTAINABILITY COMMITTEE
				p.m.	
Wk 4	Wed	29	May	a.m.	Development Management Sub-Committee
				p.m.	
	Thu	30	May	a.m.	
				p.m.	
	Fri	31	May	a.m.	
				p.m.	
Wk 5	Mon	3	June	a.m.	
				p.m.	
	Tue	4	June	a.m.	Governance, Risk and Best Value Committee
				p.m.	
	Wed	5	June	a.m.	Local Review Body (Panel 2)
				p.m.	
Wk 6	Thu	6	June	a.m.	COUNCIL
				p.m.	
	Fri	7	June	a.m.	
				p.m.	

Wk 4	Mon	10	June	a.m.		
				p.m.		
	Tue	11	June	a.m.	EDUCATION, CHILDREN AND FAMILIES COMMITTEE	
				p.m.		
	Wed	12	June	a.m.	Development Management Sub-Committee	
				p.m.		
	Thu	13	June	a.m.		
				p.m.		
Wk 1	Fri	14	June	a.m.		
				p.m.		
	Mon	17	June	a.m.	Licensing Sub-Committee	
				p.m.		
	Tue	18	June	a.m.	Licensing Sub-Committee	
				p.m.	Joint Consultative Group (Provisional)	
	Wed	19	June	a.m.	Local Review Body (Panel 1)	
				p.m.	Planning Committee	
Wk 2	Thu	20	June	a.m.	TRANSPORT AND ENVIRONMENT COMMITTEE	
				p.m.		
	Fri	21	June	a.m.		
				p.m.		
	Mon	24	June	a.m.	Licensing Board (Provisional) Lothian Valuation Joint Board (Provisional)	
				p.m.		
	Tue	25	June	a.m.	FINANCE AND RESOURCES COMMITTEE	
				p.m.	Pensions Audit Sub-Committee	
	Wed	26	June	a.m.	Development Management Sub-Committee	
				p.m.	Pensions Committee	
	Thu	27	June	a.m.	COUNCIL	
				p.m.		
	Fri	28	June	a.m.		
				p.m.		
	(Summer Recess w/c 1 July until w/c 5 August 2024)					
	Licensing Sub-Committee – 15 July 2024					

Outline Diary 2024-25			
W/C	Month	Year	Week
5	August	2024	1
12	August	2024	2
19	August	2024	3 Council meeting – 22 August
26	August	2024	4
2	September	2024	1
9	September	2024	2
16	September	2024	3 Council meeting – 19 September
23	September	2024	4
30	September	2024	1
7	October	2024	2
14	October	2024	<i>Recess (schools week)</i>
21	October	2024	3 Council meeting – 24 October
28	October	2024	4
4	November	2024	1
11	November	2024	2
18	November	2024	3 Council meeting – 21 November
25	November	2024	4
2	December	2024	1
9	December	2024	2
16	December	2024	3 Council meeting – 19 December
23	December	2024	<i>Recess (schools week)</i>
30	December	2024	<i>Recess (schools week)</i>
6	January	2025	<i>Recess (schools week)</i>
13	January	2025	4
20	January	2025	1
27	January	2025	2
3	February	2025	3 Council meeting – 6 February
10	February	2025	<i>Recess (schools week)</i>
17	February	2025	4 - Council meeting (Budget) – 20 February
24	February	2025	1
3	March	2025	2
10	March	2025	3 Council meeting – 13 March
17	March	2025	4
24	March	2025	1
31	March	2025	<i>Recess</i>
7	April	2025	<i>Recess (schools week)</i>
14	April	2025	<i>Recess (schools week)</i>
21	April	2025	2
28	April	2025	3 Council meeting – 1 May
5	May	2025	4
12	May	2025	1
19	May	2025	2
26	May	2025	3 Council meeting – 29 May
2	June	2025	4
9	June	2025	1
16	June	2025	2
23	June	2025	3 Council meeting – 26 June
30	June	2025	<i>Recess (schools week)</i>
7	July	2025	<i>Recess (schools week)</i>
14	July	2025	<i>Recess (schools week)</i>
21	July	2025	<i>Recess (schools week)</i>
28	July	2025	<i>Recess (schools week)</i>

Rolling Actions Log

The City of Edinburgh Council

May 2015 to December 2022

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	(a) 02-05-19	Review of Appointments to Committees, Boards and Joint Boards for 2019-2020	<p>To continue for a further report to the next meeting on the legal opinion of agreeing changes to the Added Members for Education Matters on the Education, Children and Families Committee as follows –</p> <p>(a) To add an additional parent representative.</p> <p>(b) To add a senior pupil representative.</p> <p>(c) To make all Added Members for Education Matters</p>	Chief Executive		30 May 2019	CLOSED

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			non-voting members.				
	(b) 30-05-19	Added Members and Voting Rights on the Education, Children and Families Committee – Legal Opinion	<p>1) To delay the determination of whether to add members and whether or not to remove voting rights of added members to the August sitting of Council, to allow time for review of similar proposals being implemented by Perth and Kinross Council.</p> <p>2) To ask officers to update the report for the Meeting Papers of the August Council to include information on the outcomes of changes to voting rights of added members on the Education and Lifelong Learning</p>	Chief Executive	Ongoing		See Rolling Action 2 below

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			Committee of Perth and Kinross Council.				
2	22.08.19	Added Members and Voting Rights on the Education, Children and Families Committee	<p>1) To agree to continue the report and to organise a series of meetings with the Faith Community to examine their present relationship with the Council and explore how the engagement on the voting rights of the Religious Representatives could be modernised.</p> <p>2) To include consultation with young people and the parent community.</p> <p>3) To agree that the report be submitted to the meeting of the Council in November 2019.</p>	Executive Director of Education and Children's Services	Ongoing		<p><u>Update January 2023</u></p> <p>A briefing was issued to members on 9 January 2023</p> <p><u>Update February 2022</u></p> <p>An update report is to be submitted to the Education, Children and Families Committee in March 2022.</p> <p><u>Update July 2020</u></p> <p>Work on this was suspended as a result of the</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
							COVID emergency. As conditions change the work will resume. The Executive Director is currently discussing the timetable for resumption with the Convener and Vice Convener of the Education, Children and Families Committee
3	17.03.22	Endorsement of Plant-Based Treaty - Motion by Councillor Burgess	Requests a report on the implications for the council if it were to endorse the call for this treaty and integrate its principles and relevant actions, including for cities and education, into current strategies and action plans	Interim Executive Director of Corporate Services	November 2022 (Policy and Sustainability Committee)	17 January 2023	<u>Recommended for Closure</u> A report was submitted to the Policy and Sustainability Committee on 17 January 2023

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
							<p><u>Update August 2022</u></p> <p>The assessment requested will need to take account of the implications of the Council's Business Plan which is currently being updated. A further update will be provided for the next meeting of the Policy and Sustainability Committee</p>
4	17.03.22	Edinburgh's Friendship with Taiwan – motion by Councillor Day	Agrees that the Chief Executive brings back a report on a potential memorandum of understanding to help foster the existing collaborations.”	Chief Executive	9 February 2023		<p><u>Recommended for Closure</u></p> <p>A report is on the agenda for this meeting</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
5	30.06.22	Scottish Government Resource Spending Review – motion by Councillor Lang	To agree that the Lord Provost write to invite the Cabinet Secretary of Finance and Economy to address and take questions at a meeting of the Council before the end of the year, with such an agenda item supported by an officer report on the likely implications of the spending review on Edinburgh Council's budget	Interim Executive Director of Corporate Services	Before the end of 2022		<p><u>Update – August 2022</u></p> <p>The Lord Provost has now written to the Cabinet Secretary with an invitation to speak at a meeting of Council – there will be a follow up update when a response has been received</p>
6	30.06.22	Drylaw Neighbourhood Centre – motions by Councillors Day, Osler and Nicolson	Agrees 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	Executive Director of Place	22 September 2022		<p><u>Recommended for Closure</u></p> <p>The Council does not have access to information on the finances of community run centres and therefore it is not possible to prepare the</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			open. This report should also consider the state of management in the community-run centre sector and recommend principles for the relationship between CEC and centres on financial matters				requested report. <u>Update August 2022</u> Following discussions it was agreed to defer the report until the meeting on 22 September 2022
7	30.06.22	Provision of Sanitary Bins in Council Buildings – motion by Councillor Staniforth	Agrees to the principle of installing sanitary bins in every toilet cubicle on all council premises and agrees that a report should come to the Council meeting in August 2022 setting out how this commitment will be delivered	Executive Director of Place	22 September 2022	22 September 2022	<u>Recommended for Closure</u> Report submitted to the Council on 22 September 2022
8	30.06.22	Bus for Dumbiedykes – motion by Councillor Mowat	To call for a report into the short term options for improving access for this community to their	Place	December 2022		<u>Recommended for Closure</u> Transport and Environment

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			essential services recognising their calls over many years for improved regular scheduled bus access.				<p>Committee considered an update on this as part of the Business Bulletin for Committee on 8 December 2022 and agreed that a proposal for an accessible bus service should be worked up as a proper proposal to be considered as part of the Council's budget setting process.</p> <p><u>Update 25 August 2022</u></p> <p>This will be considered at the Transport and Environment Committee in November/</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
							December 2022
9	30.06.22	Young People's Assembly – motion by Councillor Macinnes	<p>1) Requests a report within 2 cycles on how we can quickly set an effective Young Person's Assembly in motion; what its objectives and parameters could be; how the Assembly should be structured to ensure equality in representation from all communities and a clear commitment to establishing a long term focus on young people's needs and requests through this forum.</p> <p>Further requests that the report recognises the need for the Assembly to</p>	Interim Executive Director of Corporate Services	22 September 2022	22 September 2022	<p><u>Recommended for Closure</u></p> <p>Report submitted to the Council on 22 September 2022</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>offer meaningful political involvement to avoid tokenism, and seeks input from young people to explore their views on an Assembly as a tool for improving youth political engagement</p> <p>2) To agree the report should also cover the option of consulting with the Edinburgh Association of Community Councils on amending the 'scheme for community councils (CC)', to ensure that young people to have a stronger role within CC decision</p>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			making, building on existing initiatives				
10	25.08.22	Tram Extension - Motion by Councillor McVey	To agree by January 2023, officers would bring forward next steps to Council to progress these projects, including information for Councillors on light rail's inclusion in the Scottish Government's "Strategic Transport Projects Review 2" which opens significant opportunities of national funding to support the delivery of these extensions.	Executive Director of Place	January 2023	9 February 2023	<u>Recommended for Closure</u> Report on the agenda for this meeting
11	22.09.22	Support for Roseburn Businesses - Motion by Councillor Davidson	1) To agree to look into the possibility of setting up a compensation scheme for those businesses who had been adversely affected by the	Executive Director of Place	December 2022	15 December 2022	<u>Recommended for Closure</u> Report submitted to the Council on 15 December 2022

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>works to ensure they continued to operate over the coming months that the roadworks were in place.</p> <p>2) To agree that the source of funding for any such scheme be made clear and that no other projects should lose funding as a result. If funding was being reallocated from existing budgets, affected workstreams and projects should be explicitly identified.</p> <p>3) To agree that the report would establish the principles by which</p>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			all potential future schemes to compensate businesses for disruption from infrastructure projects could operate.				
12	22.09.22	Young People's Assembly	1) To instruct officers to bring forward a report within two cycles which met the intention of the original motion, which was to create an effective forum for wide range of young voices to be heard on a wide range of Council/city topics, where policy proposals could be tested through the lens of young people's wants and needs, where young	Executive Director of Education and Children's Services	27 October 2022	24 November 2022	<u>Recommended for Closure</u> Report submitted to the Council on 24 November 2022

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>people could bring ideas and proposals and where their opinions about the direction of the city could be heard by officers and decision-makers and absorbed into policy development.</p> <p><i>“Requests a report within 2 cycles on how we can quickly set an effective Young Person’s Assembly in motion; what its objectives and parameters could be; how the Assembly should be structured to ensure equality in representation from all communities and a clear commitment to establishing a</i></p>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p><i>long term focus on young people's needs and requests through this forum." Motion, June 2022."</i></p> <p>2) To instruct officers to develop a proposal on how to provide a single forum and engagement process for Committees and Boards, to involve young people in the development of policy making on key issues, either through an existing group as detailed in the report, or through any new mechanism that was established.</p> <p>3) To request officers</p>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			to involve potential participants of the Young People's Liaison Group and Young People's Assembly in the design of the group, including but not limited to its membership, purpose, and scope, and provide a written update on the group's development within two cycles				
13	27.10.22	Monitoring Officer Report	To continue consideration of the report to the next meeting of Council on 25 November 2022	Monitoring Officer	24 November 2022	24 November 2022	<u>Recommended for Closure</u> Report submitted to the Council on 24 November 2022

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
14	27.10.22	Operation Unicorn - Motion by Councillor Mumford	<p>1) To call for a report to December's Full Council outlining the full costs of Operation Unicorn to the council, including but not limited to:</p> <ul style="list-style-type: none"> ○ officer time, including detail of overtime worked by officers to deliver Operation Unicorn, whether appropriate time has been taken back for this and details of the impact this has had on wider council workplans. ○ costs associated with queuing and crowd management including sanitation, policing, and security. 	Executive Director of Place	15 December 2022	15 December 2022	<p><u>Recommended for Closure</u></p> <p>Report submitted to the Council on 15 December 2022</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<ul style="list-style-type: none"> ○ details of overspend for Operation Unicorn, including costs incurred due to unplanned elements of Operation Unicorn, for example the change from train to plane travel and associated road closures. ○ where possible, separation of costs incurred for the facilitation of mourning Queen Elizabeth and for the proclamation of King Charles III <p>2) To instruct the Council Leader and relevant Executive Staff to raise the costs of Operation Unicorn with the</p>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			Scottish and UK Governments to: ascertain whether any funds would be received by the council towards this; make requests for this if not; and report back to all members on the outcome of this request				
15	27.10.22	Champion Roles - Motion by Councillor Fullerton	1) To agree that all existing elected members who served as champions in the last Council term should provide to officers, by the end of November 2022, a report detailing their activities and achievements specifically in their role as a champion	Interim Executive Director of Corporate Services	16 March 2023		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>rather than from any other positions held.</p> <p>2) To further agree that officers should compile and review this information and return to the February 2023 meeting of the Council with a report setting out recommendations on which champion roles to be retained, created or removed.</p>				
16	27.10.22	By Councillor Mumford - 16 Days Activism Against Gender Based Violence	To request a report to Full Council in four cycles from the Equally Safe Edinburgh Committee on how the Council was taking action against Gender-Based Violence throughout the year, not just during the 16 days. This report should include highlights of the	Chief Executive	16 March 2023	9 February 2023	<p><u>Recommended for Closure</u></p> <p>Report on the agenda for this meeting</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			work over the past year, key aims and activities over the coming year and, in addition to reporting on activities throughout Edinburgh, include detail on any steps that were being taken to protect elected members, employees and workers in the Council from all forms of gender-based violence. Additionally, the report should engage with Edinburgh's service-delivery organisations to gather information on their current state of play and financial resilience				
17	15.12.22	Review of Political Management Arrangements	1) To note that there had not been a skills audit of the current GRBV Committee and until this has been undertaken any	Interim Executive Director of Corporate Services	March 2023		<u>Update 9 February 2023</u> These reports will be submitted to the Council meeting in March

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>skills gap amongst members was unknown; that consideration needed to be given as to whether any external members of the Committee would be remunerated and what costs this would involve or, alternatively, whether this role could be filled by expert advisers on specific subject areas.</p> <p>Therefore agree:</p> <p>a) in the first instance to complete the skills audit;</p> <p>b) that prior to deciding on the need for</p>				to allow for time to carry out discussions with other local authorities on their audit arrangements and to adequately map out the equality, diversity, inclusion and culture change initiatives

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>external membership/ advisers that a short report be brought forward in one cycle detailing what the estimated costs of a recruitment and appointment process would be for each and from which budget any costs would be met;</p> <p>c) that any decision on whether there should be a Vice Convener of GRBV should be delayed until the report above had been prepared so that there was full information about the costs and interactions with the Committee's work</p>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>before decisions were taken;</p> <p>2) Further notes that both the Tanner Report and the Best Value Audit Report highlighted the need for culture change within the City of Edinburgh Council, and recognised that the aforementioned best practice guidance formed part of a larger project to improve and embed a culture of inclusion and accessibility in the council, including work to remove barriers to elected office.</p> <p>Therefore request that the papers</p>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			brought to February Full Council include an overview of all of the initiatives pertaining to equality, diversity, inclusion and culture change within CEC, their remits and how they interlinked, and bring recommendations for a programme of future work to embed these principles remove barriers to elected office				
18	15.12.22	Motion by Councillor Nicolson – Self-Directed Support	Agrees that Council will receive a report in 1 cycle outlining the Council's approach to self-directed support clawbacks including:	Chief Officer, Edinburgh Health and Social Care Partnership	16 March 2023		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>a) The operational approach to determining if those in critical need have underspent;</p> <p>b) The impact on outcomes for people in need of removing allocated support;</p> <p>c) The budget setting process and financial impacts;</p> <p>d) The total value of clawbacks each year for the last 5 years</p>				
19	15.12.22	Emergency Motion by Councillor Graham – Drumbrae Care Home	1) Requests the Edinburgh Integration Joint Board Chief Officer produces a report within one cycle on how this facility	Chief Officer, Edinburgh Health and Social Care Partnership	9 February 2023		<p><u>Recommended for Closure</u></p> <p>Report on the agenda for this meeting</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>came to sit empty for over a year</p> <p>2) Calls for a briefing to elected members, outlining the actions that would be required if the Council is directed to recommission 60 care beds at Drumbrae by the Edinburgh Integration Joint Board (EIJB), along with associated costs, an estimate of how long this would take, and any other significant considerations that may inform a decision by the EIJB.</p>	Chief Officer, Edinburgh Health and Social Care Partnership			

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The City of Edinburgh Council

10.00am, Thursday 9 February

Independent Inquiry and Whistleblowing Culture Review Update

Executive/routine
Wards
Council Commitments

1. Recommendations

- 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.
- 1.2 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.
- 1.3 To note this Report will be referred to Policy and Sustainability Committee 21st March 2023.

Andrew Kerr,

Chief Executive

Contact: Margaret-Ann Love, Acting Service Director Human Resources

Email: margaretann@edinburgh.gov.uk

Nick Smith, Service Director Legal & Assurance

Email: nick.smith@edinburgh.gov.uk



Independent Inquiry and Whistleblowing Culture Review Update

2. Executive Summary

- 2.1 This report provides an update on the programme of work underway to address the recommendations and observations agreed by Council.
- 2.2 Progress against timelines has been made across all five themes – Policy, Investigations, Learning, Systems & Processes, and the Redress Scheme.
- 2.3 In order to fully address all recommendations critical dependence is placed upon funding approval for a cloud-based HR and Payroll system and a solution to all employee access to the Orb.

3. Background

- 3.1 The Council commissioned Susanne Tanner QC to lead an inquiry into complaints about the conduct of the late Sean Bell, a former senior manager in (what was then) its Communities and Families Directorate, who passed away in August 2020. The outcome of that Inquiry was reported to Council in October 2021.

An additional independent review into the Council's whistleblowing culture was also agreed which was overseen by Inquiry Chair, Susanne Tanner QC, assisted by law firm Pinsent Masons. The background to this review was set out in the report presented to full Council in December 2021, together with additional budget to develop and deliver a substantial programme of work to implement all the recommendations.

- 3.2 The programme of work is structured around five themes:

- 1) Policy review/development
- 2) Investigations
- 3) Leadership, training, and development
- 4) Systems and processes
- 5) Redress Scheme and other matters.

- 3.3 In addition to this update report, in person sessions were offered to all elected members in June to update on progress made and a full update was presented to Council in August 2022.

4. Main report

4.1 Progress has been made to implement the recommendations across the five themes.

4.2 In addition to the implementation of the recommendations it is critical that the Council focuses on maximising this opportunity for true cultural transformation and therefore recognises the breadth of work required to do this. In essence this encompasses the delivery of the commitments in the [Council's People Strategy \('Our Future Council 2021-2024'\)](#) against which much progress has been made.

4.3 Policy Development/Review

Significant progress has been made across all aspects of the Policy workstream.

4.3.1 To date the following Policies have been reviewed/revised and approved by Committee:

- Domestic Abuse Policy approved in March 2022, follow up minor amendments approved in January 2023
- Chief Executive & Chief Officer Disciplinary policy approved in March 2022
- Disciplinary Policy Teachers approved in August 2022
- Disciplinary Policy Local Government Employees approved in August 2022
- Personnel Appeals Committee (Disciplinary hearings) approved August 2022
- Code of Conduct approved in January 2023
- Trade Union Facility Time approved in January 2023.

4.3.2 The immediate focus is to continue to work with Trade Unions and seek Committee approval on the remaining policies in scope:

- The revised Whistleblowing Policy – this is nearly in final form. Comments from Trade Union colleagues and Safecall have been incorporated and GRBV committee have indicated that they wish to discuss the policy with Union colleagues prior to approval. This will be facilitated in early course prior to the new policy being sent to Policy and Sustainability Committee for approval.
- Alcohol, drugs, and substance misuse
- Grievance & Avoidance of Bullying and Harassment
- Violence at Work
- Disciplinary Procedure for Senior Officers

4.3.3 Additionally, work is underway to develop a Dignity at Work toolkit which will further strengthen our commitment as an organisation to develop an inclusive culture and workplace; one which recognises and values the contribution that a diverse workforce makes. And, specifically to further support colleagues with protected characteristics and demonstrate our commitment against bullying & harassment.

4.3.4 Communications to all colleagues have been issued in relation to new policies to ensure visibility, understanding and are successfully implemented. Specific efforts

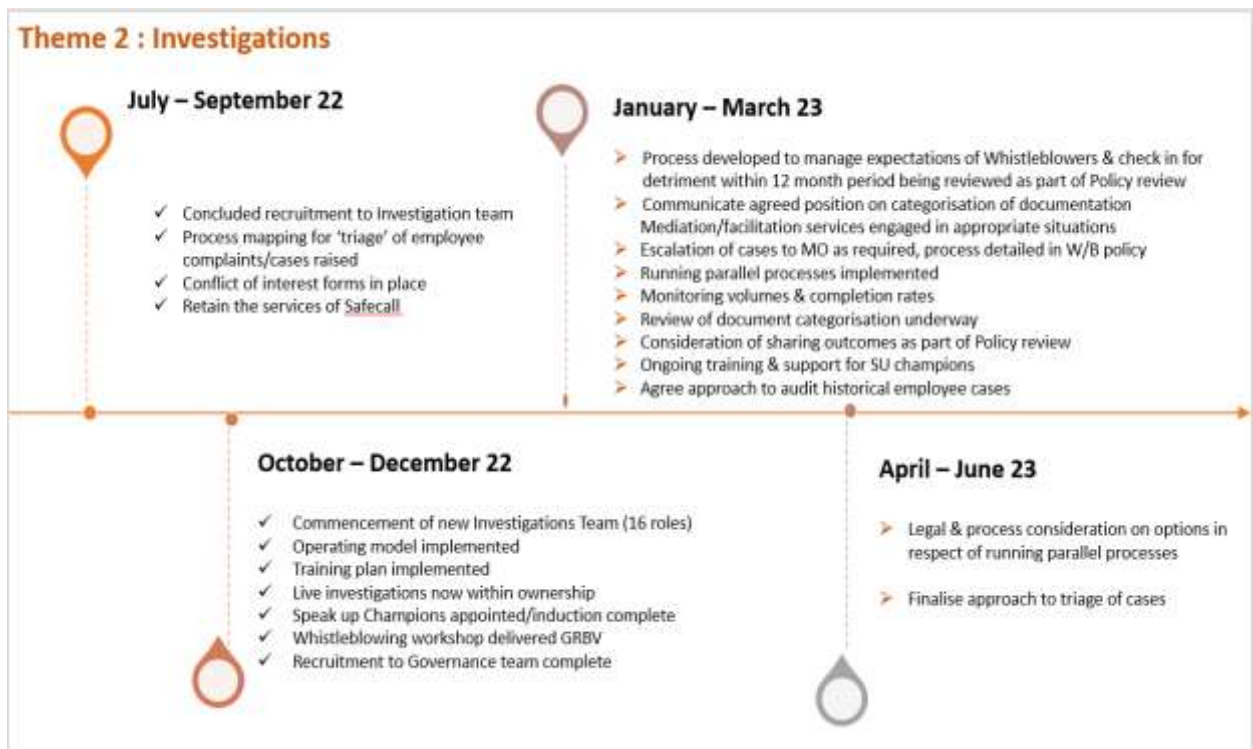
continue to be made to communicate with frontline colleagues who don't currently have access to the Orb or a council email.



4.4 Investigations

Significant progress has been made concerning the establishment of the new investigations team.

- 4.4.1 Recruitment to the Investigations team was carried out during July and August 2022 with colleagues joining the new team in September and October 2022. All team members have received training aligned to the recommendations during the first 4 months of operations. The establishment of the new Investigation Team was communicated to all colleagues in November 2022 through the Chief Executive's vlog and a Newsbeat article to introduce the new team.
- 4.4.2 An operating model and running of parallel processes have been implemented with the Governance, Human Resources Case and Investigations teams meeting on a regular basis to ensure correct triage of cases. Escalation of cases to the Council Monitoring Officer as required is in place.



4.5 Leadership, learning & development

- 4.5.1 The broader organisational commitments relating to Leadership, Learning and Development are primarily delivered through the approved outcomes in our People Strategy ('Our Future Council' 2021-2024) and the Council's Strategic Workforce Plan (2021-2024).
- 4.5.2 Specifically, in respect of the Inquiry and Review recommendations a programme of training and learning has been developed to align with policy review and implementation.
- The development and design of digital learning modules for both the revised Code of Conduct and the Whistleblowing Policy are underway. The learning materials, when tested and approved, will be rolled out to all colleagues.
 - A revised digital module is being designed for roll out to all colleagues using early feedback from managers from the pilot of 'Tackling Domestic Abuse as a Workplace Issue' training .
 - Additionally, work will commence on the design of in-person learning workshops which focus on implementing policy in practice to support our digital learning offering.
- 4.5.3 A new leadership development assessment tool, based on a 360 approach with the Council's new behaviours embedded in it, has been piloted during January 2023 and roll out will commence to Senior Leadership Team in February 2023.

Theme 3 : Leadership, Learning & Development



4.6 Systems and Processes

- 4.6.1 The high number of recommendations in this theme are dependent on a procurement exercise for the Council's HR & Payroll system to enable the much-needed improved core functionality. This has now been completed and will be considered for approval as part of Council's budget framework report in February 2023. If approved, this will enable a prioritised roadmap of system development and would enable much needed improvements for the Council.
- 4.6.2 Additionally, a technical solution was required in respect of enabling access to the Council's 'Orb' (intranet) on which organisational and Directorate specific information and communications are held. Additionally, it is where employees access employment policies and supporting guidance, wellbeing support (Employee Assistance Programme), our benefits platform etc. A Rough Order of Magnitude has been completed by CGI (the Council's Strategic Digital Partner) which has enabled the completion of a business case with full costings. This was approved by the Corporate Leadership Team in January 2023. The funding required for this solution is already provided for within the approved funding for the implementation of the Inquiry and Review recommendation.
- 4.6.3 However, the Council will still have a dependency on employees who are not issued with a corporate email address/device (circa 5,000) to provide a personal email address and to use a personal device to be able to access the Council's digital learning platform. Therefore, we remain reliant on system workarounds and tactical solutions which we continue to work with and promote.

4.7 Whistleblowing/Safecall

The remaining focus in this Theme focusses on all Whistleblowing actions as well the Council's contract with Safecall.

- 4.7.1 Recruitment to the additional approved roles in the Council's Governance team was completed in January 2023.
- 4.7.2 A Whistleblowing workshop was held with Governance, Risk and Best Value Committee members in November 2022 to discuss changes to be made to current Policy and revised reporting arrangements for GRBV. To support the revised Whistleblowing policy once approved, a new training module is being designed and will be rolled out to all employees.
- 4.7.3 Speak up Champions were appointed in November and have subsequently attended induction events. Ongoing work with the Speak Up Champions continue in readiness to plan an organisation-wide launch.
- 4.7.4 Ongoing negotiations with Safecall to discuss recommendations outside the current contract, with additional costs to be agreed.
- 4.7.5 Whistleblowing training for Elected Members was a Review recommendation and has been provisionally scheduled for March 2023.



4.8 Redress scheme

The Redress scheme was launched on 5 September 2022 and is managed by the Scheme Administrator, Pinsent Masons. A sum of up to £1.5m has been set aside by the Council to provide compensation to survivors. To date 14 enquiries have been received into the Scheme inbox. It is proposed that the Scheme will come to

an end, as originally planned, on 4th March 2023. The result of this will be reported to Group Leaders.



5. Next Steps

- 5.1 Ongoing delivery of all the recommendations and observations from the Independent Inquiry and Whistleblowing Culture Review with oversight and scrutiny provided by Corporate Leadership Team, Council and Committee (GRBV and Policy and Sustainability).
- 5.2 A further update to be provided to Council in August 2023.
- 5.3 To refer this paper to Policy and Sustainability Committee Tuesday 21st March 2023.

6. Financial impact

- 6.1 Implementation of the recommendations within agreed budget to deliver the recommendations as agreed at Council 2022.

- 6.2 The Business Case relating to the Council's Human Resources system has been completed and will be considered for approval by Finance and Resources Committee 7th February 2023 and Full Council 23rd February 2023.
- 6.3 The cost implication for implementing the solution to enable all employee access to the Orb (the Council's intranet) was approved by Corporate Leadership Team (25th January 2023) and will be met by the approved Inquiry and Review budget.
- 6.4 To date, the projected spend for 22/23 is £1,442,000 which will result in a £58,000 underspend in the budget allocated to the Inquiry and Review. The underspend is mainly due to challenges in recruiting to key roles.

7. Stakeholder/Community Impact

- 7.1 Ongoing engagement and communication with relevant stakeholders including colleagues, Elected Members and Trade Unions. The development of a Communications Plan has provided the mechanism for regular updates by means of:
- Chief Executive and Director Vlogs
 - Newsbeat
 - Regular updates to Corporate Leadership Team
 - Targeted emails to People Leaders
 - Targeted emails to offline colleagues to their personal email addresses they provide (currently 4000 subscribed to receive these emails)
 - Halo (the current HR CRM)
 - 'Orb' (the Council's intranet)
 - Ongoing efforts to create a network of 'offline' colleagues
- 7.2 The communications plan also seeks to run a dedicated campaign to help colleagues to feel safe making a disclosure, understand the routes through which disclosures can be made and raise awareness of the support available if they choose to report or have experienced inappropriate behaviours or conduct.

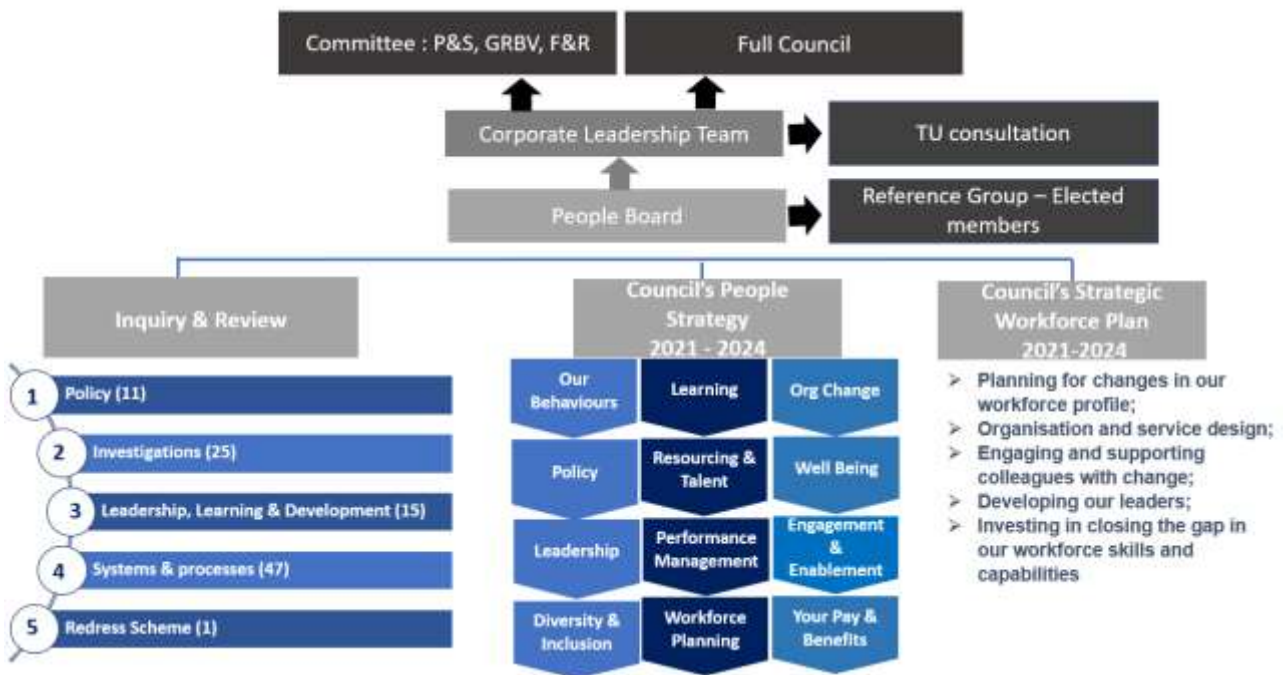
8. Background reading/external references

- 8.1 Independent Inquiry Report Arising Out of Allegations Concerning the Conduct of the late Sean Bell – Report by the Chief Executive (28 October 2021) Investigation Reports
- 8.2 Update on recommendations (25 November 2021) Independent Inquiry Report Arising Out of Allegations Concerning the Conduct of the Late Sean Bell – Update on Recommendations
- 8.3 Review of Whistleblowing and organisational Culture (16th December 2021) - Independent Review into Whistleblowing and Organisational Culture

- 8.4 Independent Review into Whistleblowing Culture (10th February 2022) - Independent Review into Whistleblowing and Organisational Culture
- 8.5 Independent Review into Whistleblowing Culture (25 August 2022) - Independent Review into Whistleblowing and Organisational Culture.

9. Appendices

- 9.1 Approved governance structure in place in respect of Inquiry and Review oversight, reporting and scrutiny:



The City of Edinburgh Council

10.00am, Thursday 9 February 2023

Appointment to Chief Officer posts

Item number	
Executive/routine	Executive
Wards	All
Council Commitments	

1. Recommendations

- 1.1 This report asks Council to approve the recommendations of the Recruitment Committee and appoint to the following roles:
- Service Director, Education
 - Service Director, Human Resources.

Andrew Kerr

Chief Executive

Contact:

Margaret-Ann Love, Acting Service Director, Human Resources
margaretann.love@edinburgh.gov.uk

Appointment to Chief Officer posts

2. Executive Summary

2.1 Following Recruitment Committees are asked to approve the following permanent appointments:

- Service Director, Education
- Service Director, Human Resources

3. Main report

3.1 The composition of the Recruitment Committee for Service Director, Education Friday 20th January 2023 was Councillors Day, Griffiths, McVey, Parker, Watt and Jones.

3.2 The composition of the Recruitment Committee for Service Director, Human Resources on Friday 3rd February 2023 was Councillors Day, Lang, McVey, Parker, Watt and Whyte.

3.3 Each Recruitment Committee approved the short list of candidates, the presentation topic and the competency-based questions.

Following these interviews the Recruitment Committees agreed to recommend the following candidates:

Lorna French as Service Director, Education

Nareen Owens as Service Director, Human Resources

4. Next Steps

4.1 If approved, to progress with formal offers for the successful candidates, subject to satisfactory required pre-employment checks.

5. Financial impact

5.1 These posts are contained within agreed budgets.

6. Stakeholder/Community Impact

6.1 Not applicable.

7. Background reading/external references

7.1 Not applicable.

8. Appendices

8.1 Not applicable.

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City of Edinburgh Council

10.00am, Thursday 9 February 2023

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

Executive/routine
Wards
Council Commitments

1. Recommendations

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

Richard Carr

Interim Executive Director, Corporate Services

Contact: Margaret-Ann Love

E-mail: margaretann.love@edinburgh.go.uk

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

2. Executive Summary

- 2.1 The report notes the announcement by the UK and Scottish Governments of an additional public holiday to mark the Coronation of His Majesty, the King and thus seeks approval of an additional fixed day of leave for all colleagues on Monday 8 May 2023

3. Background

- 3.1 His Majesty King Charles III's Coronation will take place on Saturday 6 May 2023, and the introduction of an additional public holiday on the following Monday will result in a three-day "Coronation Weekend". Council needs to consider whether to set an additional public holiday on Monday 8 May 2023 to mark the occasion

4. Main report

- 4.1 His Majesty King Charles III's Coronation will take place on Saturday 6 May 2023, and the introduction of an additional public holiday on the following Monday will result in a three-day "Coronation Weekend". This will allow individuals, businesses, and other organisations in Scotland to celebrate the event.
- 4.2 It has been agreed that the additional public holiday will be on Monday 8 May 2023.
- 4.3 The UK and Scottish Governments have advised that this holiday will operate in the same way as other bank (public) holidays, and there is no statutory entitlement to time off. Employers may include bank (public) holidays as part of a worker's leave entitlement.
- 4.4 It is proposed that an additional fixed day of leave is allocated to all colleagues for 8 May 2023, within schools this will be classified as a school closure day.
- 4.5 Public Holidays for 2021-27 were previously approved by full Council in November 2020. Monday 1 May 2023 is already a school closure day, with the 2 May acting as an in-service day for schools within the City of Edinburgh.

- 4.6 Calculators are used to work out the annual leave entitlement for part time teaching staff, any changes to the pre-approved leave will require an update to the calculators to ensure colleagues receive the correct entitlement and are not at a detriment compared to others.
- 4.7 COSLA wrote to Directors of Education on 9 December 2022 confirming it is for individual local authorities to determine whether to treat 8 May 2023 as an additional leave day.
- 4.8 This additional day's leave would mean a further reduction in teaching days and permission would have to be sought from the Scottish Government's Learning Directorate. The school year has already seen a reduction this year due to the additional days leave granted for Her Majesty, the Queen's Funeral on Monday 19 September 2022 and industrial action in November, December 2022 and January 2023.
- 4.9 With regard to early learning and childcare (ELC) and the granting of an additional holiday for the King's Coronation, the Council will need to consider how services are provided in line with the statutory obligation to provide 1140 hours of funded ELC over the course of the year.
- 4.10 The Council's Corporate Leadership Team considered this on 18 January 2023 and agreed to recommend the approval of an additional public holiday to mark the Coronation on Monday 8 May 2023.

5. Next Steps

- 5.1 Subject to Council approval, an additional fixed day's leave for all employees would be granted for 2022-23. The HR system would be updated to reflect the additional fixed day.

6. Financial impact

- 6.1 The Service Director, Finance and Procurement has confirmed that there would be a notional cost of circa £250,000 for the additional fixed public holiday on Monday 8 May 2023. This cost has been assessed based upon the opportunity cost of lost working time due to the additional annual leave and the resulting enhanced payments and other costs for those employees/ services required to still operate during the period concerned.
- 6.2 This is in addition to the extra days' leave, and associated costs, granted as part of the Pay Award 2022-23.

7. Stakeholder/Community Impact

- 7.1 There would, as a result of these proposals be a reduction in some Council services for the additional day of fixed annual leave and, equally, a reduction in the provision of teaching days across the City which would have implications for parents and carers within the City.

8. Background reading/external references

8.1 Scottish Government Letter to Directors of Education, 9 December 2022.

9. Appendices

None

Yours sincerely,



Sam Anson
Deputy Director: Workforce, Infrastructure and Digital

City of Edinburgh Council

10:00am, Thursday, 9 February

16 Days of Activism Against Gender Based Violence

Executive/routine
Wards
Council Commitments

1. Recommendations

The Council is recommended to:

- 1.1 Note the content of the report on the work undertaken by the Council and its public protection committees annually to prevent and eradicate gender-based violence.
- 1.2 Note that the Council works 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.
- 1.3 Note that this report mainly outlines 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, accompanied by the Equally Safe Quality Standards (performance for 2021-2022).

Andrew Kerr

Chief Executive

Contact: Rose Howley, Interim Chief Social Work Officer

E-mail: Rose.Howley@edinburgh.gov.uk |



16 Days of Activism Against Gender Based Violence

2. Executive Summary

- 1.1. This report outlines the work of the Council throughout the year on combatting gender-based violence. The report highlights the work of the Council in the inter-agency context in which it supports and promotes work on preventing and eradicating gender-based violence through its public protection committees.
- 2.1 As the motion specifically requested a report from the Equally Safe Edinburgh Committee (ESEC), this has been attached as an appendix.

3. Background

- 3.1 This report is in response to a motion proposed by Cllr. Mumford during the City of Edinburgh Council meeting on 27 October 2022, titled '16 Days of Activism Against Gender-Based Violence'.
- 3.2 The motion specifically requested a report from the Equally Safe Edinburgh Committee on the following:
 - 3.2.1 *How the Council is taking action against Gender-Based Violence throughout the year, not just during the 16 days.*
 - 3.2.2 *This report should include highlights of the work over the past year, key aims and activities over the coming year and, in addition to reporting on activities throughout Edinburgh, include detail on any steps that are being taken to protect elected members, employees and workers in the Council from all forms of gender-based violence.*
- 3.3 The motion was further supplemented by Councillor McFarlane as follows:
 - 3.3.1 *Additionally, the report should engage with Edinburgh's service delivery organisations to gather information on their current state of play and financial resilience.*

4. Main report

The Council's Actions against Gender-Based Violence

Equally Safe Definitions

4.1 The Council is a key partner across the public protection sphere, including the Child Protection, Adult Support and Protection and Equally Safe Committees. These forums work collaboratively on areas of common interest, including Gender-Based Abuse and Violence.

4.2 All public protection partners adopt the definition of Gender-Based Violence by Equally Safe: Scotland's strategy for preventing and eradicating Violence Against Women and Girls (VAWG):

'Gender based violence is a function of gender inequality, and an abuse of male power and privilege. It takes the form of actions that result in physical, sexual and psychological harm or suffering to women and children, or affront to their human dignity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. It is men who predominantly carry out such violence and women who are predominantly the victims of such violence. By referring to violence as 'gender based' this definition highlights the need to understand violence within the context of women's and girls' subordinate status in society. Such violence cannot be understood, therefore, in isolation from the norms, social structure and gender roles within the community, which greatly influence women's vulnerability to violence.' (p.10)

4.3 Equally Safe further defines the following as forms of VAWG, although this is not an exhaustive list:

4.3.1 *Physical, sexual and psychological violence occurring in the family (including children and young people), within the general community or in institutions, including domestic abuse, rape and incest;*

4.3.2 *Sexual harassment, bullying and intimidation in any public or private space, including work;*

4.3.3 *Commercial Sexual Exploitation including prostitution, lap dancing, stripping, pornography and trafficking;*

4.3.4 *Child sexual abuse, including familial sexual abuse, child sexual exploitation and online abuse;*

4.3.5 *So-called 'honour-based' violence, including dowry related violence, female genital mutilation, forced and child marriages, and 'honour' crimes. (p.12)*

The work of Edinburgh's Public Protection Committees on Gender-Based Violence

4.4 All public protection committees have an independent Chair and Vice Chair, and lead officers for each committee are employed or hosted by the City of Edinburgh

Council. All Public Protection committees report to the Chief Officers' Group on a quarterly and annual basis on their specific remit and areas of practice.

- 4.5 Activities undertaken jointly by the Council's public protection committees include the creation and revision of multi-agency procedures and protocols; the promotion of joint working; the creation and dissemination of inter-agency training on public protection, including VAWG; the promotion of best practice and learning within and between Edinburgh-based committees and committees throughout Scotland.
- 4.6 The forthcoming revised Child Protection Procedures firmly situate gender-based violence as a key risk which can impact children. This builds on current procedures, guidance and policy to ensure that all practitioners who work with children and families are aware of their role and responsibility when it comes to protecting children from harm.
- 4.7 The forthcoming revised Adult Support and Protection Procedures emphasise that the cumulative impact of trauma associated with gender-based violence can impact upon someone's ability to safeguard themselves, and that professionals must take this into account when assessing situations of risk. This reflects the Adult Support and Protection (Scotland) Act Code of Practice published by the Scottish Government in July 2022 which places increased emphasis on the need to understand trauma and its affect upon people to better support and protect them.

Other contributions by the Council towards preventing and eradicating VAWG

- 4.8 The Council also delivers services to people affected by domestic abuse. Interventions provided include a voluntary domestic abuse perpetrator programme for men who recognise that their behaviour towards their partner is abusive and who wish to change it. This programme is available in English and Polish.
- 4.9 The Council further provides a court-mandated perpetrators' programme (the [Caledonian system](#)). Both the court-mandated and voluntary programmes also offer support to the current and former partners of the men who participate in the programmes on a voluntary basis as well as any children they may have.
- 4.10 The Council is a key contributor to processes essential for the safeguarding of women, children and young people who are affected by domestic abuse. The monthly Edinburgh MARAC ([Multi-Agency Risk Assessment Conference](#)) is attended by colleagues from a range of teams within the Council with a responsibility to protect children and vulnerable people.
- 4.11 The Council is also a key stakeholder in the DALAG (Domestic Abuse Local Action Group), which is an innovative approach to preventing escalation of domestic abuse. The DALAG began operating in August 2022 and it is a partnership between the Family and Household Support Service, Edinburgh Women's Aid and Police Scotland currently being piloted.
- 4.12 The monthly Edinburgh MATAC ([Multi-Agency Tasking and Coordination](#)) meeting is also attended by Justice services representatives from the Council. The MATAC

is a mechanism initiated by Police Scotland with the purpose of identifying and managing the most harmful perpetrators of domestic abuse.

- 4.13 For a full report on the activities of the Equally Safe Edinburgh Committee specifically, please see the Appendix at the end of this report.

5. Next Steps

- 5.1 The Child Protection, Adult Protection and Equally Safe Committees will continue to work together on public protection workstreams intersecting their remits, and this includes gender-based violence.
- 5.2 Together, the public protection committees will finalise the Council's public protection Learning and Development strategy and Calendar for 2023. The training calendar provides training to professionals across agencies on a range of topics, including gender-based violence, VAWG, child and adult protection.
- 5.3 Following a piece of audit and evaluation activity, the Child Protection Committee along with ESEC will be considering the impact and implementation of the Safe and Together model to date and using the findings to direct future activity.
- 5.4 In 2023, the council will work in partnership with the [Women's Support Project](#) to introduce new inter-agency training on Commercial Sexual Exploitation (CSE).
- 5.5 In the coming year, the public protection committees will also work together to continue to ensure that policies, procedures and guidance are up-to-date, and that Integrated Impact Assessments take into account the needs and interests of the diverse communities our services support. Two key policies that will be revised in this way include the Council's Human Trafficking policy and procedures and the Domestic Abuse Housing Policy.
- 5.6 In the coming year, the ESEC will also be leading on work to finalise a Position Statement, Briefing Paper and Practice Guidance on Commercial Sexual exploitation. All documents will be scrutinised by all public protection committees, and this will support Edinburgh in further fulfilling its Equally Safe responsibilities under priority 3, criterion 15 (please see appendix 2 for more information).
- 5.7 For next steps for 2023-2024 for the Equally Safe Edinburgh Committee exclusively, please see Appendix 1.

6. Financial impact

- 6.1 All public protection committees' work is funded jointly through the City of Edinburgh Council, the NHS and Police Scotland.
- 6.2 The cost for the operation of the committees and their activities is reviewed by the Lead Officers of the public protection committees on a bi-monthly basis, while

committee Chairs also have oversight of any requests for the spending of any funds from the budget.

Organisations delivering VAWG services in Edinburgh

- 6.3 The Council currently funds four organisations to deliver specialist support to women, children and young people who have experienced domestic abuse. These are:
 - 6.3.1 Edinburgh Women's Aid
 - 6.3.2 Shakti Women's Aid
 - 6.3.3 Foursquare (Keymoves service)
 - 6.3.4 Sacro (Aditi service)
- 6.4 The contracts awarded to the above services cover refuge accommodation, support and advocacy to women, children and young people including services dedicated to those from BAME communities, plus services dealing in multiple and complex needs, and specialist mental health support for BAME women.
- 6.5 Currently the contract awarded to Sacro for the Aditi service runs between 2020-2025, with the possibility to extend to 2027.
 - 6.5.1 The current contracts awarded to Edinburgh Women's Aid, Shakti Women's Aid and Four Square come to an end in March 2023. A procurement exercise has taken place during 2022 to award new contracts for a period of 10 years to ensure the long-term sustainability of the funded organisations. Approval is being sought from the Finance and Resources committee on 26 January 2023 to award contracts to the proposed successful providers.

7. Stakeholder/Community Impact

Work on protecting Elected Members, Employees and Workers in the Council from Gender-Based Violence

- 7.1 Given the inter-agency nature of all public protection committees for Edinburgh, 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.
- 7.2 On 24 August 2022, Public Protection Lead Officers offered all elected members an awareness-raising session on the roles and remits of each committee and the particular work they carry out with support from the Chief Social Work Officer.
- 7.3 Specific work undertaken in the last 12 months includes:

- 7.3.1 Between January 2022-January 2023, the three Public Protection Committees reviewed [the Council's Forced Marriage Policy](#), as well as its Multi-Agency Domestic Abuse Policy (MADAP). The MADAP was approved by the Chief Officers' Group in December 2022 and will be presented to the Policy and Sustainability Committee for final approval in due course.
- 7.3.2 During the same time period, The ESEC also supported in the final stages of development of the [Council's Domestic Abuse Policy and Toolkit](#) and formally endorsed the final document, therefore contributing to the council's fulfilment of the recommendations made within the Pinsent Mason inquiry report.
- 7.3.3 The public protection committees and their partners jointly responded to the [Bairns' Hoose Standards consultation](#) by Healthcare Improvement Scotland.
- 7.4 The Edinburgh Public Protection Committees actively contribute to the inter-agency Public Protection Calendar and Strategy, with partners regularly delivering training on Gender-Based Violence together with the council, such as domestic abuse, honour-based abuse and, from 2023, commercial sexual exploitation

Other Stakeholder Engagement and Community Impact

- 7.5 In the summer of 2022, the Women's Safety in Public Places Community Improvement Partnership (WSPP CIP) delivered a public consultation on Women's Safety in Public Places.
- 7.6 The consultation received 1461 written responses, while 6 focus groups also engaged with Edinburgh residents from a range of different areas of the city, and with a number of intersecting protected characteristics.
- 7.7 The final report of the consultation was presented to the [Policy and Sustainability Committee on 1 November 2022](#), with further analysis of mapping data currently under way.
- 7.8 To ensure that any decision, policy and procedure implemented by the Council at public protection committee level takes account of gender equality and intersecting protected characteristics, Integrated Impact Assessments engage with public protection committee partners representing the various diverse communities residing in Edinburgh.
- 7.9 All work related to the protection of women and girls against violence is part of ongoing consultation and dialogue with individuals and communities as well as being prepared and delivered with support from partner agencies and statutory and third sector stakeholders.

8. Background reading/external references

Background Reading:

- 8.1 [Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls](#)
- 8.2 [Equally Safe-short life delivery plan: summer 2022 to autumn 2023](#)
- 8.3 [Adult Support and Protection \(Scotland\) Act 2007: Code of Practice](#)
- 8.4 [Inter-Agency Child Protection Procedures, Edinburgh and the Lothians](#) (currently under review)
- 8.4 [Edinburgh Adult Protection Committee](#)
- 8.5 [Edinburgh Child Protection Committee](#)
- 8.6 [Equally Safe Edinburgh Committee](#)

Previous Council Reports and Minutes:

- 8.7 [Women's Safety in Public Places: Report to the Policy and Sustainability Committee](#), 1 November 2022 - includes findings of the public consultation held in the summer of 2022
- 8.8 [Women's Safety in Public Places: Report to the Policy and Sustainability Committee](#), 30 November 2021 – initial report on women's safety and commitments for ensuing actions by the council.

9. Appendices

- 9.1 Appendix 1: Report on the activities of the ESEC 2022-2023 and future plan.
- 9.2 Appendix 2: The Improvement Service: Equally Safe Quality Standards local area report for Edinburgh, 2021/2022

APPENDIX 1: EQUALLY SAFE REPORT (2022-2023) AND FUTURE PLANS



Committee Membership and Constitution:

- 1.2. The Equally Safe Edinburgh Committee (ESEC) is an inter-agency partnership of organisations and services working to implement Equally Safe: Scotland's strategy for preventing and eradicating Violence Against Women and Girls (VAWG).
- 1.3. Equally Safe identifies four key priorities for Scotland:
 - 1.3.1. Scottish society embraces equality and mutual respect and rejects all forms of violence against women and girls
 - 1.3.2. Women and girls thrive as equal citizens – socially, culturally, economically and politically
 - 1.3.3. Interventions are early and effective, preventing violence and maximising the safety and wellbeing of women, children and young people
 - 1.3.4. Men desist from all forms of violence against women and girls, and perpetrators of such violence receive a robust and effective response.
- 1.4. The City of Edinburgh Council is a key stakeholder in ESEC, together with Police Scotland, the NHS, the University of Edinburgh and the following third sector organisations:
 - 1.4.1. Edinburgh Women's Aid
 - 1.4.2. Children 1st
 - 1.4.3. Shakti Women's Aid
 - 1.4.4. Edinburgh Rape Crisis
 - 1.4.5. Sacro (Aditi, FearFree and Another Way service)
 - 1.4.6. Victim Support Scotland
 - 1.4.7. Foursquare
 - 1.4.8. Saheliya
 - 1.4.9. Feniks
 - 1.4.10. The Multicultural Family Base

- 1.4.11. Health in Mind (Pathway Women service)
- 1.5. In the year spanning January 2022-January 2023, ESEC created three subgroups: The Commercial Sexual Exploitation Short-Life Working Group (CSE SLWG); the 16 Days Communications group; and the Women's Safety in Public Places Community Improvement Partnership (WSPP CIP).
 - 1.5.1. The CSE SLWG is currently working on a position statement and briefing paper on CSE in Edinburgh, as well as a practice guidance document in due course.
 - 1.5.2. The 16 Days communications group convenes annually between April-November to plan, organise and deliver events during the 16 Days of Activism on Gender Based Violence Campaign.
 - 1.5.3. The WSPP CIP was created following the approval of a motion on Women's Safety in Public Places by Cllr. Watt, and supplemented by Cllr. Osler in the spring and summer of 2022, which outlined a number of actions

Highlights for the year 2022-2023

- 1.6. In 2022-2023, ESEC contributed to the development of the [Equally Safe – Short Life Delivery Plan \(summer 2022-autumn 2023\)](#).
- 1.7. The committee also took part in a number of consultations such as the [Proposed Abortion Services Safe Access Zones \(Scotland\) Bill](#) (Scottish Parliament); and responded to the Council's Licensing Policy consultation.
- 1.8. Throughout the year, ESEC worked closely with national partners to stay abreast of developments and to ensure that Edinburgh's voice was represented in all decisions and forward actions that concern the implementation of Equally Safe.
 - 1.8.1. A key engagement has been with the Scottish Government and Community Justice Scotland through participation in the Restorative Justice Development Group for the Edinburgh, Lothians and Borders Sheriffdom
 - 1.8.2. Engagement with the National Violence Against Women Network (NVAWN) has ensured that ESEC was kept aware of activities aimed at eradicating VAWG in other parts of the country and shared examples of best practice that can be adopted in Edinburgh and beyond.
 - 1.8.3. In the summer of 2022, the WSPP delivered a consultation on Women's Safety in Public Places throughout Edinburgh. The consultation yielded 1461 responses, and a report of findings was presented to the Policy and Sustainability Committee on 1 November 2022.
 - 1.8.4. The work of the WSPP CIP was noted by COSLA (the Coalition of Scottish Local Authorities) and the Improvement Service, who subsequently organised an event on Community Safety during the 16 Days Campaign in

2022. At that event, the ESEC Lead Officer presented the work of the WSPP to national stakeholders and Violence Against Women and Girls Partnership from throughout Scotland.

1.8.5. The ESEC and its partners worked together through the 16 Days Communications Group to deliver four events during the 16 Days of Activism on Gender-Based Violence (25 November-10 December 2022). These were:

- 1.8.5.1. The #LightUp candlelight vigil in the meadows: linking in with the theme of Women's Safety in Public Places, the vigil invited speakers from the third sector and the City of Edinburgh Council to speak on the importance of women's equal access to public space without fear.
- 1.8.5.2. Spiked: a Safety Crisis: was the screening of a short film on drink spiking and the risks it poses to women in the nighttime economy in Edinburgh. The short film was created by students at the university of Edinburgh. The screening was followed by a discussion panel with experts from the NHS, the third sector and the University of Edinburgh.
- 1.8.5.3. The Past, the Present and #WhatNext: this event focused on highlighting the history of the women's movement in Scotland and invited participants to discussed what they would like to see happen to promote gender equality and eradicate gender based violence in future. The panel of experts included representatives from COSLA, Public Health Scotland, Police Scotland, Zero Tolerance, Scottish Women's Aid, the Crown Office and Procurator Fiscal Service and the third sector.
- 1.8.5.4. Understanding the Sex Industries: a Broad Perspective: this was a virtual event organised in partnership between ESEC and [You, My Sister](#). The event was organised and run by survivors of the sex trade, to present the lived experience of women involved in prostitution, stripping and pornography. Due to the sensitivity of the issue discussed, this event was specifically addressed to Elected Members and Senior Managers within the NHS, Police Scotland and the third sector.

Key aims and activities for ESEC over the coming year

1.9. In early January 2023, the ESEC will be reviewing its Improvement Plan, with support from the Improvement Service. The Improvement Plan will help to direct the work of the committee for the next three years and support partners to identify particular areas of focus and development.

- 1.10. In the winter/spring of 2023, the WSPP CIP, led by the ESEC, will repeat the Women's Safety in Public Places Consultation to gather the views and perceptions of safety of the residents of Edinburgh during a different time period.
- 1.11. In the spring/summer of 2023, the ESEC, with partners from the WSPP CIP will be working on planning a campaign addressing men's attitudes and behaviours towards women and girls in public places.
- 1.12. Simultaneously, with support from the Council's Insight Team, the WSPP CIP will continue the analysis of mapping data provided by participants in the consultation and report on findings in the spring/summer of 2023.
- 1.13. The ESEC will continue to work to finalise the Position Statement for Edinburgh on Commercial Sexual Exploitation (CSE), with support from the Child and Adult Protection Committees. It is expected that these documents will be completed by the autumn of 2023.
- 1.14. In line with developing work on CSE, the ESEC will continue to follow the progress of the current legal challenge on the Council's decision to set a nil-cap on Sexual Entertainment Venues (SEVs) across the city. The ESEC has been working with partners to ensure that regardless of the outcome of the court process, women working in SEVs are aware of their options and of support services they can access to support them to exit the sex industry if this is what they wish to do, or if the decision to close down SEVs from April 2023 is upheld.
- 1.15. The ESEC will continue to engage with Community Justice Scotland and partners with regard to the implementation of Restorative Justice in crimes that constitute gender-based violence.
- 1.16. In the winter/spring of 2023, governance of the DALAG will transfer over to the ESEC. The committee plans to examine evidence on the effectiveness of the intervention to standardise the approach by identifying performance criteria, to monitor performance, and to report on the pilot project's effectiveness.
- 1.17. Finally, the ESEC will work alongside the National Violence Against Women Network to plan and deliver events during the 16 Days of Action on Gender-Based Violence campaign for 2023. This will include supporting in the development and delivery of national events, as well as local events tailored to the needs of the city of Edinburgh.

APPENDIX 2:

Equally Safe Quality Standards Local Area Report

Edinburgh 2021/22

Introduction

Background

The Equally Safe Quality Standards were published by the Scottish Government, COSLA and the Improvement Service in May 2018 (and updated in April 2019), in close collaboration with the National VAW Network and other stakeholders.

The Equally Safe Quality Standards respond to the expectations set out in Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women and Girls and in the Violence Against Women Partnership Guidance, in relation to effective performance management.

The Quality Standards aim to:

2. Highlight the types of services, policies and processes that are most effective in tackling VAWG and capture data on the extent to which they are currently being delivered across Scotland
3. Highlight what good practice looks like when supporting women and children affected by VAWG and provide a benchmark of excellence that can be worked towards
4. Identify areas for improvement and help to increase capacity and capability to identify and respond to women and children affected by VAWG

2021/22 Data Returns

The data in this report focusses on activities that took place both during restrictions put in place from the COVID-19 pandemic as well as in the recovery stage, and this report aims to offer a useful oversight of the services and systems in place across Edinburgh to help inform future planning. The pandemic has made it more important than ever to ensure that robust systems and services are in place to meet the needs of women and children affected by VAWG and this report is intended to support local authorities to identify any improvement actions needed to ensure this happens. It is recommended that the findings from this report are considered alongside the suggested actions outlined in the [Coronavirus \(COVID-19\) Supplementary National Violence Against Women Guidance](#) (2020).

As of 30th September 2022, the Improvement Service have received data returns from 28 of Scotland's 32 local authority areas. Therefore it should be noted that the national figures included in this report are representative of nearly 90% of local authorities.

Results and Key Findings

This report is based on the data returns that the Improvement Service received from Edinburgh. It provides a comprehensive overview of the data submitted from

Edinburgh and compares it with the previous year's data return cycle of the ESQSPMF, as well as the national average for the 2021-22 data. The Equally Safe Quality Standards are broken into five sections - the first four sections aim to identify what services/processes are in place that contribute to the four priorities set out in Equally Safe:

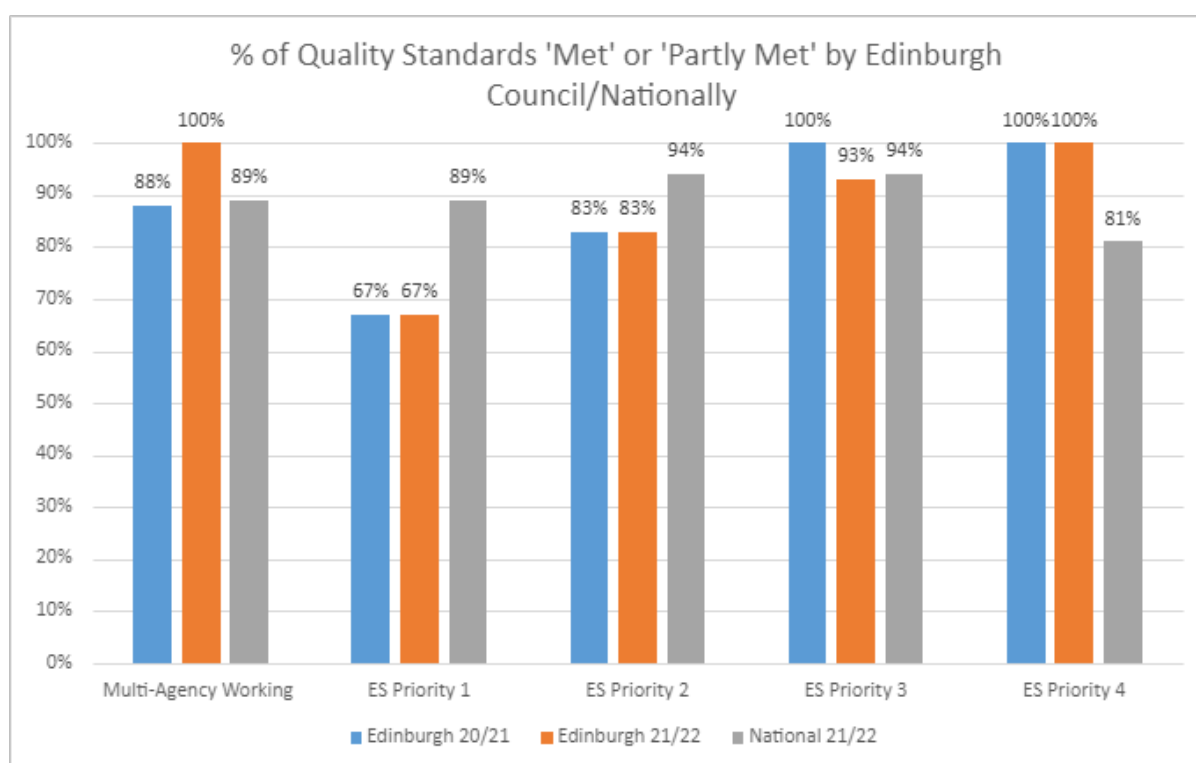
1. Scottish society embraces equality and mutual respect and rejects all forms of VAWG
2. Women and girls thrive as equal citizens: socially, culturally, economically and politically
3. Interventions are early and effective, preventing violence and maximising the safety and wellbeing of women, children and young people
4. Men desist from all forms of VAWG and perpetrators of such violence receive a robust and effective response

The last section aims to identify the extent to which the minimum standards and key activities that the Scottish Government and COSLA set out in the VAW Partnership Guidance are being met at a local level.

The graph below details how Edinburgh has performed against its own reported figures from 2020-21 and the national average. The figures show that Edinburgh was consistent in fully or partly meeting the quality standards in three of the Priority Areas. There was a slight decrease in meeting or partly meeting the standards of Priority Area 3, whilst Priority 4 and Multi-Agency Working is now being reported at 100%. Edinburgh exceeds, or is similar to, the national average of three of the Priority Areas.

This chart is intended as a broad overview of progress in the priority areas, however it does not distinguish between where the areas have 'met' and 'partly met' the Quality Standards, which may provide a more detailed understanding of the work taking place in each Priority. Local areas may find it useful to refer to the more detailed breakdown of the Quality Standards in the following sections to measure their progress between meeting, partly meeting, and not meeting each standard.

Edinburgh results shown from 2020-21, 2021-22 and the national average:



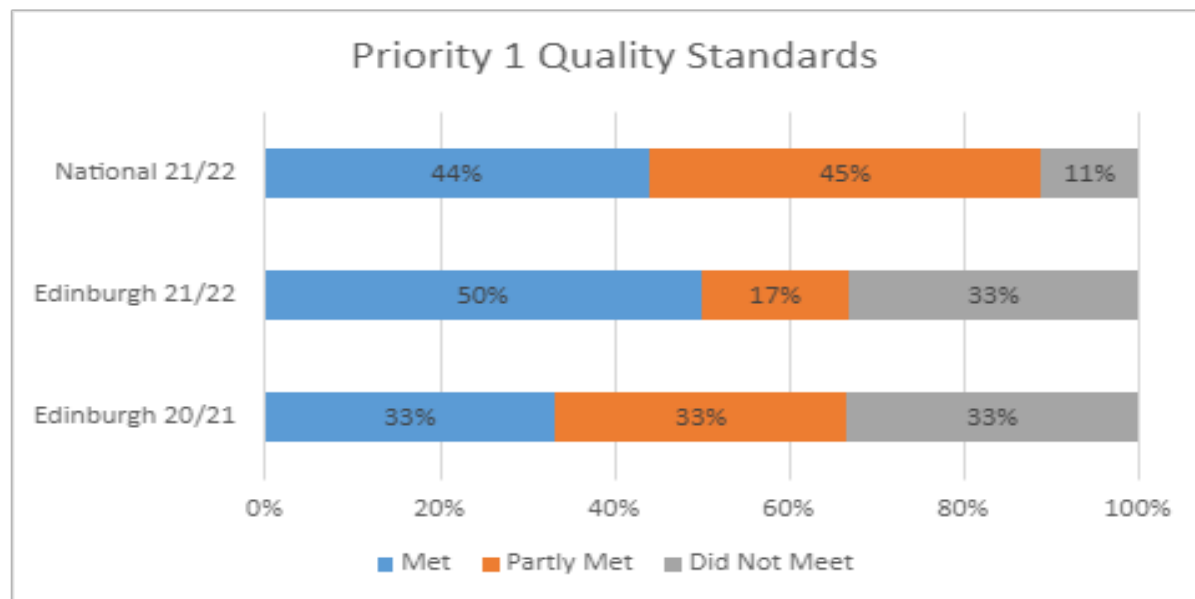
The remainder of this document will look at each of the Equally Safe Quality Standards in turn. Each section will begin with a graph comparing the percentage of the QS in that section which were met, partly met, or not met by Edinburgh, in comparison to the previous years' data and the current national average. Following this, tables will breakdown the Priorities into the separate Quality Standards. For ease of comparison the Local Area results are coloured coded: green indicates **fully met**, yellow indicates **partly met** and red indicates **not met**.

However, it is important to note that the Quality Standards are not intended to be a prescriptive list of services, policies and processes that all local authority areas across Scotland are expected to implement. In contrast, the Scottish Government and COSLA recognise that the specific services, policies and processes that local authority areas have in place will vary depending on the needs, resources and priorities of that local community. Where relevant, additional information has been included in the report to highlight the reasons why the local area does not currently meet some of the Quality Standards. In many cases, this is because it may not be appropriate or practical for Edinburgh to have certain services in place because of its geography and population size.

The final section of the document highlights the data submitted via the Performance Management Framework in reference to the Equally Safe Delivery Plan Local Indicators. Additional data for the Edinburgh area is also presented which corresponds to the Equally Safe Delivery Plan National Indicators.

Equally Safe Priority 1

Scottish society embraces equity and mutual respect, and rejects all forms of VAWG.



Quality Standard	Edinburgh 2020/21	Edinburgh 2021/22	National Data 2021/22
1. Proactive engagement and communications take place in the local community to increase people's awareness and understanding of the causes and consequences of VAWG, and the role they can play in tackling it.	Edinburgh City reported that they DID NOT MEET this QS as proactive engagement is very limited and there are single or no awareness raising campaigns. It was noted that the VAWP needs to develop a communications strategy and plan to meet this standard.	Edinburgh City reported that they DID NOT MEET this QS as proactive engagement is very limited and there are single or no awareness raising campaigns.	The majority of LA areas, 61%, indicated that they partly met this QS. 36% fully met the QS and 4% did not meet the criteria.
2. The VAWP regularly collects/analyses data to understand people's attitudes in relation to VAWG, and use that to inform future awareness raising activities.	Edinburgh City reported that they DID NOT MEET this QS as the VAWP did not collect or analyse data	Edinburgh City reported that they DID NOT MEET this QS as the VAWP did not collect or analyse data	29% of LA areas fully met this QS. 39% indicated that they partly met the criteria, and 32% reported

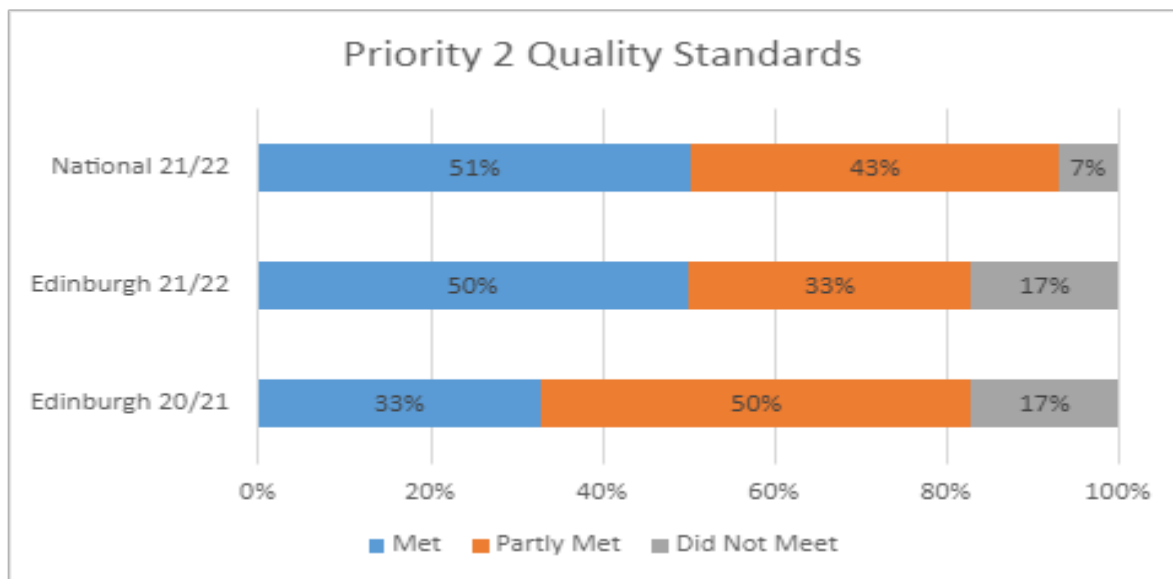
	in order to understand attitudes towards VAWG.	in order to understand attitudes towards VAWG.	that they did not meet the QS.
3. The VAW Partnership has processes in place to engage with primary and secondary schools in the local authority area to help ensure they deliver age-appropriate evidence-based interventions to raise children, teachers and parents' understanding and awareness of gender based violence, positive, healthy relationships and consent, as part of a whole school approach to tackling VAWG.	Edinburgh City reported that they PARTLY MET this QS as the VAWP has processes in place to engage with primary and secondary schools but this work has been limited by the pandemic.	Edinburgh City reported that they PARTLY MET this QS as the VAWP has processes in place to engage with primary and secondary schools but this work has been limited by the pandemic.	50% of LAs partly met this QS. 46% reported that they fully met the criteria; while 4% did not meet the QS.
4. Youth work organisations deliver interventions to raise young people's understanding and awareness of VAWG and the importance of positive, healthy relationships.	Edinburgh City reported that they FULLY MET this QS as there are variety of youth work organisations regularly delivering VAWG relevant interventions or youth work organisations deliver VAWG relevant interventions to a significant proportion of young people.	Edinburgh City reported that they FULLY MET this QS as there are variety of youth work organisations regularly delivering VAWG relevant interventions or youth work organisations deliver VAWG relevant interventions to a significant proportion of young people.	64% of LA areas nationally partly met this criterion. 25% fully met the QS. 11% did not meet the QS.
5. There is clear up-to-date and accessible online guidance about the services available to support families affected by VAWG and how to access them. This online guidance is well promoted, particularly amongst target groups.	Edinburgh City reported that they PARTLY MET this QS as there was online guidance about some of the services available, but it	Edinburgh City reported that they FULLY MET this QS as there is clear up to date guidance about all the services available to support	75% of LA areas fully met this QS. The remaining 25% only partly met the criteria.

	was not easily accessible on one site and/or was not up to date.	families affected by VAWG and how to access them.	
6. The VAW Partnership has processes in place to engage with colleges and universities in the local authority area and works with them to identify opportunities for partnership working in preventing gender-based violence on campuses. ¹	Edinburgh City reported that they FULLY MET this QS as the VAWP has processes in place to engage with local colleges and universities and relevant partners are working together to tackle VAWG.	Edinburgh City reported that they FULLY MET this QS as the VAWP has processes in place to engage with local colleges and universities and relevant partners are working together to tackle VAWG.	50% of LAs said they fully met the QS. 32% of Partnerships said that they partly met the criteria. 18% did not meet the QS.

¹ New QS added for 2018/19.

Equally Safe Priority 2

Women and girls thrive as equal citizens: socially, culturally, economically and politically.



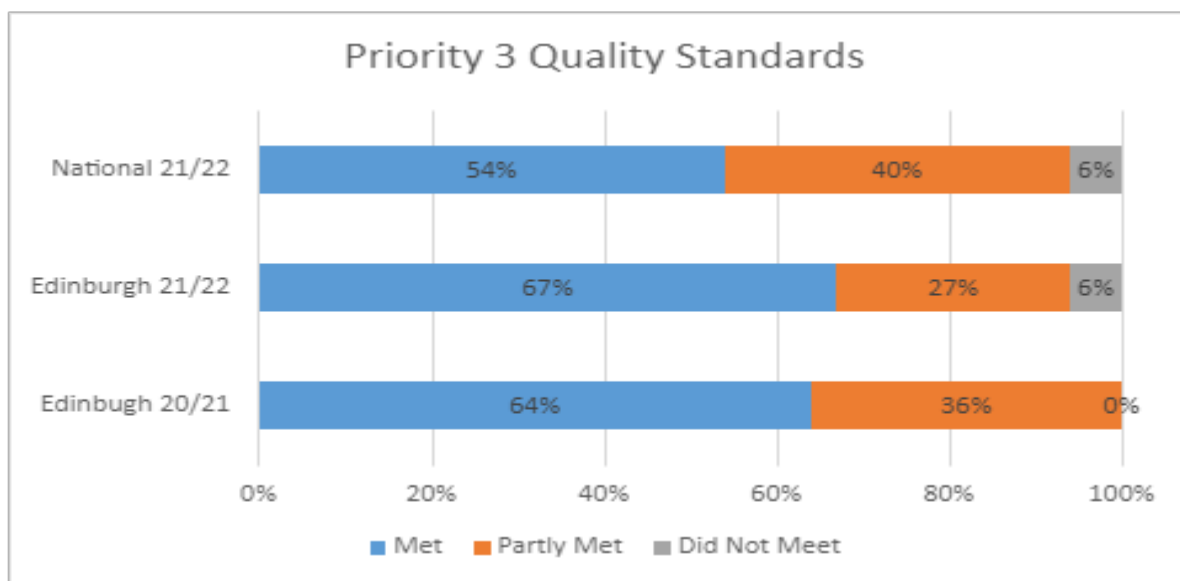
Quality Standard	Edinburgh 2020/21	Edinburgh 2021/22	National Data 2021/22
1. Equality Impact Assessments are routinely undertaken when developing all new major policies, processes and services at a local level in partnership with Equality Groups, to ensure they do not discriminate against women and to identify ways to promote women's equality through them.	Edinburgh City reported that they PARTLY MET this QS as EIAs were undertaken when developing some policies and Equality Groups were included sometimes, but not always.	Edinburgh City reported that they FULLY MET this QS as EIAs were routinely undertaken in partnership with women's Equality Groups when developing all new policies and processes at a local level.	Nationally, 64% of LA areas indicated that they partly met this QS. The remaining 36% fully met the criteria.
2. Public Sector employers publish a gender pay gap and an equal pay statement (including gendered occupational segregation information), gather and use gender-disaggregated data, in line with the requirements of the	Edinburgh City reported that they FULLY MET this QS as gender pay gap and gender-disaggregated data was published and was used to inform an equality	Edinburgh City reported that they FULLY MET this QS as gender pay gap and gender-disaggregated data was published and was used to inform an equality	75% of LA areas nationally also fully met this QS. 21% partly met the criteria and the remaining 4% did not meet the QS.

Public Sector Equality Duty (PSED), and develop and equality outcomes on gender and employment.	outcome on gender and employment.	outcome on gender and employment.	
3. VAWPs regularly engage with local equality groups to ensure they are aware of the VAWG agenda and understand the inequalities that underpin it.	Edinburgh City reported that they PARTLY MET this QS as some local equality groups were consulted on occasion.	Edinburgh City reported that they PARTLY MET this QS as some local equality groups were consulted on occasion.	A 68% majority indicated that they partly met this QS. 29% fully met the criteria, whilst 4% did not meet this standard.
4. Public Sector workplace policies are gender-sensitive and recognise the barriers to women's workplace equality.	Edinburgh City reported that they PARTLY MET this QS as Public Sector workplace policies are gender-sensitive and identify clear actions to address some of the barriers to women's workplace equality, but not others.	Edinburgh City reported that they PARTLY MET this QS as Public Sector workplace policies are gender-sensitive and identify clear actions to address some of the barriers to women's workplace equality, but not others.	54% of LA areas nationally reported that they fully met this QS. The remaining 46% indicated that they partly met the criteria.
5. Public Sector workplace policies recognise that employees may be affected by VAWG and communicate/support clear paths for women experiencing this.	Edinburgh City reported that they FULLY MET this QS as Public Sector workplace policies recognise the need to tackle VAWG and outline clear paths for employees who experience different forms of violence and abuse.	Edinburgh City reported that they FULLY MET this QS as Public Sector workplace policies recognise the need to tackle VAWG and outline clear paths for employees who experience different forms of violence and abuse.	64% of LAs fully met the criteria, whilst the remaining 36% of areas partly met this QS.
6. VAW Partnerships (and their member organisations) actively engage with Close the	Edinburgh City reported that they DID NOT MEET this QS	Edinburgh City reported that they DID NOT MEET this QS	46% of LA areas nationally fully met the criteria.

Gap's 'Equally Safe at Work' pilot. ²	as the Council is not involved in Equally Safe at Work Pilot as either an Early Adopter or Shadow Group member.	as the Council is not involved in Equally Safe at Work Pilot as either an Early Adopter or Shadow Group member.	21% partly met the criteria, and 32% of LA area did not meet the QS.
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Equally Safe Priority 3

Interventions are early and effective, preventing violence and maximising the safety and wellbeing of women, children and young people.



Quality Standard	Edinburgh 2020/21	Edinburgh 2021/22	National Data 2021/22
1. Public Sector staff who come into contact with members of the public have received at least basic training in how to identify and respond to women and children affected by VAWG in an appropriate way.	Edinburgh City reported that they FULLY MET this QS as all Public Sector staff have access to training and/or a significant proportion have taken it up or received aspects of training	Edinburgh City reported that they FULLY MET this QS as all Public Sector staff have access to training and/or a significant proportion have taken it up or received aspects of training	57% of LA areas nationally partly met this QS. 39% fully met the criteria and 4% did not meet the QS.

² QS wording changed in 2018/19 to reflect engagement with Equally Safe at Work pilot.

	relevant to their role.	relevant to their role.	
2. Routine Enquiry is regularly undertaken within the priority settings of maternity, mental health, substance misuse, A&E, community nursing and sexual health services.	Edinburgh City reported that they FULLY MET this QS as Routine Enquiry is regularly undertaken in all priority areas.	Edinburgh City reported that they FULLY MET this QS as Routine Enquiry is regularly undertaken in all priority areas.	64% of LA areas nationally partly met the criteria. The remaining 36% fully met the QS.
3. Regular Multi-Agency Risk Assessment Conferences (MARACs) take place, that meet Safe Lives' 10 Principles for an Effective MARAC.	Edinburgh City reported that they FULLY MET this QS as at least 7 of the criteria were met.	Edinburgh City reported that they FULLY MET this QS as at least 7 of the criteria were met.	Nationally, 79% of LA areas also fully met this QS. 14% partly met the criteria and 7% indicated that they did not meet the QS.
4. Staff in child welfare settings have received an appropriate level of training in the Safe and Together model.	Edinburgh City reported that they FULLY MET the QS as official S&T training had been delivered.	Edinburgh City reported that they FULLY MET the QS as official S&T training had been delivered.	This year 61% of LA areas fully met the QS. 25% reported that they partly met the QS and a further 14% of LA areas nationally did not meet this QS.
5. High-quality refuge accommodation which provides emergency temporary housing is available for all women and girls affected by VAWG, who need a safe place to stay.	Edinburgh City reported that they FULLY MET the QS as a range of high quality accommodation options are available to all women and children affected by VAWG in the local authority area, that are safe, secure and respond to their needs.	Edinburgh City reported that they FULLY MET the QS as a range of high quality accommodation options are available to all women and children affected by VAWG in the local authority area, that are safe, secure and respond to their needs.	64% of LA areas nationally partly met the criteria. The remaining 36% fully met the QS.
6. Follow-on/resettlement support is available for	Edinburgh City reported that they FULLY	Edinburgh City reported that they FULLY	93% of LA areas nationally fully met

all women and girls leaving refuge.	MET the QS as follow-on/resettlement support was available to all women leaving refuge.	MET the QS as follow-on/resettlement support was available to all women leaving refuge.	this QS, whilst only 7% partly met the criteria.
7. Specialist advocacy services are available for all women and girls affected by VAWG. Support should include: i) specialist advice on legal/financial/housing rights and options; ii) 1-on-1 and group-work; iii) safety planning; iv) support through the CJS; v) support finding and contacting support services.	Edinburgh City reported that they FULLY MET the QS as at least four of the defined criteria were met.	Edinburgh City reported that they FULLY MET the QS as at least four of the defined criteria were met.	96% of LA areas fully met this QS nationally. The remaining 4% partly met the criteria.
8. High-quality, targeted interventions are in place to engage with women and children affected by VAWG who many experience additional barriers as a result of race, sexuality, age or disability.	Edinburgh City reported that they PARTLY MET this QS as targeted interventions are in place for some women and children with protected characteristics.	Edinburgh City reported that they PARTLY MET this QS as targeted interventions are in place for some women and children with protected characteristics.	68% of LA areas nationally also partly met the criteria. 25% fully met the QS. The remaining 7% did not meet the QS.
9. Consideration is given to how to meet the need of women and children experiencing VAWG and have complex needs e.g. substance misuse, mental health issues and trauma.	Edinburgh City reported that they FULLY MET this QS as there were targeted interventions and/or specific policies and/or service pathways for women and children with complex needs.	Edinburgh City reported that they FULLY MET this QS as there were targeted interventions and/or specific policies and/or service pathways for women and children with complex needs.	57% indicated that they partly met the criteria. The remaining 43% fully met this QS.
10. Specialist one-to-one and group-work support services are	Edinburgh City reported that they PARTLY	Edinburgh City reported that they FULLY	50% nationally felt they partly met this criterion. 46%

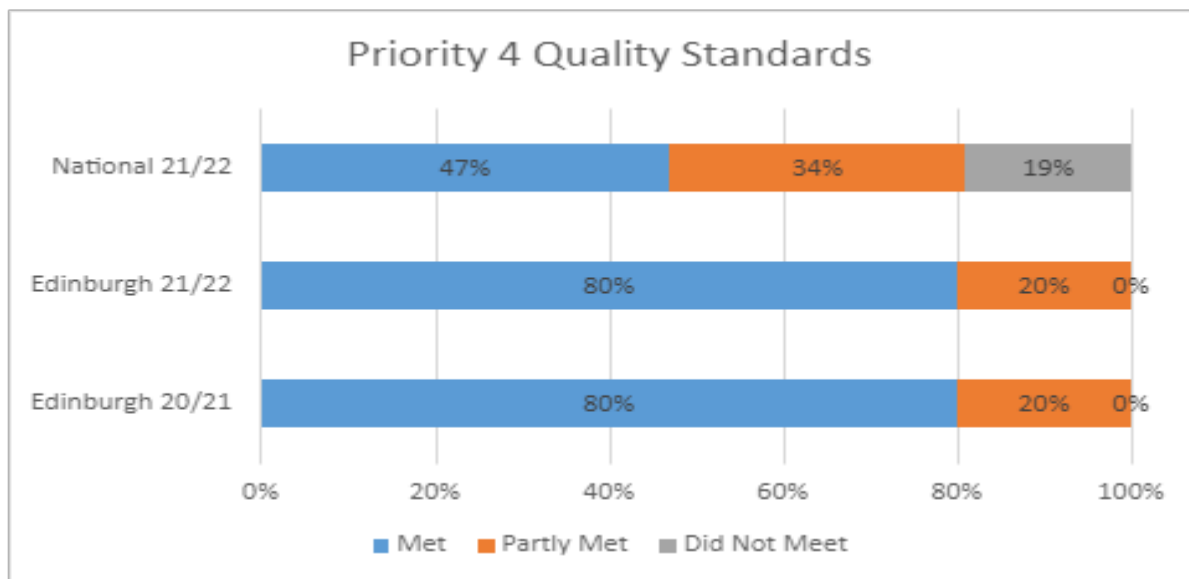
<p>available for all children affected by VAWG, to help address their recovery need (e.g. Cedar). This support is multi-faceted and promotes a consistent message from schools as well as targeted support from in-house or external agencies.</p>	<p>MET this QS as support was available but provision was not adequate.</p>	<p>MET this QS as support was available for all children affected by VAWG.</p>	<p>indicated that they fully met the QS. 4% of the Partnerships reported that they did not meet the QS.</p>
<p>11. The VAW Partnership works to ensure that adequate levels of funding are available for specialist VAWG services, that contribute to the local outcomes and activities that have been identified by members of the Partnership.</p>	<p>Edinburgh City reported that they PARTLY MET this QS as the VAWP works to ensure that specialist VAWG services that contribute to the Partnership’s agreed outcome and activities are adequately resourced, but there are no examples of partners working together to lever in additional resources where gaps in funding are identified.</p>	<p>Edinburgh City reported that they PARTLY MET this QS as the VAWP works to ensure that specialist VAWG services that contribute to the Partnership’s agreed outcome and activities are adequately resourced, but there are no examples of partners working together to lever in additional resources where gaps in funding are identified.</p>	<p>46% reported that they fully met the QS. 39% of LA areas reported that they partly met the QS. 14% reported they did not meet this criterion.</p>
<p>12. All specialist VAWG services that receive funding at a local level: i) are underpinned by a gendered analysis of VAWG; ii) are shaped by and promote the views of women and children affected by VAWG; iii) demonstrate the need</p>	<p>Edinburgh City reported that they FULLY MET this QS as 8 of the defined criteria were met.</p>	<p>Edinburgh City reported that they FULLY MET this QS as 8 of the defined criteria were met.</p>	<p>82% of LA areas fully met this QS nationally, with the remaining 18% indicating that they partly met this criteria.</p>

<p>for women-only spaces; iv) adopt a rights-based, person-centred, needs-led approach to addressing the impact of VAWG; v) demonstrate a commitment to children’s rights; vi) support women in realising their housing choices; vii) provide holistic, multi-faceted support in partnership with other appropriate agencies; viii) are LGBTI inclusive.</p>			
<p>13. Public Sector partners have robust policies in place to strengthen approaches to tackle VAWG.</p>	<p>Edinburgh City reported that they PARTLY MET this QS as Public Sector partners had robust policies in place to tackle some forms of VAWG but not others and/or they were not routinely implemented.</p>	<p>Edinburgh City reported that they PARTLY MET this QS as Public Sector partners had robust policies in place to tackle some forms of VAWG but not others and/or they were not routinely implemented.</p>	<p>A majority of 68% also reported that they partly met this QS. The remaining 32% of LA areas fully met this QS nationally.</p>
<p>14. The VAW Partnership and relevant partners have coordinated mitigating actions to respond to the challenges brought about by COVID-19, such as those outlined in the Coronavirus (COVID-19) Supplementary National Violence Against Women Guidance which local authorities and other community planning partners can consider to ensure women,</p>	<p>Edinburgh City reported that they PARTLY MET this QS as the VAWP has worked to coordinate a joined-up response to mitigate the challenges and risks that COVID-19 has created, but the effectiveness of this could be improved.</p>	<p>Edinburgh City reported that they PARTLY MET this QS as the VAWP has worked to coordinate a joined-up response to mitigate the challenges and risks that COVID-19 has created, but the effectiveness of this could be improved.</p>	<p>61% indicated that they fully met the criteria, with 39% of partnerships reporting that they partly met the QS.</p>

<p>children and young people are protected during the pandemic, and that tackling and preventing VAWG is embedded in recovery strategies.</p>			
<p>15. The local authority has a clear position statement in place that recognises commercial sexual exploitation (including prostitution, lap dancing, stripping, pornography and trafficking) as a form of violence against women and girls and notes its commitment to promoting the safety and wellbeing of women involved in selling or exchanging sex.</p>	<p>QS introduced in 2021/22.</p>	<p>Edinburgh City reported that they DID NOT MEET this QS as the local authority does not currently have a position statement that recognises commercial sexual exploitation as a form of VAWG.</p> <p>It was noted that a working group has been formed to carry out this work.</p>	<p>For this newly introduced QS, 36% of LA areas reported that they fully met this criteria. However, a further 36% also indicated that they did not meet this QS, and the remaining 29% partly met the criteria.</p>

Equally Safe Priority 4

Men desist from all forms of VAWG and perpetrators of such violence receive a robust and effective response.

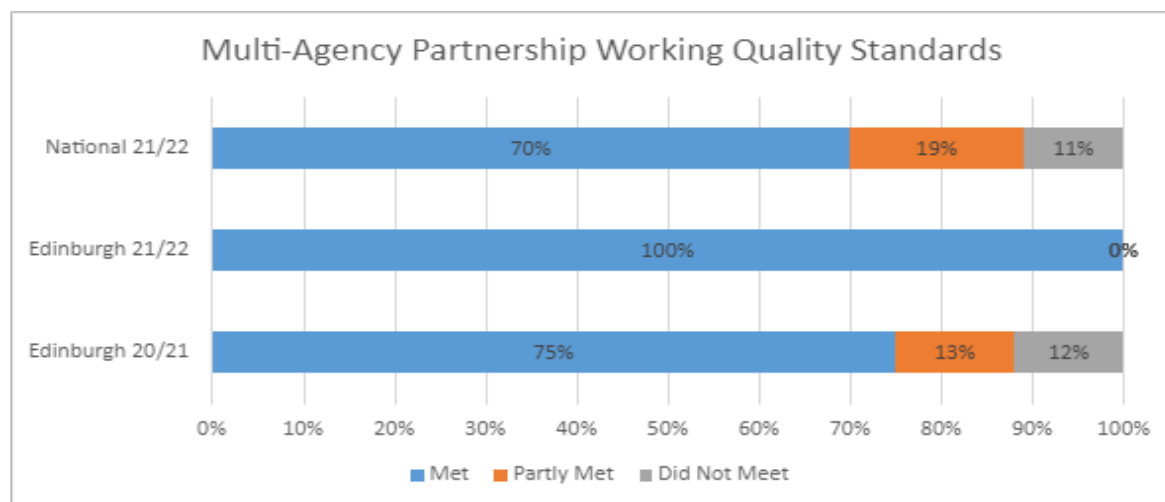


Quality Standard	Edinburgh 2020/21	Edinburgh 2021/22	National Data 2021/22
1. Public Sector staff who come into contact with members of the public have received training in how to identify and respond to perpetrators of VAWG in an appropriate way.	Edinburgh City reported that they PARTLY MET this QS as training on how to identify and respond to perpetrators of VAWG is sometimes available and/or is available to some staff groups.	Edinburgh City reported that they PARTLY MET this QS as training on how to identify and respond to perpetrators of VAWG is sometimes available and/or is available to some staff groups.	The majority of local areas (64%) partly met this QS. 29% reported that they fully met the criteria, and 7% did not meet the QS.
2. Multi-Agency Tasking and Coordination (MATAC) groups are in place at a local authority level, to identify high risk perpetrators of domestic abuse and ensure they are held to account for their behaviours.	Edinburgh City reported that they FULLY MET this QS as MATAC groups were in place.	Edinburgh City reported that they FULLY MET this QS as MATAC groups were in place.	93% of local areas reported that they fully met this QS. 4% partly met the criteria, whilst a further 4% did not meet this QS.
3. Measures are in place, such as	Edinburgh City reported that they	Edinburgh City reported that they	57% of LA areas partly met the

<p>specialist domestic abuse courts, to ensure women and children who experience domestic abuse receive an appropriate response from the criminal justice system. This includes ensuring women and children are fully informed and supported throughout a court process, and have appropriate opportunities to input their views.</p>	<p>FULLY MET this QS as specialist domestic abuse courts or other measures to support women and children through the court process are in place and work effectively.</p>	<p>FULLY MET this QS as specialist domestic abuse courts or other measures to support women and children through the court process are in place and work effectively.</p>	<p>criteria for this QS. 25% fully met the QS, and 18% did not meet the criteria.</p>
<p>4. High-quality, evidence-based court-mandated programmes are in place at a local level that work with perpetrators of VAWG to hold them to account for, and support them to change, their behaviours.</p>	<p>Edinburgh City reported that they FULLY MET this QS as high-quality court-mandated programmes are in place.</p>	<p>Edinburgh City reported that they FULLY MET this QS as high-quality court-mandated programmes are in place.</p>	<p>71% of LA areas nationally fully met this QS. 11% partly met the QS and 18% did not meet the criteria.</p>
<p>5. High-quality, evidence-based non court-mandated programmes are in place at a local level that work with perpetrators of VAWG to hold them to account for, and support them to change, their behaviours</p>	<p>Edinburgh City reported that they FULLY MET this QS as high-quality non-court-mandated programmes are in place.</p>	<p>Edinburgh City reported that they FULLY MET this QS as high-quality non-court-mandated programmes are in place.</p>	<p>46% of LA areas nationally did not meet the QS. 36% partly met the criteria. Only 18% fully met the QS.</p>

Multi-Agency Partnership Working

This section aims to assess whether the minimum standards and key activities that the Scottish Government and COSLA set out in the 2016 VAWP Guidance are being met at a local level.



Quality Standard	Edinburgh 2020/21	Edinburgh 2021/22	National Data 2021/22
1. There is a VAWP in place that is responsible for working to prevent and eradicate all forms of VAWG within the LA area, including: i) physical, sexual and psychological violence and abuse; ii) sexual harassment, bullying and intimidation; iii) commercial sexual exploitation; iv) child sexual abuse; v) so called 'honour-based' violence.	Edinburgh City reported that they FULLY MET this QS as at least 3 of the defined criteria were met.	Edinburgh City reported that they FULLY MET this QS as at least 3 of the defined criteria were met.	93% of LA areas reported they fully met this criterion, compared to only 4% who partly met it and a further 4% who did not meet the QS.
2. The VAWP brings together representatives from the key Public Sector and Third Sector organisations working to prevent and eradicate VAWG with the local area. Representatives from these organisations should be sufficiently empowered to advance the Partnership's agreed	Edinburgh City reported that they FULLY MET this QS as there is regular attendance from all partners and all attendees have the appropriate level of authority to	Edinburgh City reported that they FULLY MET this QS as there is regular attendance from all partners and all attendees have the appropriate level of authority to	68% of LA areas nationally fully met this QS. 32% indicated that they partly met this QS.

outcomes and activities within their own organisations/networks.	advance the activities.	advance the activities.	
3. The VAWP has an agreed Terms of Reference, which outlines: i) the VAWP's vision; ii) the membership of the VAWP and each partner's role and responsibilities; iii) the meeting and chairing arrangements; iv) the governance arrangements for the VAWP including reporting lines into the CPP Board or relevant strategic partnership within the CPP.	Edinburgh City reported that they FULLY MET this QS as at least 3 of the criteria were met.	Edinburgh City reported that they FULLY MET this QS as at least 3 of the criteria were met.	93% of LA areas nationally indicated that they fully met this QS. 4% indicated that they partly met the criteria, with 4% also reporting that they did not meet it.
4. The VAWP has a strategic plan in place that outlines how the Partnership will implement Equally Safe at a local level. The strategy should: i) identify the outcomes the VAWP is working to; ii) identify the activities the VAWP will prioritise in order to achieve its agreed outcomes; iii) link directly to the CPP's Local Outcome Improvement Plan (LOIP).	Edinburgh City reported that they FULLY MET this QS as all of the defined criteria were met.	Edinburgh City reported that they FULLY MET this QS as all of the defined criteria were met.	Nationally, 68% of LA areas also indicated that they fully met this QS. 25% indicated that they partly met the criteria and 7% did not meet at all.
5. The VAWP has a framework in place for measuring its performance and progress towards achieving its agreed outcomes. As a minimum, this framework should include all the indicators listed in the Equally Safe Performance Framework. Clear	Edinburgh City reported that they DID NOT MEET this QS as the VAWP does not have a Performance Framework in place. Noted that this is included in the VAWP's new 3-	Edinburgh City reported that they FULLY MET this QS as a Performance Framework is in place which includes all the indicators listed in this document and has clear governance	57% of LA areas indicated that they fully met this criterion. 36% partly met the criteria and 7% did not meet this QS.

governance and reporting arrangements should also be in place to ensure that the VAWP is held to account for achieving its outcomes by an appropriate thematic groups within the CPP.	year improvement plan – to be developed.	and reporting arrangements.	
6. The VAWP has a designated person who is responsible for coordinating its core activities and contributing to the work of the National VAW Network.	Edinburgh City reported that they PARTLY MET this QS as there was a lead contact for the group, but various people coordinated activities and contributed to the National Network. Lead officer to begin in Autumn 2021.	Edinburgh City reported that they FULLY MET this QS as there is a designated person whose primary remit is to be responsible for coordinating the core activities of the VAWP and contributing to the work of the VAW Network.	82% of LA areas also indicated that they fully met this QS. 11% reported that they partly met the criteria, whilst the remaining 7% did not meet it.
7. The VAWP has undertaken a self-assessment of its partnership in the last 3 years using the VAWP Self-Assessment Checklist and developed an improvement plan in response to the strengths and areas for improvement identified by its members.	Edinburgh City reported that they FULLY MET this QS as a self-assessment has been undertaken in the last 3 years and an improvement plan has been progressed by the VAWP.	Edinburgh City reported that they FULLY MET this QS as a self-assessment has been undertaken in the last 3 years and an improvement plan has been progressed by the VAWP.	A 57% majority indicated that they did not meet this QS. 29% of LA areas indicated that they fully met this QS, and 14% partly met the criteria.
8. The VAWP has clear strategic links with other relevant thematic partnerships/groups within the CPP who are working towards shared outcomes. These may include Public Protection Committees, Health and Social Care IJBs, Community Safety	Edinburgh City reported that they FULLY MET this QS as the VAWP has clear and active strategic links with all listed relevant thematic partnerships/	Edinburgh City reported that they FULLY MET this QS as the VAWP has clear and active strategic links with all listed relevant thematic partnerships/	68% of LA areas indicated that they fully met this QS. 29% partly met the QS, whilst only 4% did not meet it.

Partnerships, Community Justice Partnerships, Alcohol and Drug Partnerships and Equality Groups.	groups within the CPP.	groups within the CPP.	
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8. Performance Management Framework

The indicators of the PMF are used to identify the level and focus of investment that key Public Sector agencies make towards activities aimed at preventing and eradicating VAWG at a local level.

EDINBURGH PERFORMANCE MANAGEMENT FRAMEWORK				
Outcome	Indicator	Categories	Year	
			20/21	21/22
	Funding invested in preventing and eradicating VAWG at a local level.	Funding Source – Council: £651,350 NHS: - Police: - Scottish Government: £786,770 Independent: £345,588 Other: £556,174 TOTAL: £2,339,882	£651,350 - - £786,770 £345,588 £556,174 £2,339,882	£1,462,360 £24,000 - £1,498,333 £694,956 £587,686 £4,267,335
Power, decision making and material resources are distributed more equally between men and women.	Gender differences in working hours ³ .	Women working full-time:	60%	60%
		Men working full-time:	89%	89%
	Gender pay gap ⁴ .	Women working part-time:	50%	50%
		Men working part-time:	11%	11%
	Local Government gender balance.	Between all employees:	17%	16.5%
		Between full-time employees:	14%	12.5%
Between part-time employees:		5.7%	6.5%	
	Proportion of Elected Members who are women:	36%	36%	
Women and children affected by VAWG are identified early.	Number of women and children affected by VAWG, who are referred to specialist service for support.	Children (0-15) -		
		Domestic Abuse:	291	3,256
		Rape and Sexual Abuse:	13	92
		Commercial Sexual Exploitation:	-	-
		FGM:	15	14
		Forced Marriage:	11	14
		Adult Survivors of Childhood Sexual Abuse:	-	2
		TOTAL:	330	3,378
		111	99	

³ [Scottish Government/Office for National Statistics](#)

⁴ [Annual Survey of Hours and Earnings, Office for National Statistics](#)

		Young Women (16-25)	10	224
		-		
		Domestic Abuse:	-	27
		Rape and Sexual Abuse:	-	22
		Commercial Sexual Exploitation:	72	33
		FGM:	-	18
		Forced Marriage:	193	423
		Adult Survivors of Childhood Sexual Abuse:	2,447	2,311
		TOTAL:	10	1,068
			21	19
		Women (26 and over)	94	11
		-	22	13
		Domestic Abuse:	-	23
		Rape and Sexual Abuse:	2,594	3,445
		Commercial Sexual Exploitation:		
		FGM:		
		Forced Marriage:		
		Adult Survivors of Childhood Sexual Abuse:		
		TOTAL:		
	Age Not Recorded	Domestic Abuse:	115	156
		Rape and Sexual Abuse:	1	49
		Commercial Sexual Exploitation:	13	3
		FGM:	1	-
		Forced Marriage:	1	3
		Adult Survivors of Childhood Sexual Abuse:	-	-
		TOTAL:	131	211
	Total	Domestic Abuse:	2,964	5,822
		Rape and Sexual Abuse:	34	1,433
		Commercial Sexual Exploitation:	34	49
		FGM:	110	47
		Forced Marriage:	106	63
		Adult Survivors of Childhood Sexual Abuse:	-	43
		TOTAL:	3,248	7,457
	Number of perpetrators	Domestic Abuse:	119	114
		Rape and Sexual Abuse:	-	-

Perpetrators are sanctioned/ held to account.	of VAWG who are referred to perpetrator interventions.	Abuse: Commercial Sexual Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL:	- - - - 119	- - - - 114
	% of referrals who successfully complete specialist perpetrator interventions.	Domestic Abuse: Rape and Sexual Abuse: Commercial Sexual Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL:	Not recorded due to reporting period.	2% - - - - 2%
Women and children's safety needs are met.	% of women and children who report feeling safer as a result of the specialist support they have received.	Children (0-15) –		
		Domestic Abuse: Rape and Sexual Abuse: Commercial Sexual Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL:	82% 100% - 100% 100% - 86%	77% 6% - 100% 75% - 72%
		Young Women (16-25)	100% 100%	76% 17%
		Domestic Abuse: Rape and Sexual Abuse: Commercial Sexual Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL:	66% 100% 100% - 99% 88% 100%	- 83% 88% - 31% 75% 13%
Women (26 and over)	80% 100% 100% - -	- 100% 100% - -		

		Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL:	89%	50%
	Age Not Recorded	Domestic Abuse: Rape and Sexual Abuse: Commercial Sexual Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL:	100% 100% 53% 100% 100% - 85%	28% 4% - - - 100% 16%
Women and children's wider wellbeing needs are met.	% of women and children who report having increased levels of wellbeing as a result of the specialist support they have received.	Children (0-15) – Domestic Abuse: Rape and Sexual Abuse: Commercial Sexual Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL: Young Women (16-25) Domestic Abuse: Rape and Sexual Abuse: Commercial Sexual Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL: Women (26 and over) Domestic Abuse: Rape and Sexual Abuse: Commercial Sexual Exploitation:	10% - - 50% - - - 11% 16% 66% - - - - - 15% 27% 30% 27% 84% 22% - 32%	87% 6% - 100% 100% - - 82% 77% 18% - 100% 100% - 32% 74% 16% - 100% 100% - 51%

		FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL:		
	Age Not Recorded	Domestic Abuse: Rape and Sexual Abuse: Commercial Sexual Exploitation: FGM: Forced Marriage: Adult Survivors of Childhood Sexual Abuse: TOTAL:	100% 100% 50% 100% 100% - 85%	26% 4% 100% - - 100% 24%
VAWG is reduced/ eradicated.	Number of instance of gender based violence ⁵ .	Number of domestic abuse incidents recorded by police: % of domestic abuse incidents which included a crime or offence: Domestic abuse incidence rate per 10,000 of LA area population:	5,912 39% 112	5,912 39% 112
Additional Information Notes				
1	Updated 2021 statistics for gender differences in working hours and the number of instance of gender based violence are due to be published in November 2022. Therefore, the statistics for these sections currently reflect last year's data.			
2	Additional data has been provided by the Caledonian Programme for sections relating to referrals to VAWG services, referrals to perpetrator services as well as safety and wellbeing.			

Other National datasets:

- [Domestic abuse and stalking charges in Scotland 2021-22](#)

⁵ [Police Scotland](#)

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Full Council

10.00am, Thursday, 9 February 2023

Drumbrae Care Home – Status Report

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 Members are requested to note the briefing on the status of Drumbrae Care Home

Judith Proctor

Chief Officer, Edinburgh Integration Joint Board

Contact: Hazel Stewart

E-mail: Hazel.Stewart@edinburgh.gov.uk

Drumbrae care home

2. Executive Summary

- 2.1 This report provides an update on the status of Drumbrae care home in response to the motion from the last Full Council meeting which set out the following:
- 2.1.1 Notes the Chief Officer of the EIJB has not provided full updates on the status of the property to the Board and requests that they do so for all elected members
 - 2.1.2 Requests the EIJB Chief Officer produce a report within one cycle on how this facility came to sit empty for over a year
 - 2.1.3 Requests the EIJB consider the recommission of appropriate care services at Drumbrae care home as soon as practically possible
 - 2.1.4 Calls for a report to the Governance, Risk and Best Value Committee into the Council's actions leading up to the closure and post closure, in particular actions to move forward with the lease to NHS Lothian or identify and resolve any problems in order to identify any potential lessons learned
 - 2.1.5 Calls for a briefing to elected members, outlining the actions that would be required if the Council is directed to recommission 60 care beds at Drumbrae by the Edinburgh Integration Joint Board (EIJB), along with associated costs, an estimate of how long this would take, and any other significant considerations that may inform a decision by the EIJB.

3. Background

- 3.1 The Edinburgh Integration Joint Board's (EIJB) bed-based review (BBR) has been progressing since 2020, with the main focus on the implementation of the approved activities identified as part of the Bed Based Care Strategy. A phased approach was adopted with phase one of the BBR concentrating on three main service areas:
- Intermediate Care
 - Hospital Based Complex Clinical Care (HBCCC)
 - Care Homes
- 3.2 These services were prioritised as they support flow from acute hospital sites, creating capacity and ensuring people are in the right setting to meet their needs.

- 3.3 The bed-based care strategy identified that Edinburgh needed more Intermediate Care capacity, less Hospital Based Complex Clinical Care (HBCCC) capacity and a new model of care within the internally managed care homes to meet demand for nursing and dementia care. The new configuration had to be delivered within the existing Council and NHS estate, optimising the use of buildings where possible and decommissioning buildings that were no longer fit for purpose.
- 3.4 To implement the recommended bed capacity, Drumbrae care home was identified to transition to provide the majority of the HBCCC service (old age psychiatry and frail elderly wards). This created a single HBCCC unit for the city and space within the wider estate to transition the vacated NHS run Private Finance Initiative (PFI) units to intermediate care provision. Once this transition is complete, bed-based services could move out of Liberton hospital, allowing redevelopment to begin following the sale of the site to the City of Edinburgh Council. The reduction in HBCCC capacity meant there was an opportunity to withdraw from the lease on Ferryfield House, a PFI facility, at the intended break point, reducing the overall bed base estate.
- 3.5 In addition to the physical service redesign, a new model of care would be implemented within the larger, HSCP run 60 bed care homes which includes nursing provision. This enables these larger, more modern homes to provide nursing and dementia care provision for people with complex care needs, which is very much needed in the city to meet growing demand.

4. Main report

- 4.1 A number of onsite assessments were completed in Drumbrae care home by multiple teams and contractors throughout 2021 to assess the suitability of the premises for the provision of the HBCCC service.
- 4.2 Based on the findings of these assessments and following approval by the EIJB, Drumbrae care home was decommissioned in December 2021. At the point the care home was decommissioned there were only ten residents and they, along with the staff were moved to alternative care homes in Edinburgh.
- 4.3 Once the care home was decommissioned, further assessments were completed on the property alongside the continued development of the clinical brief required for the transition to the provision of HBCCC.
- 4.4 On 7th June 2022, the Finance and Resources Committee approved the lease arrangements for Drumbrae care home, including the annual lease charge and the length of lease term.
- 4.5 In June 2022, Drumbrae was identified as being non-compliant for the delivery of clinical services. There is a requirement to comply with the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) regulations 2006. Furthermore, the [NHS Scotland Firecode SHTM 81 part 1](#) was updated in 2022 which applies to all buildings that accommodate NHS services, this is supported by [Scottish Government guidance on fire safety](#) which was also updated in 2022. The Act requires evidence to satisfy Fire Authorities that the building can be satisfactorily evacuated. With NHS patients that may be bed bound there is a need to demonstrate progressive lateral

evacuation to comply with the Act. In order for Drumbrae to be compliant with the Act and associated standards, significant adaptations are required.

- 4.6 This increased both the time required to complete the work and the cost of the adaptations significantly.
- 4.7 Further work was completed between EHSCP and NHS Lothian between June and October 2022 to identify alternative solutions to the adaptations needed to support the transition to the provision of HBCCC.
- 4.8 In October, NHS Lothian advised that they were unable to deliver the direction set by the EIJB due to the increased cost and time required for the adaptations.
- 4.9 Discussions continued between all partners from November 2022 to January 2023 to agree how best to progress in light of the challenges faced in transitioning the facility.
- 4.10 These discussions have resulted in a slightly amended proposal which will see the facility leased to NHS Lothian as planned to provide HBCCC, enabling the other accommodation redesign to be completed and ultimately delivering the strategy as intended.
- 4.11 If the amended proposal can be delivered, adaptations are required to Drumbrae to enable the transition to provision of HBCCC services, it is anticipated that these will take approximately 12 -16 weeks to complete.

5. Next Steps

- 5.1 Discussions are ongoing with all Partners and the clinical teams to understand if the amended proposal can be delivered, this will take place over the next two weeks and a definitive position identified by 6th February 2023.
- 5.2 A detailed implementation plan will be developed with all relevant stakeholders to monitor the progress to operationalise the facility if the amended proposal is accepted and approved.
- 5.3 If the amended proposal can be delivered, NHS Lothian have requested a longer lease term, than the five years approved by the Finance and Resources Committee on 7 June 2022. This will be referred back to the Finance and Resources Committee in due course.

6. Financial impact

- 6.1 The transition of Drumbrae care home to HBCCC provision will provide an income stream for the City of Edinburgh Council at a rate of £420k per annum.
- 6.2 The adaptation costs will be met by NHS Lothian if the amended proposal is approved.

- 6.3 The delivery of the activities within the strategy will enable the withdrawal of bed-based services from the Liberton Hospital site enabling the site to be released for redevelopment following the sale of the site by NHS Lothian to the City of Edinburgh Council.

7. Stakeholder/Community Impact

- 7.1 An integrated impact assessment was completed as part of the strategy development and can be accessed [here](#).

8. Background reading/external references

- 8.1 [Bed Based Care – Phase 1 Strategy](#): 21st June 2021, EIJB meeting
- 8.2 [Follow up report – Bed Based Care – Phase 1 Strategy](#): 28th September 2021, EIJB meeting

9. Appendices

[Appendix 1](#): Timeline to date

Appendix 1: Timeline

Bed Base Review – Timeline of events



Project Timeline

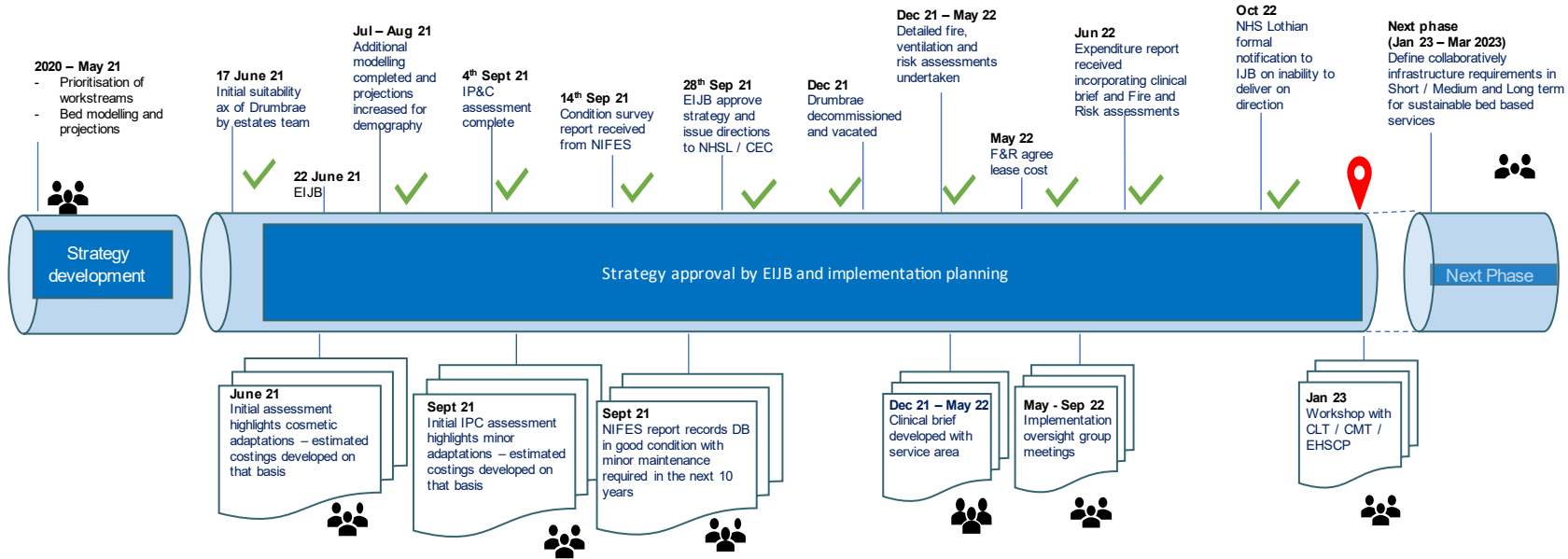
Key



Our current position



These represent activities that multiple stakeholders were involved in



The City of Edinburgh Council

10.00am, Thursday, 9 February 2023

Motion by Councillor McVey – Tram Extension

Executive	
Wards	All
Council Commitments	

1. Recommendations

- 1.1 It is recommended that the Council:
- 1.1.1 Notes the progress being made on the development of a Strategic Business Case for a Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit;
 - 1.1.2 Notes 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;
 - 1.1.3 Notes the close alignment between the Council's City Mobility Plan and STPR2;
 - 1.1.4 Notes Transport Scotland have commenced the development of a STPR2 Delivery Plan which will set out the immediate funding priorities; and
 - 1.1.5 Notes discussions between Transport Scotland, the Council and Regional Partners continue to help inform the final STPR2 Delivery Plan.

Paul Lawrence

Executive Director of Place

Contact: Daisy Narayanan Head of Placemaking and Mobility

E-mail: daisy.narayanan@edinburgh.gov.uk

Motion by Councillor McVey – Tram Extension

2. Executive Summary

- 2.1 This report responds to an adjusted motion by Councillor McVey, which was approved by the Council on 25 August 2022. The report provides an update on Transport Scotland's Strategic Transport Projects Review (STPR2) report and outlines the progress being made on the development of a Strategic Business Case for the Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit.

3. Background

- 3.1 This report has been prepared in response to an adjusted motion by Councillor McVey, which was approved by the Council in [August 2022](#). The approved motion:
- 3.1.1 Noted the work of the team in delivering Trams to Newhaven, keeping the project on track in the most difficult of circumstances. To note successful delivery of this project being able to weather the circumstances of the last 3 years was due to the approach approved by Council with the right governance controls, the right team and collaborative approach, prudent business planning and straightforward communication with local residents and businesses;
 - 3.1.2 Noted the importance of public confidence in the delivery of such a major infrastructure scheme and note the June 29th 2022 "Elected Member Briefing Note - Trams to Newhaven Project" which set out a holistic response giving assurance on issues relating to recent media reports and requested that this information was set out in a full update report on the project be brought to Transport and Environment Committee in once cycle to set out the projected timeline, costs and any other relevant issues for Councillors and residents;
 - 3.1.3 Noted further that 2 further extensions were planned within the City Mobility Strategy and agreed of the importance of progressing these to ensure Granton Waterfront and Bioquarter could deliver new communities, much-needed housing and job opportunities in the most sustainable way possible;
 - 3.1.4 Agreed that, by January 2023, officers would bring forward next steps to Council to progress these projects, including information for Councillors on light rail's inclusion in the Scottish Government's "Strategic Transport

Projects Review 2" which opens significant opportunities of national funding to support the delivery of these extensions;

- 3.1.5 Noted that, as a key part of national transport infrastructure, this project was already part of Phase 1 of the Strategic Transport Projects Review 2 (STPR2), and a decision was due on Phase 2 in the autumn. To further note that inclusion in Phase 2 was expected to unlock Scottish Government funding to help develop the business case which must be robust if the project was to progress as part of STPR2; and
- 3.1.6 Agreed that encouraging modal shift from cars to public and active transport was fundamental to securing Edinburgh's economic prosperity and improving the wellbeing of residents.

Second Strategic Transport Projects Review (known as STPR2)

- 3.2 In [2019](#), Transport Scotland commenced the second Strategic Transport Projects Review (known as STPR2), following publication of the first review in 2008.
- 3.3 STPR2 will help deliver the vision, priorities and outcomes that are set out in the second [National Transport Strategy \(NTS2\)](#).
- 3.4 STPR2 informs transport investment in Scotland for the next 20 years (2022-2042) by providing evidence-based recommendations to Scottish Ministers.
- 3.5 STPR2 aligns with other national plans such as the Climate Change Plan and the [Fourth National Planning Framework](#) (NPF4) and is a strong fit with the Council's [City Mobility Plan](#).
- 3.6 During the first part of 2022, a statutory consultation provided stakeholders and members of the public with the opportunity to comment on STPR2. Feedback from this consultation has been used to finalise the STPR2 and its 45 recommendations.

North/South Mass Rapid Transit Linking Granton Waterfront to Edinburgh Bioquarter Strategic Business Case

- 3.7 To support the development of the Council's City Mobility Plan and [City Plan](#), the Council commissioned the Edinburgh Strategic Sustainable Transport Study (ESSTS). This study was reported to the Transport and Environment Committee on [16 January 2020](#) and concluded that mass transit (Tram) will contribute significantly to supporting wider policy outcomes including sustainable economic growth, reducing carbon, promoting equity and social inclusion and supporting healthier lifestyles.
- 3.8 Subsequently, the City Mobility Plan Implementation Plan confirmed that a Strategic Business Case (SBC) for mass rapid transit linking Granton Waterfront to the Edinburgh BioQuarter (and beyond) would be delivered by the end of 2023.
- 3.9 The development of the SBC is underway and is helping inform the development of both the Circulation Plan and Public Transport Action Plan. To support the Council in developing the SBC, a multidisciplinary and specialist consultancy team of: Steer, Jacobs and Anturas was appointed.
- 3.10 The core scope of the development of the SBC includes:

- 3.10.1 Option development and assessment towards the identification of a Preferred Option or shortlist of options that are feasible, deliverable and have the potential to meet the objectives of the scheme;
- 3.10.2 The development of a full UK Treasury Green Book compliant SBC, setting out the case for investment and supporting evidence-base, to inform Council on whether and how the scheme should be taken forward (i.e. towards Outline Business Case); and
- 3.10.3 Client and stakeholder engagement.

4. Main report

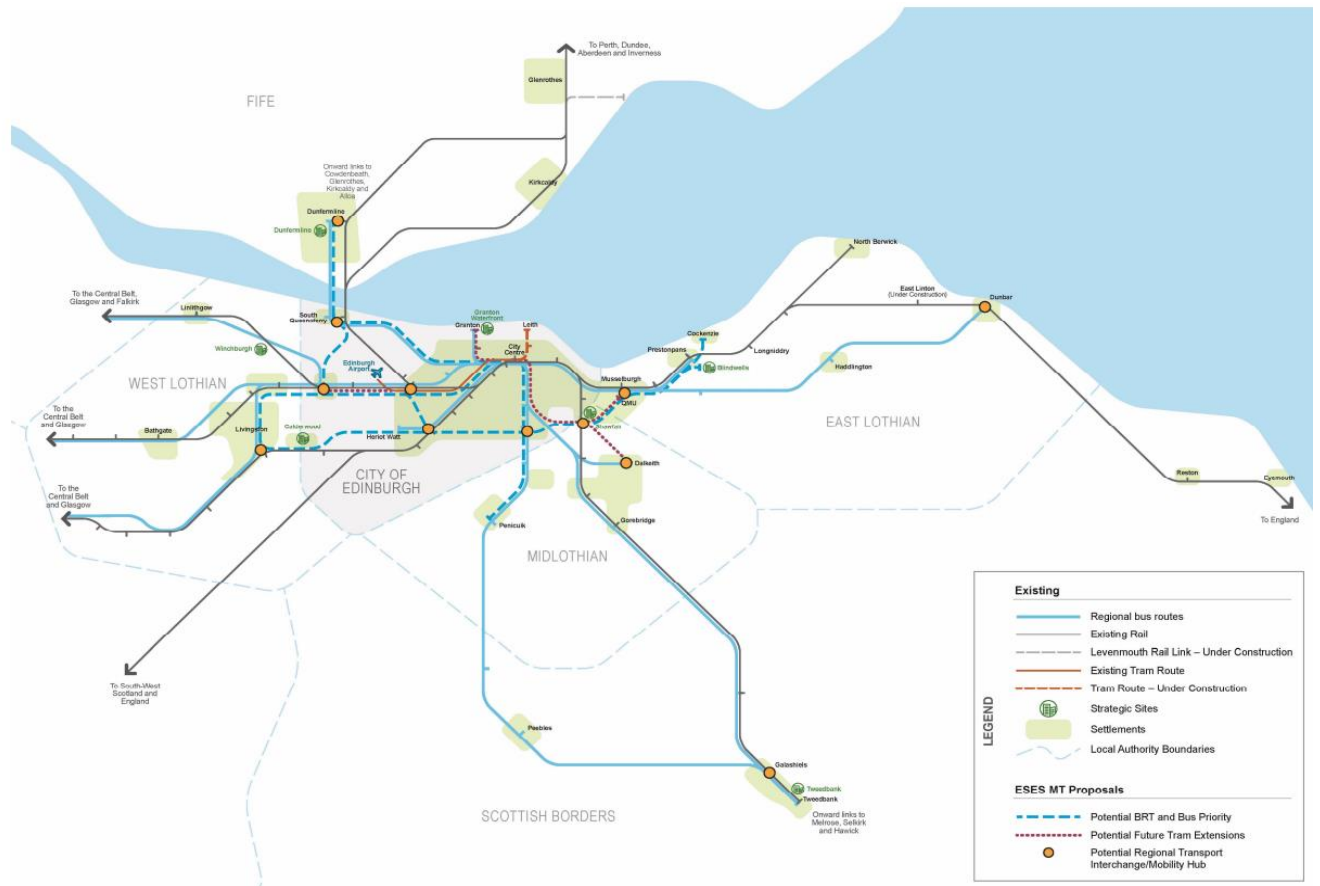
STPR2

- 4.1 On [8 December 2022](#), Transport Scotland published their final Strategic Transport Projects Review (STPR2) report. The recommendations set out wide-ranging inventions across most parts of Scotland (45 in total), including the following ones which are most relevant to Edinburgh include:
 - (STPR2 reference 1) Connected (20 minute) Neighbourhoods;
 - (2) Active (Travel) Freeway and Cycle Parking Hubs;
 - (12) Edinburgh and South East Scotland Mass Transit;
 - (17) Edinburgh / Glasgow - Perth / Dundee Rail Corridor Enhancements;
 - (43) Major Rail Stations Masterplan;
 - (44) Rail Freight Terminals and Facilities; and
 - (45) High Speed and Cross Border Rail Enhancements
- 4.2 STPR2 closely aligns with the Council's City Mobility Plan and recommends that Transport Scotland work with Edinburgh (and Regional Partners) to develop and enhance bus priority and Tram.
- 4.3 A Delivery Plan, to prioritise STPR2 recommendations and inform funding decisions, is expected to be presented to Scottish Ministers in 2023. Council officers and Regional Partners will continue to engage with Transport Scotland to help develop the final Delivery Plan.

Edinburgh and South East Scotland Mass Transit

- 4.4 STPR2 Recommendation Number 12: *The Edinburgh and South East Scotland Mass Transit*, is the most significant proposal relevant to Edinburgh.
- 4.5 This recommendation highlights the limited public transport choices for cross-boundary trips, high amounts of congestion on the strategic road network and local corridors that buses use, which impacts on the attractiveness of public transport and results in a dominance of journeys by car across the region.

- 4.6 Transport Scotland have committed to work with City of Edinburgh Council and Regional Partners in the future to develop and enhance the cross-boundary public transport system for the Region; potentially comprising tram and bus-based transit modes including Bus Rapid Transit (BRT) and bus priority measures.
- 4.7 The indicative extent of Recommendation Number 12 is presented in Figure 4.1. below:



Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit

- 4.8 As noted above, the Council has committed to developing a SBC for a Granton Waterfront to Edinburgh BioQuarter Mass Rapid Transit by the end of 2023.
- 4.9 The delivery of the SBC is making good progress. Work is ongoing on:
- 4.9.1 Detailed tramline alignment assessments. Assessments are based on multi-criteria which include: deliverability, equality and social inclusion, economic prosperity, environmental considerations, wellbeing and health.
 - 4.9.2 Other technical works, such as: finalising alignment options for the southern section of the line, examining the required depot locations, multi-model options appraisal and a preliminary cost-benefit analysis.
 - 4.9.3 An assessment of mode options (Tram or BRT).
- 4.10 The Council has also initially engaged with neighbouring authorities (including Midlothian and East Lothian Councils) and SEStran to look at high level cross-boundary alignments. Further discussions are also expected at the next Edinburgh and South East Scotland City Region Deal Elected Member Oversight Committee.

- 4.11 It is important to note that no decision has been taken on the preferred alignment and this will be subject to extensive consultation ahead of any final recommendation being made.

5. Next Steps

Consultation on Granton Waterfront to Edinburgh Bioquarter Mass Rapid Transit

- 5.1 A three month public consultation is planned for later this year. This will present the primary findings from the work completed so far and the outcome of the consultation will be used to complete the SBC.
- 5.2 The key area focus for consultation will be on the assessed route alignment options. Public consultees will be provided with a summary of the multi-criteria analysis and views will be sought. As noted above, no decision has been taken on any alignments at this stage and feedback from the extensive consultation will be reported to Transport and Environment Committee.
- 5.3 Taking account of the time required to prepare, conduct and analyse the consultation, it is anticipated that the work to complete the remaining SBC will take approximately nine months.

STPR2

- 5.4 Council officers, along with Regional Partners, will continue to engage with Transport Scotland to help develop the final STPR2 Delivery Plan and future governance arrangements for the progression of Recommendation Number 12.

6. Financial impact

- 6.1 Transport Scotland are expected to publish their STPR2 Delivery Plan in the first part of 2023, and this will confirm the immediate investment priorities.
- 6.2 The Council will continue to work with Transport Scotland to help inform the future Delivery Plan in an attempt to secure funding for the full development of Recommendation Number 12.

7. Stakeholder/Community Impact

- 7.1 The input of stakeholders, including local residents, key stakeholder groups, businesses, interest groups, people with protected characteristics and the general public, will be critical to delivering the final SBC for a Mass Rapid Transit solution for Granton Waterfront to Edinburgh BioQuarter.
- 7.2 Extensive and detailed public consultation is a requirement of the SBC process and is currently being prepared.
- 7.3 The public consultation will be publicised on the Council's Consultation Hub to garner detailed feedback on the scheme.
- 7.4 Communications will be delivered via the Council's website and Council social media.

- 7.5 An Interim Integrated Impact Assessment (IIA) is being developed as part of the SBC process and will be maintained throughout the design process.
- 7.6 In preparing the SBC, the transport economic specialist consultants Steer have been commissioned to undertake an Economic appraisal of project (in line with UK Treasury Green Book guidelines). The outcomes of this work will be published as part of the full SBC and will confirm the: Cost-Benefit Analysis, benefit to the economy, plus other economic and non-economic considerations (including local job creation, sustainability, increased property values, any increased visitor spend, health, public safety and the urban environment).

8. Background reading/external references

- 8.1 None.

9. Appendices

- 9.1 None.

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City of Edinburgh Council

10:00am, Thursday, 9 February 2023

Edinburgh and Taiwan Partnership Links

Executive/routine Wards Council Commitments	Executive All
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1. Recommendations

- 1.1 It is recommended that Council:
- 1.1.1 Notes the long history of cultural, scientific, and educational relationships between the City of Edinburgh and Taiwan
 - 1.1.2 Notes the engagement carried out with representatives from Taipei, Tainan City, and Kaohsiung City in Taiwan to explore opportunities for building on these relationships
 - 1.1.3 Agrees that development of cultural and festival links should provide the focus for the next steps in strengthening Edinburgh and Taiwan relationships
 - 1.1.4 Agrees 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
 - 1.1.5 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
 - 1.1.6 Agrees 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.

Andrew Kerr

Chief Executive

Contact: Nick Langan, International Relations Officer

Policy and Insight Team, Corporate Services Directorate



Report

Edinburgh and Taiwan Partnership Links

2. Executive Summary

- 2.1 This report provides a summary of 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.
- 2.2 The report is a response to the Council Leader's motion in March 2022 which celebrated the city's positive relations with Taiwan and requested that the Chief Executive brings back a report on a potential memorandum of understanding to help foster existing collaborations.
- 2.3 During 2022 discussions have been held with the Mayors of Tainan City, Kaohsiung, and the Taipei Representative Office in the UK Edinburgh Office. Taiwan officials stated that any further relations should be progressed after the Taiwan local Mayoral elections in November 2022.
- 2.4 As a result of these and other discussions, officers' recommendations are that a number of sectoral initiatives can be taken forward without the need for formal friendship agreements, with benefits to multiple cities in Taiwan rather than a focus on one individual city.
- 2.5 In line with recommendations made by the Representative Office of Taiwan, it is proposed that Edinburgh continues to strengthen and develop informal collaborations particularly with the Jazz/Blues, Fringe Festivals and digital sector, and support the co-ordination of partner-wide activity within Edinburgh.

3. Background

- 3.1 The links of friendship between Scotland and Taiwan can be traced back more than 150 years to when Scottish missionaries brought modern medicine, printing machines as well as tap water systems to Taiwan. Dr James Maxwell from Edinburgh established Taiwan's first hospital in the 19th Century.
- 3.2 More recently, bilateral relations between Scotland and Taiwan have seen developments through the annual Scottish parliamentary delegation visit to Taiwan

and trade relations with food/drink, (Taiwan is 4th largest export market for Scotch whisky), green energy and cultural exchanges.

- 3.3 Each year Taiwanese performers perform at our world leading Festivals. A recent performance in 2021 from a Taiwanese band at the Edinburgh Jazz and Blues Festival showcased our close musical connections.
- 3.4 The Ministry of Science and Technology (MoST) in Taiwan and the Royal Society of Edinburgh (RSE) established a partnership and have collaboratively on joint science research projects.
- 3.5 The National Taiwan Ocean University in Keelung signed and MoU with the University of Edinburgh to enhance collaboration on green energy research projects.
- 3.6 The Royal Botanical Gardens of Edinburgh (RBGE) organised a biodiversity festival in 2014 and continue to exchange plant species with partners in Taiwan. Other Edinburgh relations include exchange of small animals between Edinburgh Zoo and Taiwanese Zoos.
- 3.7 The UK Minister for Trade visited Taiwan in November 2022 in a clear signal of the UK's commitment to boosting UK-Taiwan trade ties. Taiwan is recognised as a champion of free and fair trade underpinned by the rules-based global trading system. The UK's £8 billion trade partnership has grown by 14% in recent years (2018 – 2020), with UK exports to Taiwan also increasing in that time. The Government's most recent annual business survey showed that an overwhelming majority of UK companies operating in Taiwan are optimistic about its economy and prospects.
- 3.8 In March 2022 Council agreed a motion from Councillor Cammy Day to:
 - 3.8.1 Celebrate the positive relationships between Scotland and Taiwan, including those cited above, and
 - 3.8.2 Agree for the Chief Executive to back a report on a potential memorandum of understanding to help foster the existing collaborations.

4. Main report

- 4.1 During 2022 a number of discussions were held with officials representing Taiwanese cities including Taipei, Tainan City, and Kaohsiung. During these discussions, Taiwanese officials:
 - 4.1.1 Welcomed the opportunity to work closely with the City of Edinburgh to further deepen relationships, work together to foster partnerships, and collaborate to contribute to the global economy, and
 - 4.1.2 Recognised that Scotland and Taiwan share a foundation of strong values based on democracy, human rights, freedom of speech and rule of law, and that further relationships with the City of Edinburgh can support the promotion of these values within Taiwan.

- 4.2 These discussions further concluded that:
- 4.2.1 Given the strength of existing links, a formal memorandum of understanding was not required at this stage,
 - 4.2.2 Future relationships could best be taken forward across multiple locations in Taiwan, as opposed to a single city relationship,
 - 4.2.3 Promotion of cultural and festival links would provide a useful focus for the next stage of developing links between Edinburgh and Taiwan including building on the good work of the Jazz and Blues festival in recent years.
 - 4.2.4 In support of this theme, the Representative Office of Taiwan offered to fully fund an Edinburgh delegation of cultural representatives to visit Taiwan to establish the appropriate partners to progress the relationship, and
 - 4.2.5 An initial fully funded visit to Taiwan, through the Taiwanese government, has also been offered to the Council Leader to represent Edinburgh at the Asian Smart City Summit in March 2023. Taiwan has moved steadily toward the goal of becoming a digital nation and smart island and worked to promote the development of smart healthcare, smart transportation and digital economy. Taipei City, host the Smart City Summit & Expo each year and won the 2021 IDC Smart City Asia Pacific Award. Kaohsiung are also hosts this year.
- 4.3 This proposed approach is consistent with the ways of working set out in the Edinburgh International Framework. This framework sets the basis for the Council's approach to building international relationship and states that as a city Edinburgh is open to building international relationships which are aligned to our Council Business Plan priorities.
- 4.4 Building on this framework, the Edinburgh International Group (The EIG) is a partnership of city wide anchor institutions and stakeholders who work together to establish a collaborative "Team Edinburgh" approach to taking forward the priorities of the Edinburgh International Framework.
- 4.5 Edinburgh Festivals, including Edinburgh International Festival and Edinburgh Jazz and Blues Festival, are members of the EIG and discussions to strengthen these links are currently progressing.

5. Next Steps

- 5.1 As next steps it is recommended that:
- 5.1.1 Officers continue to work with Edinburgh International Group partners to engage with representatives of Taiwanese cities
 - 5.1.2 Officers and Edinburgh International Group partners take forward the offer of a fully funded invitation of Edinburgh representatives from the culture/festival sector (especially the Edinburgh Jazz and Blues Festival) to visit Taiwan to establish a co-ordinated approach of sectoral collaborations in 2023,

- 5.1.3 The Council leader and one officer represent Edinburgh at the Asian Smart City Summit in Taipei city in March 2023, with all costs fully funded through the Taiwanese Government
- 5.1.4 Officers continue to work with the Edinburgh International Group to establish a joint approach to fostering relationships with Taiwan.

6. Financial impact

- 6.1 Delivery of actions outlined in this report will be taken forward within agreed Council budgets. Any additional budget requirements identified will be discussed and agreed through annual budget decision making processes. All costs associated with visits to Taiwan outlined in this paper are fully funded by the Taiwan government.

7. Stakeholder/Community Impact

Edinburgh International Group members, including, University of Edinburgh, Festivals Edinburgh, Royal Botanic Gardens and others, have been approached and agreed to support an enhanced programme of activity. Moreover, a particular emphasis on the Edinburgh Jazz and Blues Festival links will further strengthen the musical connections.

8. Background reading/external references

[Edinburgh International Framework](#)

9. Appendices

None

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The City of Edinburgh Council

10.00am, Thursday, 9 February 2023

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

Executive/routine
Wards
Council Commitments

1. For Decision/Action

- 1.1 The City of Edinburgh Council is asked to approve the decision taken by the Policy and Sustainability Committee.

Richard Carr

Interim Executive Director of Corporate Services

Contact: Louise Williamson, Committee Services, Legal and Assurance Division

E-mail: louise.p.williamson@edinburgh.gov.uk

Referral Report

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

2. Terms of Referral

2.1 On 17 January 2023, the Policy and Sustainability Committee considered a report by the Executive Director of Place 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.

2.2 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 Meagher

Amendment 1

- 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

Amendment 2

- 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.

- 3) To further note with regret the lack of diversity on the Edinburgh and South East Scotland Joint Committee and instructs Edinburgh's Council Leader to raise this point at their next meeting and report back to members of the Policy and Sustainability Committee via the Business Bulletin any actions that arise from this discussion.

- moved by Councillor Mumford, seconded by Councillor Staniforth

Amendment 3

- 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.
- 3) To note that the Forth Port freeport bid has now been selected by the Scottish Government and will be going ahead, and duly instructs CEC's representatives on the Joint Committee to ensure that the priorities passed by Council in December 2022 - around fair work, unionisation, community benefits, job and employability opportunities, affordable local housing allocation, and health & safety and environmental protection - are reflected in all future discussions about the freeport in relation to the Regional Prosperity Framework, with updates provided in the Business Bulletin.
- 4) To further note with regret the lack of diversity on the Edinburgh and South East Scotland Joint Committee and instructs Edinburgh's Council Leader to raise this point at their next meeting and report back to members of the Policy and Sustainability Committee via the Business Bulletin any actions that arise from this discussion.

- moved by Councillor Lang, seconded by Councillor Beal

In accordance with Standing Order 22(12) Amendment 3 was adjusted and accepted as an addendum to the Motion.

In accordance with Standing Order 22(12) Paragraph 3 of Amendment 2 was accepted as an addendum to Amendment 1.

Voting

The voting was as follows:

For the motion (as adjusted)	-	9 votes
For Amendment 1 (as adjusted)	-	8 votes

(For the motion (as adjusted): Councillors Beal, Day, Dijkstra-Downie, Doggart, Griffiths, Lang, Meagher, Walker and Whyte.

For Amendment 1 (as adjusted): Councillors Aston, Biagi, Campbell, Macinnes, McVey, Mumford, Parker and Staniforth.)

Decision

- 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.
 - 3) To note that the Forth Port freeport bid had now been selected by the UK and Scottish Governments and would be going ahead, and duly instruct CEC's representatives on the Joint Committee to ensure that the priorities passed by Council in December 2022 - around fair work, unionisation, community benefits, job and employability opportunities, affordable local housing allocation, and health & safety and environmental protection - were reflected in all future discussions about the freeport in relation to the Regional Prosperity Framework, with updates provided in the Business Bulletin.
 - 4) To further note with regret the lack of diversity on the Edinburgh and South East Scotland Joint Committee and instruct Edinburgh's Council Leader to raise this point at their next meeting and report back to members of the Policy and Sustainability Committee via the Business Bulletin any actions that arose from this discussion.
- 2.3 In accordance with Standing Order 30.1, the decision was referred to Council for approval.

3. Background Reading/ External References

Minute of the Policy and Sustainability Committee of 17 January 2023.

4. Appendices

Appendix 1 – Report by the Executive Director of Place

Policy and Sustainability Committee

10.00am, Tuesday, 17 January 2023

Regional Prosperity Framework Delivery Plan

Executive/routine Wards Council Commitments	Executive All
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1. Recommendations

- 1.1 Policy and Sustainability Committee is asked to:
 - 1.1.1 Approve the Regional Prosperity Framework Delivery Plan; and
 - 1.1.2 Note that the Delivery Plan will 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.

Paul Lawrence

Executive Director of Place

Contact: Andy Nichol, Programme Manager (PMO) Edinburgh and South East Scotland City Region Deal

E-mail: Andy.Nichol@edinburgh.gov.uk | Tel: 0131 529 4461



Regional Prosperity Framework Delivery Plan

2. Executive Summary

- 2.1 The Regional Prosperity Framework Delivery Plan (Appendix 1) is submitted to Committee for approval, prior to being considered by the Edinburgh and South East Scotland City Region (ESESCR) Joint Committee.

3. Background

- 3.1 The maturity of the regional partnership with UK and Scottish Governments has seen the City Region Deal partners develop an ambitious Regional Prosperity Framework (RPF) (formerly Growth Framework), approved in [September 2021](#) before being ratified individually by each of the six Local Authorities and the University of Edinburgh Court. Committee ratified the Regional Prosperity Framework [5 October 2021](#).
- 3.2 The Framework is the articulation of the next phase of the development of the regional economy, building upon the successes of the City Region Deal both in terms of the programmes and also the regional collaboration. It provides a blueprint for regional economic recovery post-pandemic; resilience through the ongoing cost of living crisis; and provides future direction for major projects and investment.
- 3.3 Since the publication of the RPF, regional partners have been developing the Delivery Plan appended to this report. This period has covered the COVID-19 pandemic and ongoing cost-of-living crisis. Partners have tried to develop a Delivery Plan that responds to these crises and recognises that the cost-of-living crisis disproportionately impacted the most economically disadvantaged members of the community, with the cost of basic necessities e.g., food and fuel far exceeding any increases to wages.

4. Main report

- 4.1 The RPF provides a blueprint for regional economic recovery post-pandemic; resilience through the ongoing cost-of-living crisis; and provides future direction for major projects and investment that support inclusive growth and the transition to a net zero economy over the next 20 years.

- 4.2 The RPF and its Delivery Plan align closely with Scotland’s National Strategy for Economic Transformation (NSET), Scotland’s Regional Economic Policy Review Recommendations, and the UK Government’s Levelling Up White Paper with its funding allocations, and the additional funding allocations available through the UK Shared Prosperity Fund. All three of these present major opportunities for our region to truly capitalise on additional funding.
- 4.3 The RPF vision is to become *“the data capital of Europe. We will ensure the social and economic benefits of this capability extend to all. All sections of the community will have the opportunity to develop the key skills that will help to end inequalities in our society. We will protect our environment and make best use of our extraordinary built and natural assets, ensuring that the Edinburgh and South East Scotland City Region delivers a just transition to a net zero economy. Our institutions, ancient and modern, will deliver positive outcomes that enhance our local, national, and international reputation”*.
- 4.4 The regional partners are committed to this vision and to use it to guide and integrate public, private, and third-sector decisions, actions, collaborations, strategies, policies, and investments across areas such as sustainability, climate change, energy, transport, planning, housing, infrastructure, education, digital, services, inequalities, well-being, economic development, procurement, and delivery.
- 4.5 Regional Priorities have been developed around three core themes which support an economy that is **resilient; innovative and flourishing** (see diagram 1 below).

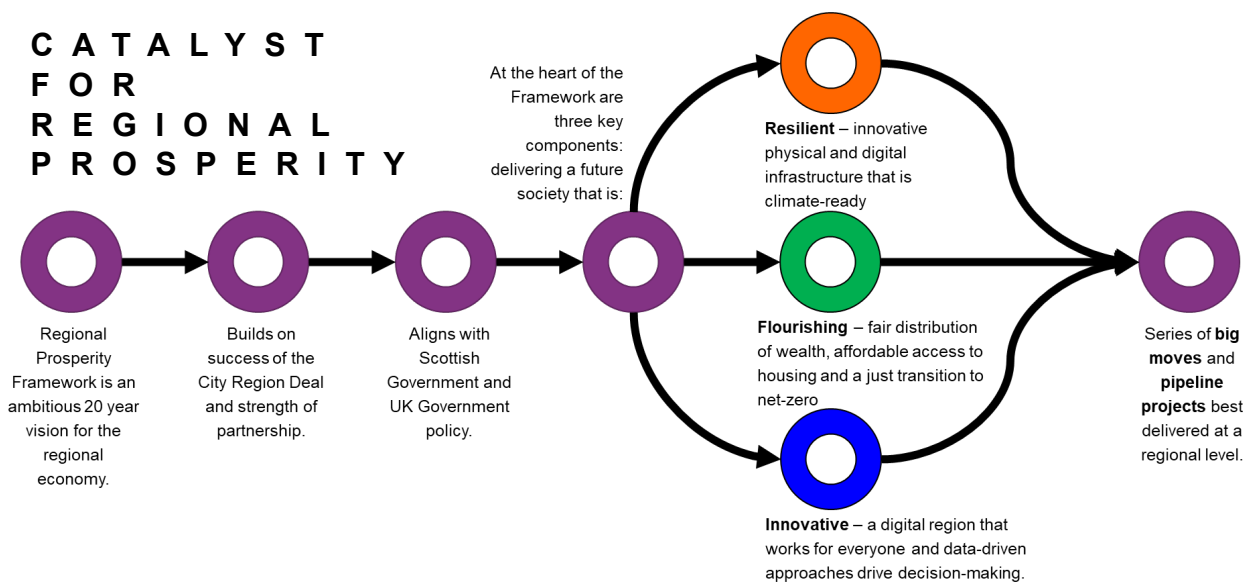


Diagram 1 - Regional Prosperity Framework Delivery Process

- 4.6 All actions under the RPF are framed to support:
- **People** – to access fair work, to learn and develop new skills and to live happy and healthy lives;

- **Places** – that are sustainable, and attractive to live and work in and where enterprise thrives;
- **Planet** – meeting our needs in a way that will allow future generations to meet theirs, with a focus on the reduction of greenhouse gas emissions

4.7 As recovery from COVID-19 continues, it is a different economic world than the one before. Subsequent global events, such as the war in Ukraine, inflation, and emerging financial and political uncertainties, mean that there is a need to develop a different strategic approach if the shared ambition for the region is to be achieved and to deliver a resilient economy that can meet the needs of its citizens and businesses.

4.8 To be able to reflect current and future economic shocks, the Delivery Plan has been developed as a living document, with the immediate priorities for the region set out over a one to three-year horizon, but in the context of the longer-term ambitions for the region. Regional priorities will be reviewed annually and refreshed, with programmes and projects added or subtracted to ensure a continued focus on the ambitions of the Plan and to reflect what is happening at the local, regional, national, and macro level of the economy.

4.9 The Delivery Plan establishes a clear process for delivery of the projects and sets out an ambitious prospectus for investment.

4.10 Four key programme areas have emerged as the priority for the next 12 months:

- Green Forth;
- Infrastructure for Recovery;
- Visitor Economy and Culture; and
- Data-Driven Innovation Economy.

4.11 A summary of each programme is outlined below with further detail provided in Appendix 1.

Green Forth

4.12 From Eyemouth to Grangemouth, the Forth Economic Corridor has the potential to drive transformational economic and climate adaptation through major waterfront regeneration including Granton Waterfront, Blindwells and Cockenzie; reuse and modernising of existing assets, sites, and operations to create strategic net zero employment opportunities; support innovative manufacturing and shipbuilding; and proposals for a Green Freeport which aim to underpin and enhance the area's future economic success including the creation of the nation's largest offshore renewable energy hub.

4.13 Cross partner support will be required to establish a Forth Estuary Collaboration Network. Enabling closer collaboration between neighbouring authorities to deliver their national and regional priorities for the Forth, and to promote the reputation of the Forth economic corridor domestically and internationally.

- 4.14 Key to the future success of the Forth and of the region is the development of future green skills to meet the needs of businesses today and in the future economy whilst creating new high value jobs. The creation of a Net Zero Accelerator Hub can help to address the demand and supply side barriers that exist, helping key sectors begin or accelerate the transition to net zero.

Infrastructure for Recovery

- 4.15 The most productive regions are the best connected and the most sustainable. Much of Scotland's future population and household growth is set to take place in the region, with available capacity to grow in parts of the region. The scale and nature of the consequential impact on the region's infrastructure is substantial and is crucial to the success of the regional and national economy.
- 4.16 The housing need and demand in the city region is the greatest in Scotland, with nearly 60% of the total annual affordable homes requirement for Scotland needed in our city region. This region delivers more homes than any other part of Scotland and continues to drive construction innovation. Resources are required to sustain and accelerate this activity.
- 4.17 The Edinburgh and South East Home Demonstrator Project is a new business model for the delivery of Net Zero affordable homes at scale. There are currently 75 homes under construction at Granton Waterfront with support required to secure a delivery partner and to scale up a regional pipeline of sites.
- 4.18 The region needs financial support to both deliver the Energy Efficiency Standards for Social Housing 2 (EESH2) programme of retrofitting existing homes and continue to build new affordable homes.
- 4.19 Accelerating delivery of the City Region Deal strategic sites can deliver 35,000 homes, transforming vacant and derelict land to deliver net zero carbon homes.
- 4.20 It is essential that regional transport priorities are co-ordinated to deliver the aspirations of the: Regional Transport Strategy; Strategic Transport Projects Review 2; and National Strategy for Economic Transformation. This will best ensure that we can: Effect Modal Shift; Promote Mass Transit; Decarbonise Transport (support transition to net zero); and Tackle Transport poverty.
- 4.21 To deliver on these strategic ambitions, including fairer and more equal economic prosperity, requires a skilled population. This must ensure that everyone has the opportunity to participate fully in the labour market. The transition to net zero and the data revolution, in particular, will necessitate a new supply of skills. Housing, transport and skills are essential for removing barriers faced by some in participating and progressing in the labour market and in ensuring that employers have the supply of skills they need. A Net Zero Accelerator Hub proposal is being developed by regional partners.

Visitor Economy and Culture

- 4.22 The renewal of a world class cultural and visitor offer is key to the regional economy and can be realised through establishing a Regional Visitor Economy Partnership to

create and deliver a regional visitor economy development plan will allow for collaborative public sector investment and delivery in the visitor economy.

- 4.23 A Data Driven Innovation led approach to tourism destinations can help to position the region as a global leader in regional data-driven decision-making for strategic tourism investments, aligning and contributing towards the regional ambition of being the Data Capital of Europe.

Data-Driven Innovation Economy

- 4.24 Embedding and extending the impact of the City Region Deal Data-Driven Innovation investment in the regional and national economy to ensure the region provides the skills, support network, data and transport infrastructure needed to grow data-led organisations is essential. Cross partner support is needed to promote the aspiration for the Region to be a Data Capital, and its linkages to delivering Scottish and UK Government Digital and Data Strategies.
- 4.25 Partners will work to support the operational growth of the TechScaler Network, funded by Scottish Government, and support the ongoing recognition of the Region as a World Leading Centre for Informatics and High-Performance Computing Academic Excellence.
- 4.26 The delivery programmes above are critical to the region's future economic success, providing clarity for future investment and collaboration to ensure this region has a prosperous net zero future. These programmes will be monitored and reviewed every 12 months to ensure they are still relevant to local, regional, and national partners.

5. Next Steps

- 5.1 Each of the five other constituent Local Authorities will also consider a report on the RPF Delivery Programme before the City Region Deal Joint committee meets on 3 March 2023.
- 5.2 Subject to the necessary approvals at the above committees, regional partners will ask both Scottish and UK Government for the following support:
- **Financial Support for Programmes**
 - We ask for our Action Plan to be achieved through a medium to long term, integrated, place-based funding allocation based on shared outcomes
 - **New forms of Partnering**
 - Support to develop a new Regional delivery capability to support the Regional Prosperity Framework
 - Align national strategies & policies to support regional aspirations
 - We ask both the Scottish and UK Governments to commit to continue to work in tripartite (UKG/SG/ESES) partnership.

- Recognise the region is closely aligned and uniquely positioned to progress the recommendations made in the Scottish Government's Regional Economic Policy Review.
- **Enablement**
 - New powers and new delivery tools to deliver the Framework, through a “live” Action Plans.
- **National Strength Recognition**
 - There are a basket of regional economic assets that are a vital part of the national economy, but which have been buffeted by recent economic upheavals. We want to work the Governments to secure these for the long term.

6. Financial impact

- 6.1 The work on the RPF has been overseen by the City Region Deal Directors Group which includes representation from both Scottish and UK Government; the Regional Enterprise Council; and the Elected Member Oversight Committee. Paul Lawrence, Executive Director of Place, is Senior Responsible Officer within the City of Edinburgh Council for this activity.
- 6.2 An officer working group with membership from across each of the six local authorities, the University of Edinburgh, and Scottish Enterprise, supported by the Programme Management Office has developed the RPF Delivery Plan.
- 6.3 Over the lifetime of the project, consultancy support was secured to assist with development work. This was paid for by monies received from Scottish Government, Scottish Enterprise and a £30,000 SESplan rebate.
- 6.4 Approval of the RPF Delivery Plan does not commit resources from the City of Edinburgh Council or the other five constituent Local Authorities.
- 6.5 Delivery will be achieved through existing resources and additional public and private sector investment. As external funds are secured programmes and projects will be progressed on a case by case basis, based on the development of individual business cases.
- 6.6 City Region Partners want the Delivery Plan to be supported through a medium to long term, integrated, place-based funding allocation based on shared outcomes. Officers are developing the case for this funding approach, which should cover the whole-life costs of delivery and will present this to UK and Scottish Government in advance of the UK Government budget next year. Partners will continue to work with Scottish Government to ensure that the RPF Delivery Plan aligns to programmes and spend on NSET, STPR2, infrastructure and other relevant areas.

7. Stakeholder/Community Impact

- 7.1 The work on the RPF has been overseen by the City Region Deal Directors Group including representation from both Scottish and UK Government; the Regional Enterprise Council; and the Elected Member Oversight Committee.
- 7.2 Each of the six constituent local authorities are considering the RPF Delivery Plan ahead of the City Region Deal Joint Committee meeting on 3 March 2023 to ensure that any final local contributions are reflected in the final version of the Plan.
- 7.3 The RPF was approved for public consultation by the City Region Deal Joint Committee on 4 June 2021. The RPF was agreed by the ESESCR Joint Committee in [September 2021](#) and ratified by Policy and Sustainability Committee in October 2021.
- 7.4 Delivery of the programmes and projects in the RPF Delivery Plan can deliver on the city Regions ambitions to become the data capital of Europe; support inclusive growth; and a just transition to a net zero economy over the next 20 years.

8. Background reading/external references

- 8.1 Edinburgh and South East Scotland City Region Deal Annual Report 2021/22, Policy and Sustainability Committee - [1 November 2022](#).

9. Appendices

- 9.1 Appendix 1 - Regional Prosperity Framework Delivery Plan



Page 479



REGIONAL PROSPERITY FRAMEWORK

DELIVERY PLAN & PROSPECTUS

2023/24

Edinburgh and South East Scotland Joint Committee



Councillor Cammy Day
Leader, The City of Edinburgh Council



Professor Peter Mathieson
Chair, Higher & Further Education Consortium and Principal, University of Edinburgh



Councillor Norman Hampshire
Leader, East Lothian Council



Claire Pattullo
Chair of Regional Enterprise Council and Chief Executive Officer at Edinburgh Social Enterprise



Councillor David Ross
Leader, Fife Council



Garry Clark
Vice-Chair of Regional Enterprise and Council Development Manager (East of Scotland) at Federation of Small Businesses



Councillor Russell Imrie
Councillor, Midlothian Council
Chair, Joint Committee 2022



Councillor Euan Jardine
Leader, Scottish Borders Council
Chair, Joint Committee 2023



Councillor Lawrence Fitzpatrick
Leader, West Lothian Council
Vice Chair, Joint Committee 2023

Contents

1. Foreword	3
2. Introduction	4
3. Executive Summary	5
A Resilient Regional Economy	
4. Our Diverse Region	7
5. Our Economy and Goals	9
6. Opportunities & Challenges	10
Our Priorities	
7. Our Theory of Change	12
8. Priority Initiatives	13-16
9. Call To Action	
Delivering Together	18
9. Our Ask of the Governments	19
10. What Will Change?	20
<i>Annex 1: Already Delivering – Case Studies</i>	23

Foreword

The City Region Deal brings together six local authorities, four universities, six colleges and the Regional Enterprise Council with representatives from the business, social enterprise and third sectors. The partnership is now in the fifth year of the delivery of the Edinburgh and South East Scotland City Region Deal programme, and we continue to make excellent progress.

Building on the successful delivery of the City Region Partners have developed an ambitious Regional Prosperity Framework (RPF) that articulates the next phase of activity to develop the regional economy, building upon the successes of the City Region Deal. The RPF sets out a blueprint for regional economic recovery post-pandemic; resilience through the cost-of-living crisis and transition to net zero.

Our RPF Delivery Plan is both an action plan – focused on more immediate interventions that can currently be resourced – and a prospectus; setting out collective future ambition and opportunities. A “living” document, the Delivery Plan sets out an ambitious and dynamic series of four key programmes to deliver the region’s ambitions:

Page 481

- Green Regeneration
- Infrastructure for Recovery & Prosperity
- Visitor Economy and Culture, and
- Data Driven Innovation (DDI) Economy

These programmes will enable the city region to maintain and enhance its global reputation and become the data capital of Europe, delivering sustainable and inclusive growth.

Our Delivery plan aligns with Scotland’s National Strategy for Economic Transformation (NSET), Scotland’s Regional Economic Policy Review recommendations, and UK Government’s Levelling Up priorities, as well as the 2022 Autumn Statement.

We ask the Scottish and UK Governments to continue to commit to work in tripartite partnership to deliver our Blueprint through a long term, integrated, place-based funding allocation to deliver shared outcomes.

Chair of the Edinburgh & South East of Scotland Joint Committee



“ We only have this one planet; we got to figure out how to live on it without destroying it. ”
Tricia Helfer

Executive Summary

Over the last five years the regional partnership behind the South East Scotland City Region Deal has flourished, resulting in the publication of the Regional Prosperity Framework (RPF) in September 2021.

A range of acute external pressures have strained the REP, and this living Delivery Plan is our remedy. The Plan targets three goals: reduced economic exclusion; increased regional competitiveness; and, accelerated transition to Net Zero.

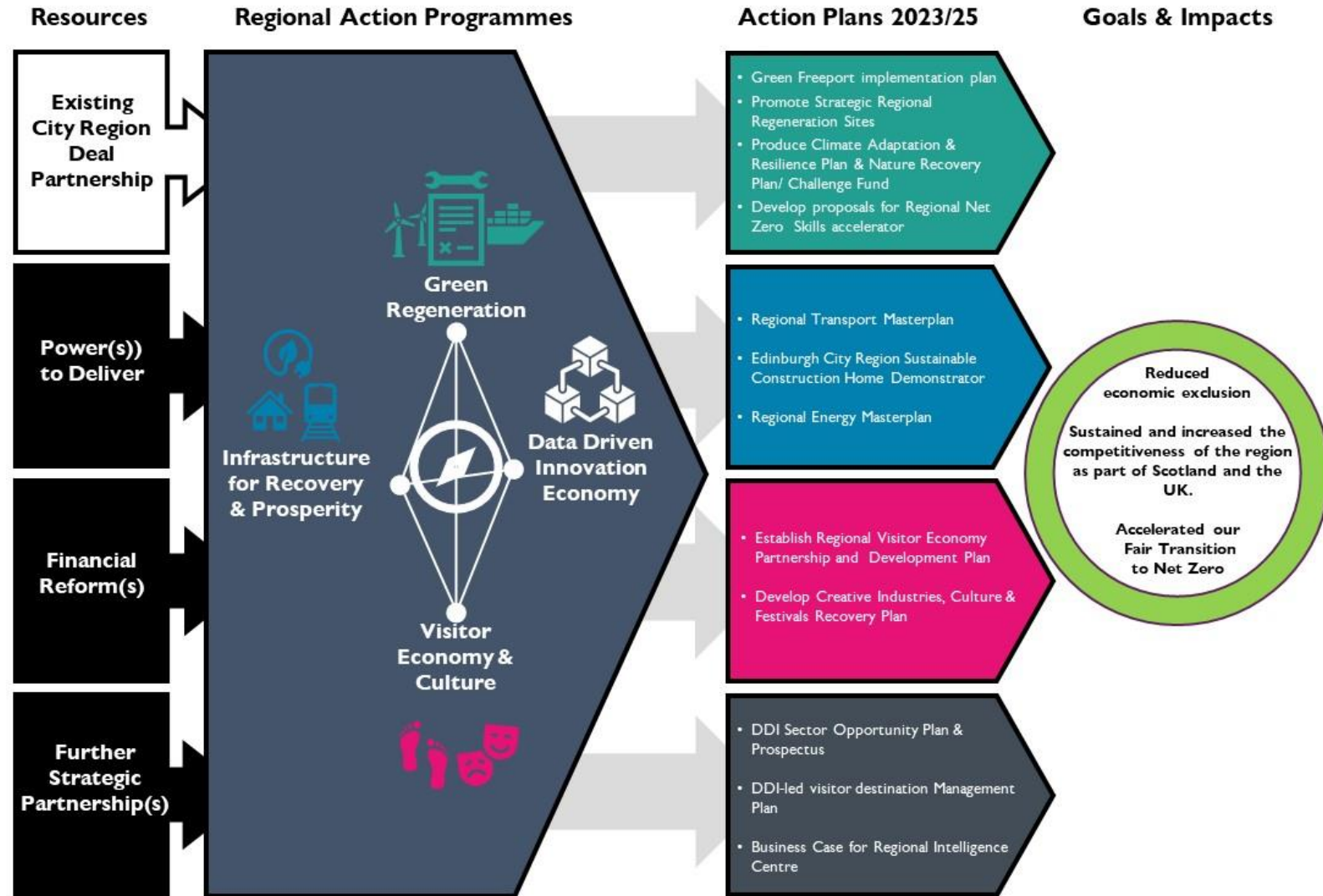
The Delivery Plan comprises four key programmes and associated regional action plans. The action plans will deliver immediate benefits whilst providing a longer-term platform for future activities that deliver our goals.

Early momentum is key to consolidating the Regional Partnership, as a more formal Regional Economic Partnership, and is core to our actions plans. Our Call to Action comprises four priority initiatives:

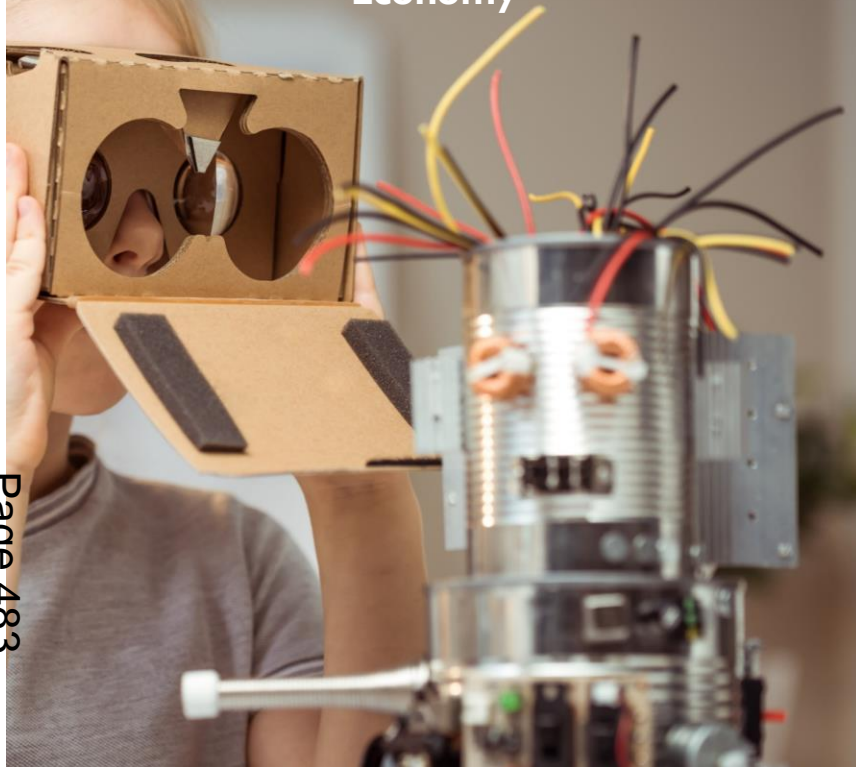
- Infrastructure for Recovery & Prosperity by co-developing with the Governments a place-based capital and revenue funding model for delivery of regional ambitions;
- Develop Green Regeneration (*focused on the Forth*) investment prospectus;
- Secure a sustainable visitor economy and promotion of our cultural assets; and,
- Promote the transition to a data driven innovation (DDI) enabled economy in the region.

These initiatives will provide further evidence of the positive impact of our Partnership; build further confidence in our ability to collaborate and deliver and demonstrate the positive outcomes that investment in our region will deliver.

The Regional Partners now seek to co-create the delivery and resourcing approach for this Delivery Plan with government partners and other stakeholders.



A region that is committed to new ways of working to grow an innovative and diverse Economy



Page 483

CodeBase fully supports Edinburgh's ambition to become the Data Capital of Europe. That is why we are excited about plans to embed, and broaden the impact of, Data-Driven Innovation investment in the regional and national economy.

In order to become Europe's Data Capital, it is essential that Edinburgh and South East Scotland continue to provide the skills, support network, data and transport infrastructure that will facilitate the continued growth of data-led organisations - companies old and new - in the region.. **Steven Drost, CSO CodeBase**

Introduction

Our Delivery Plan has been developed through our Regional Economic Partnership (REP) in collaboration with the governments and their agencies. The Plan sets out our opportunities for regional action and investment that better deliver regional inclusive economic growth through regional collaboration.

The Delivery Plan Builds Upon our shared Strategic Framework

The Regional Prosperity Framework (RPF) articulates the long-term aspirational goals for Edinburgh and South East Scotland city region. It guides the future direction of regional economic and wider policy by setting out an ambitious vision for the regional economy to 2041. All actions under the RPF are framed to support:

People: expand access fair work, learn and develop new skills and to live happy and healthy lives

Places: develop communities that are sustainable, attractive to live and work in and where enterprise thrives

Planet: meet our needs whilst enabling future generations to meet theirs, with a focus on climate action through emissions reduction and adaptation.

Our Vision for the Region is Challenging but Achievable...

We will ensure the social and economic benefits of future growth extend to all. All sections of the community will have the opportunity to develop & enhance the key skills that will help to end inequalities in our society. We will protect our environment and make best use of our extraordinary built and natural assets, ensuring that our Region delivers a just transition to a net zero economy. Our institutions, ancient and modern, will deliver positive outcomes that enhance our local, national, and international reputation. Our aim is to become the data capital of Europe.

....by Remaining Responsive to Change

Global events, such as global pandemic recovery, the war in Ukraine, inflation and emerging financial and political uncertainties, demand an agile strategic response if our shared regional ambitions are to be achieved. As a result, the Delivery Plan focuses on the immediate **1 to 3-year horizon**, but in the context of our longer-term regional ambitions. It will be **reviewed annually**, adding or subtracting Programmes and projects to ensure continued focus on our ambitions and enable dynamic responses to any challenges as they emerge.

Our Plan Builds Upon the Unique Attributes of the Region

The Delivery Plan describes:

- **The Region's Diverse Economy**, identifying the unique strengths and assets of our regional economy.
- **Opportunities and Challenges**, assessing our regional growth levers and the barriers we must overcome.
- **Delivering together**, describing the aims and priorities for our Plan including the pathway that we can follow if we are going to positively impact the regional economy.



A RESILIENT REGIONAL ECONOMY

Our Diverse Region

Edinburgh

- Key driver of Scottish economy with diverse global business base, quality retail core, and world heritage cityscape.
- Global strengths in professional services, finance, insurance, education, science, health and data.
- Thriving retail, hospitality and leisure sector.
- Forth Bridge world heritage site frames key green growth and regeneration opportunities along the Forth.
- Continued strong demand in housing and commercial property markets.
- Regional actions underway to distribute economic opportunity, address commuting travel patterns, improve affordable housing supply and enhance strategic local infrastructure.

West Lothian

- Broad and extensive business base is supported by a skilled workforce
- Key strengths in life sciences, engineering, construction, food & drink, aerospace, retail, software development, renewables, advanced manufacturing, health, communications, support services and logistics.
- Heartlands offers 2,000 homes and 1.5 million square feet of employment space with easy motorway access.
- Winchburgh is delivering thousands of new homes and 40 acres of employment and retail space, with easy motorway access and potential for a new rail station.

Midlothian

- High quality clusters of professional, education, health and scientific developments such as Easter Bush.
- At the forefront of world leading research and development programmes in biomedicine and agritech.
- Data Driven Innovation (DDI) Skills Gateway established at Newbattle High School Centre of Excellence.
- Destination Hillend is a strategic proposal for multi-activity leisure tourism with business opportunities at Hillend Snowsports Centre.
- Strengths in wholesale retail and trade, construction and manufacturing, and agriculture.

Scottish Borders

- Strong cultural heritage, high quality environment and communities with a good quality of life.
- Strengths in agriculture, energy, tourism, food & drink, manufacturing, forestry and construction
- Well connected to Central Scotland and the Cities of the North of England.
- Borders Rail has catalysed regional opportunities.
- Future extension of railway to Carlisle and planned 4G/5G investments will sustain economic opportunities.
- Scottish Borders Mountain Bike Innovation Centre will cement the region's international cycling reputation.
- Inspire Learning Centre - Tweedbank. Delivering a world class digital learning environment in partnership with Apple





The Firth of Forth and Coast

- Economic renaissance of the Forth estuary is driven by green growth, net zero energy innovation and sustainable infrastructure, new fuel production and nature based solutions.
- Strengths in life sciences, engineering, construction, agriculture, food and drink, distribution, aerospace, retail, software development and renewables, advanced manufacturing health, information, communications, support services and logistics.
- Three regeneration and renewal zones along its length:
 1. South Zone: Hound Point (deep water facilities), Edinburgh Waterfront and East Lothian's Climate Evolution Zone (including the former Cockenzie Power Station), Blindwells new settlement (with potential for expansion), and Eyemouth as a hub for off-shore renewables;
 2. North Zone: former Longannet Power Station site (with rail link), Rosyth International Port, Braefoot Bay Oil and Gas Terminal (deep water facilities), Mossmorran fuel and distribution hub, the Fife Renewables Innovation Centre and ORE Demonstrator at Levenmouth; and
 3. West Zone: the Forth provides links to the Falkirk and Grangemouth Investment Zone with its green fuel production, biotechnology and skills development, and Scotland's National Environment Centre and National Aquiculture Technology and Innovation Hub.

Fife

- Strengths include advanced manufacturing, financial and business services and food and drink.
- Outstanding coastline and strategic travel routes provide opportunities for inclusive, sustainable growth.
- Dunfermline awarded city status and offers large housing development area including shared learning campus for Fife College.
- Rosyth International Port and Arrol Gibb Campus complement local strengths in freight and logistics.
- Centre of Excellence in Low Carbon and Renewable Energy innovation being created at Guardbridge.
- Number of transformative investments are already underway (e.g. reopening of the Levenmouth Rail Link.
- Outstanding natural and cultural assets (the Forth Bridges, 48 golf courses, the Fife Coastal Path, and the Pilgrim Way)

East Lothian

- Celebrated for its attractive market towns, prime countryside and coast, and golf and leisure tourism.
- Green growth opportunities in emerging **Climate Evolution Zone**, including **Cockenzie Power Station site** and potential expansion of **Blindwells new settlement**,
- Potential investments in strategic sustainable infrastructure, including the **High Speed Rail**,
- Internationally significant scientific, biomedical and education activities, including **Edinburgh Innovation Hub** and **Edinburgh Innovation Park**,
- The future use of Torness Nuclear Power Station site is a significant longer term opportunity.

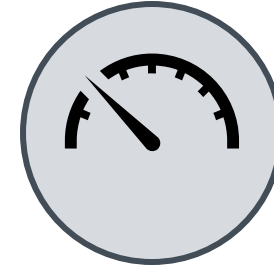
Our Economy and Goals

- **65%** of 1.4m residents are of working age. The Region's dependency ratio is projected to increase from **54%** in 2018 to **57%** by 2043, compared to Scotland's **60%** (number of dependents over the number of people working).
- This is the fastest growing region in Scotland and one of fastest in UK. Forecast change in population 2018 – 2043 is **9.1%** (Scotland **2.5%**/UK **9%**).
- In 2022, **20.7%** of residents aged 16-64 were economically inactive, **2.2%** lower than Scotland. This ranges from **16.3%** to **26.9%** in the Local Authorities. It is a decrease from pre-pandemic levels. Reasons for inactivity include long term sickness. Unemployment rates by disabled status range from **15.6%** to **33.7%**.

By 2032, there will be a need to replace **264,100** people who have left the labour market in the Region. (RSA Nov 22)

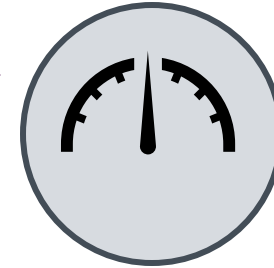
- Productivity, calculated by dividing total regional GVA by total regional employment (measured by jobs), in 2022, was forecast to be **£59,700**, higher any other region and than the Scottish average **of £54,100**.
- Over the long-term (2025-2032) productivity is expected to grow by **1.1%** on average each year, broadly similar to Scotland as a whole.
- **4.6** tonnes of CO2 emissions per head in 2020, *matching* the UK and Scottish national positions.

Our Goals



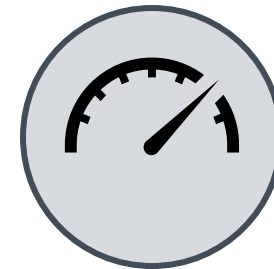
Reduce Economic Exclusion

- Reduce levels of economically inactivity.
- Reduce unemployment levels by disabled status.
- Reduce the number of people suffering the greatest levels of deprivation
- Minimise the impact of an increasing dependency ratio (e.g., *those not in work who depend on those in work*) in the region



Sustained and Increased Competitiveness

- Increase productivity per capita by increasing adoption of data driven innovation and business start-ups.



Accelerate Fair Transition to Net Zero

- Reduce per capita end-user greenhouse gas emissions for the region and by sector
- Better achieve net zero by 2045, 90% by 2040 and 75% by 2030.

Opportunities & Challenges

Opportunities

Devise circular investment opportunities where benefits from investments are retained and magnified within the region.

Link supply and demand at a regional level so that regional needs can be better met locally in a sustainable fashion.

Develop a “*pack mentality*” in the REP to seek and deliver regional opportunities which transects all sectors and builds on the success of the City Region Deal.

Building on the progress in the digitisation of the regional economy, further drive adoption of this innovation into all sectors

Improve food and resource security at a regional level, and develop sustainable forms of tourism, culture and heritage

Deliver interventions that are collaborative, multi-faceted and diffused to address local needs across the region

Embed community wealth building in anchor institutions to increase focus on a wellbeing economy

Develop new partnerships with industry and the governments and secure funding through a “one region” approach that complements local action within communities

Mobilise a whole societal ‘one region’ approach to Net Zero, involving communities, businesses and governments

Goals



Sustained and Increased Competitiveness



Reduced Economic Exclusion



Accelerated Fair Transition to Net Zero



Challenges

Place based capital and revenue funding allocations, recognising the delivery of regional ambition, need to be designed and delivered

Significant fiscal uncertainty exists for the governments and the public sector. Maintaining core key services is the priority for all regional partners in the short term

The scale and complexity of our external challenges requires a response that is equal to it, and **collective action at scale is vital** to meet them with the necessary capability and capacity

Change in national policies and approaches is needed if regional opportunities are to be realised

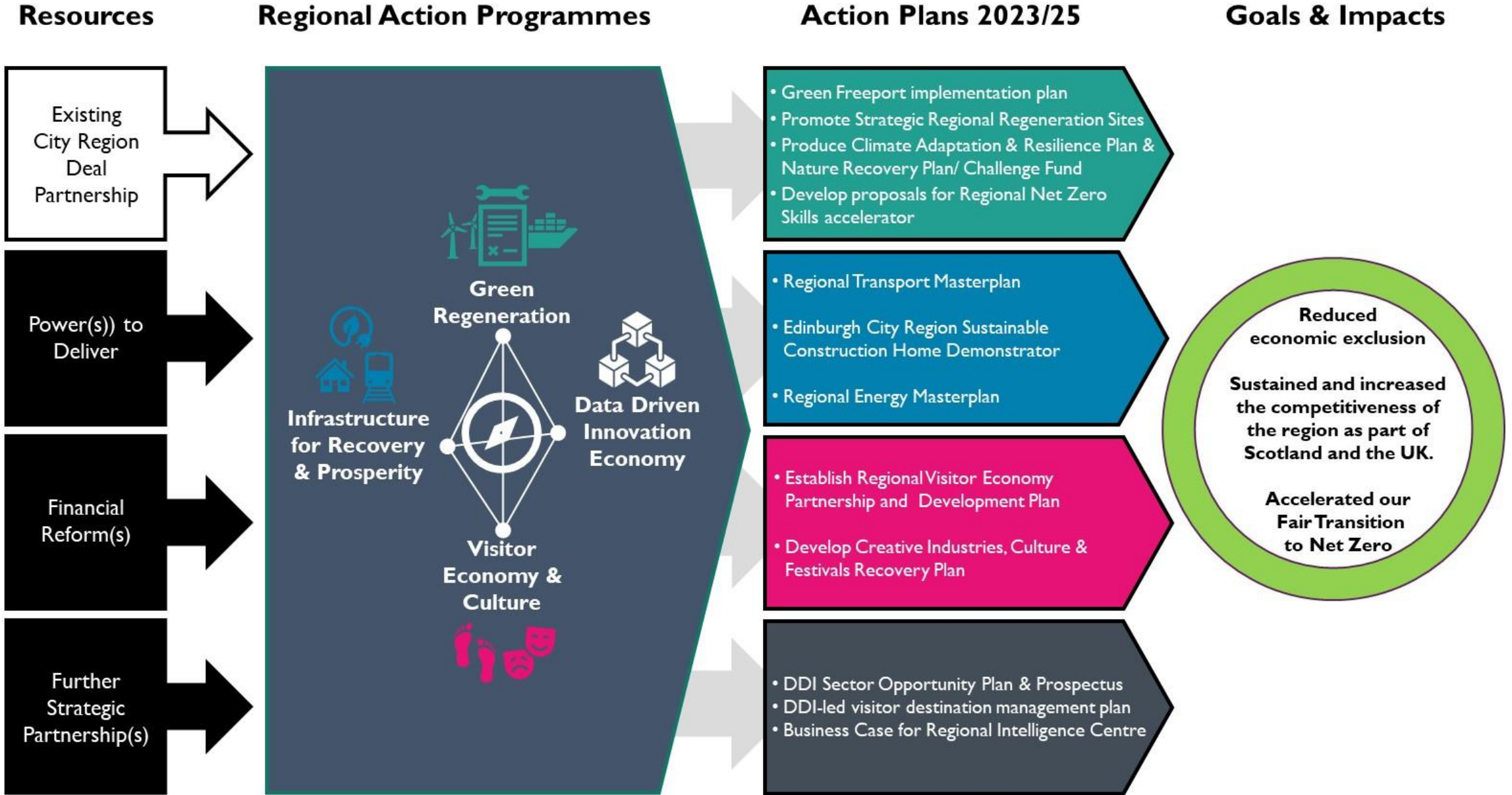
Quality of life shocks are having a real and sustained impact on the quality of life across the region, reinforcing regional inequalities

Whilst unprecedented transformative change is essential the cost of delivering a **just transition**, in the short term, is beyond the means of local government **alone**.



OUR ACTION PLAN PRIORITIES

2023 - 2025



Green Regeneration

- **Await decision on Forth Green Freeport Bid & Cockenzie Power Station Site Levelling Up Bid:**
 - *Develop, define and deliver business cases for longer term projects and programmes*
- **Establish Forth Collaboration Network to oversee successful Forth transformation, including ambition to deliver:**
 - *Leith Renewables Hub and wider Edinburgh Waterfront*
 - *Climate Evolution Zone with net zero infrastructure and employment at former Cockenzie Power Station site (with rail link) and Blindwells New Settlement (with potential for expansion), as well as Eyemouth off-shore renewables service and operations hub, and in the longer term future opportunities at Torness Nuclear Power Station site*
 - *Rosyth International Port, including Green & Blue Innovation Economy Opportunities, reuse of former Longannet Power Station site (with rail link), and Energy Park Fife ;*
- **Define and Develop a Regional Climate Adaptation & Resilience Plan:**
 - *Build on Adaptation Scotland's Regional Climate Risk Assessment to develop a regional adaptation and mitigation strategy*
- **Establish Nature Recovery Plan and Project Fund:**
 - *Use regional and local plans and strategies, including coastal management programmes and practices, and project planning to define and deliver cross border Other Area Based Conservation Measures and net benefits for biodiversity, linked to potential developer contribution protocols*
- **Regional Net Zero Accelerator:**
 - *Finalise Business Case for Regional Net Zero Skills Accelerator Hub to deliver programmes that enable key sectors to accelerate transition to net zero by meeting demand for green skills*



Infrastructure for Recovery & Prosperity



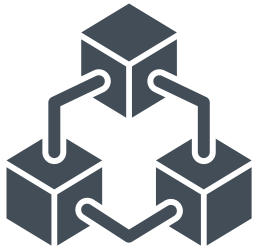
- **Regional Transport Masterplan**
 - *Collaboratively develop a brief for the South East Scotland Regional Transport Masterplan, Funding & Delivery Programme.*
 - The Master Plan will complement the Strategic Transport Projects Review 2, while providing influence and regional clarity on expectations.
 - The Masterplan will build upon the Regional Transport Strategy by reviewing and identifying cross boundary infrastructure and services improvements beyond the remit of SPTR2.
- **Edinburgh City Region Sustainable Construction Home Demonstrator**
 - *New business model for delivering net zero affordable homes*
 - *Phase 1 in delivery and scale up programme with Regional Pipeline defined*
 - *Identify funding and delivery partner and potentially suitable sites for off-site manufacturing facilities – e.g. for infrastructure and / or housing*
- **Regional Energy Masterplan**
 - *Phase 1 funding secured and develop Phase 2 proposition and demonstrators*

Visitor Economy & Culture

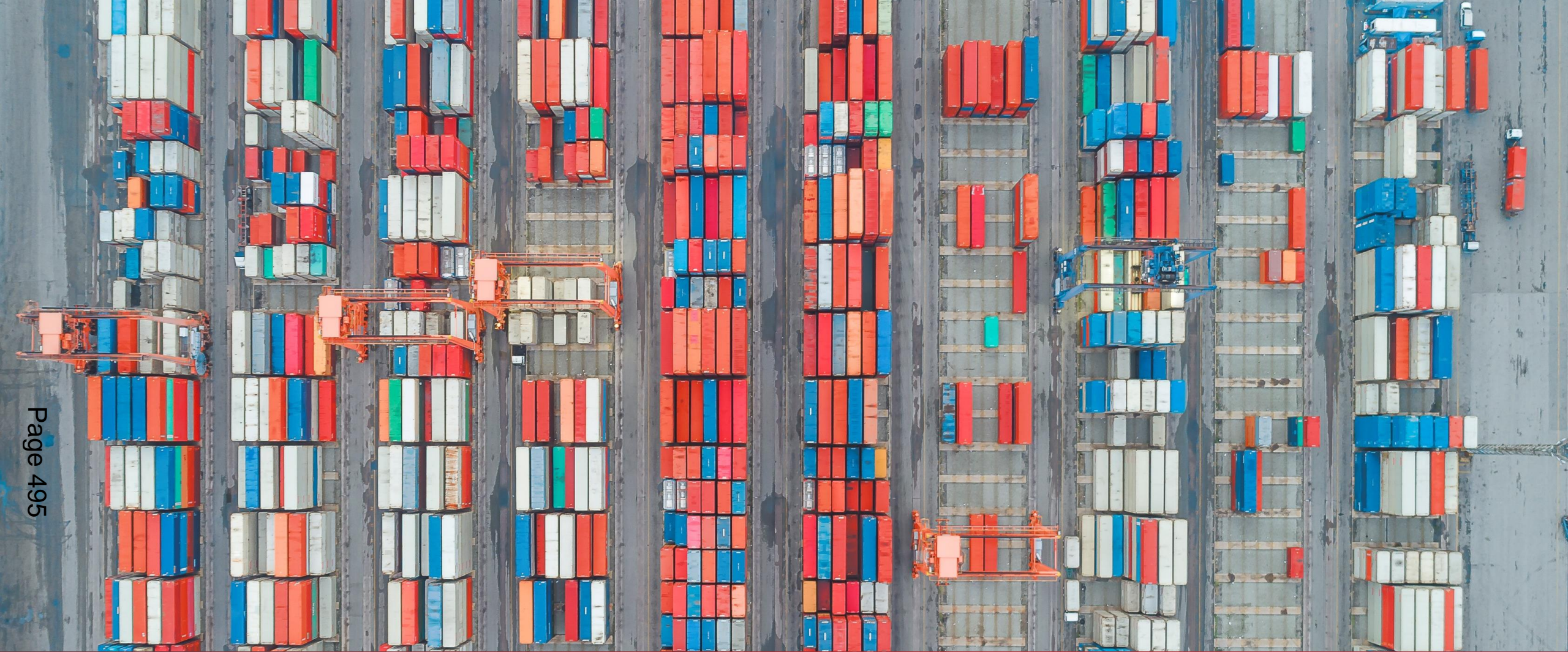
- **Regional Visitor Economy Partnership:**
 - *Seek to establish Regional Partnership with Visit Scotland, Scottish Enterprise and others*
- **Regional Visitor Economy Development Plan:**
 - *Regional Partnership to co-produce a Plan that aligns regional ambitions and actions*
- **Festivals and Cultural Recovery:**
 - *Create Festivals Recovery Fund to create resilience, and to enable festivals to recover with new business model implemented*
- **Creative Industries:**
 - *Define regional creative industries sectoral challenges and opportunities, and co-produce a recovery and growth plan*



Data Driven Innovation (DDI) Economy



- **DDI Prospectus Sector Opportunity Plan:**
 - *Develop new regional and sectoral plans and prospectus to align the role and impact of data services across the business base and region, focusing on sectorial priorities*
- **DDI-led approach to visitor economy destination management:**
 - *Scope business case, which will help to position the region as a global leader in regional data-driven decision-making for strategic tourism investments*
- **Regional Intelligence Centre:**
 - *Finalise business case to enable regional policy makers, service delivery executives and the public to access relevant useful knowledge and insights to develop regional policy and improve services*



OUR SHARED PROSPECTUS: DELIVERING TOGETHER

A Call to Action

Early momentum is key to any major initiative and is embedded in the Action Plan. Our Call to Action does not require all **12** initiatives to be launched simultaneously and immediately. Instead, we will undertake the following four activities as a priority:

- Infrastructure for Recovery & Prosperity - co-developing with the Governments a new funding model for regional infrastructure initiatives that incorporates capital and revenue place-based funding allocations.

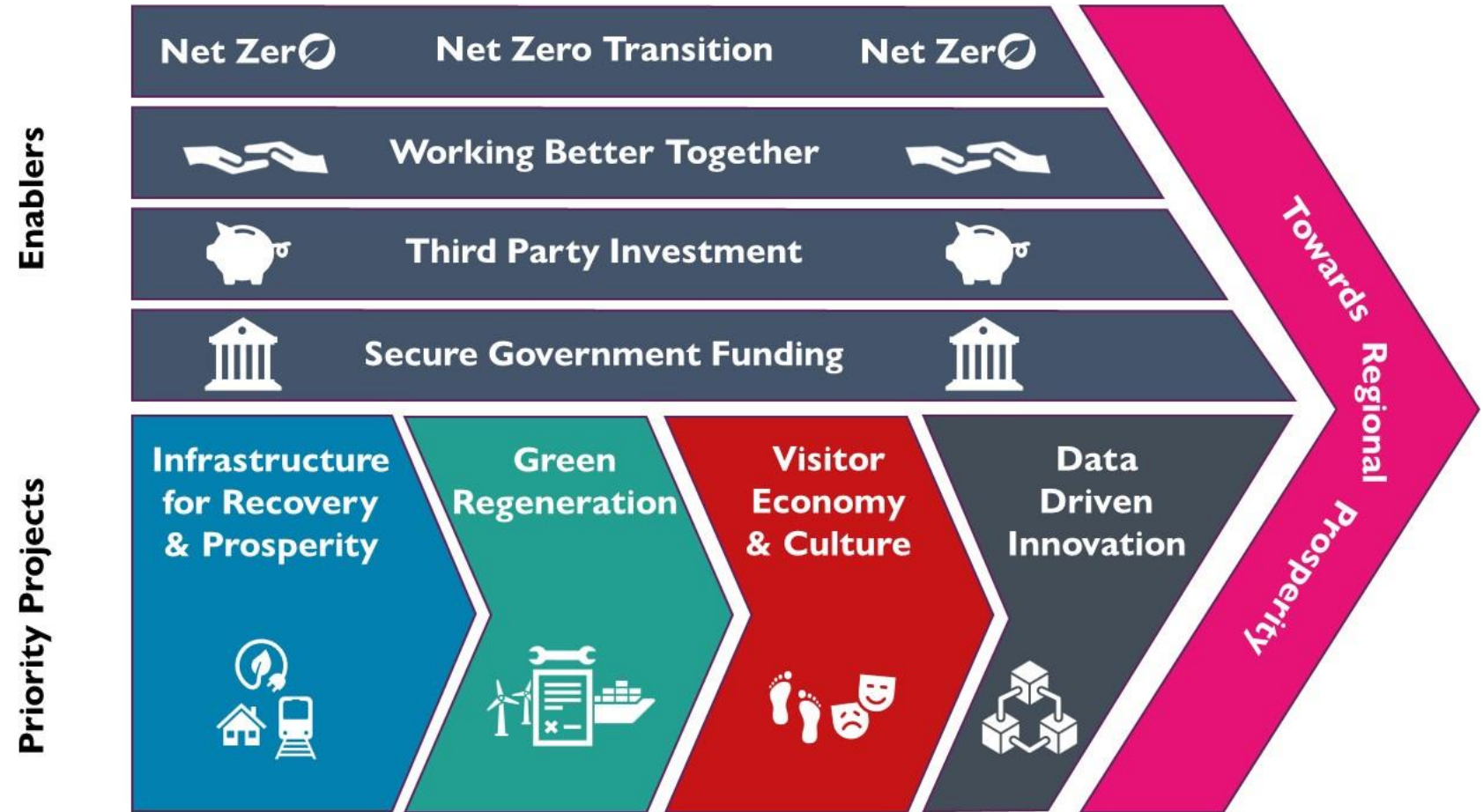
Page 496

Develop an investment prospectus for the Green Regeneration (*focused on the Forth*).

Secure a sustainable visitor economy and promotion of our cultural assets.

- Promote the transition to data enabled business performance in the region.

These early wins will provide us with further evidence of the positive impact of regional working; build further confidence in our ability to collaborate and deliver and demonstrate the positive outcomes that investment in our region will deliver.



Our Ask of the Governments

Transformation is a Team activity

Addressing the scale of transformation required to transition the region to a balanced economy that meets the needs of its citizens and businesses within the limits of its resources will require action at a local, regional and national level. It is for this reason that the Partners have set out an ambitious yet pragmatic vision for innovation and change. New ways of working together are required.

The region has the diversity and attributes to tackle many of its economic challenges in ways that provide for the needs of its citizens and businesses. But the nature of some of the actions required mean that **a new multi-governmental Team approach is required**. Many of the controls through which local and regional challenges can be addressed sit with others at Scottish or UK Government level.

Through the right form of partnership (new collaborative approaches and funding models) the Edinburgh and South East Scotland Region has the potential to harness the opportunity of the drive to net zero, to build a more self-sustaining regional economy that can support a just transition for Scotland and the UK.

Our Asks of Government Span Financial Support and New Forms of Partnering

To realise the aim and objectives of the Regional Prosperity Framework, and this associated Action Plan, Scottish and UK Government are asked to offer the following support:

Financial Support for Programmes

We ask for our Action Plan to be achieved through a **medium to long term, integrated, place-based funding allocation** based on shared outcomes.

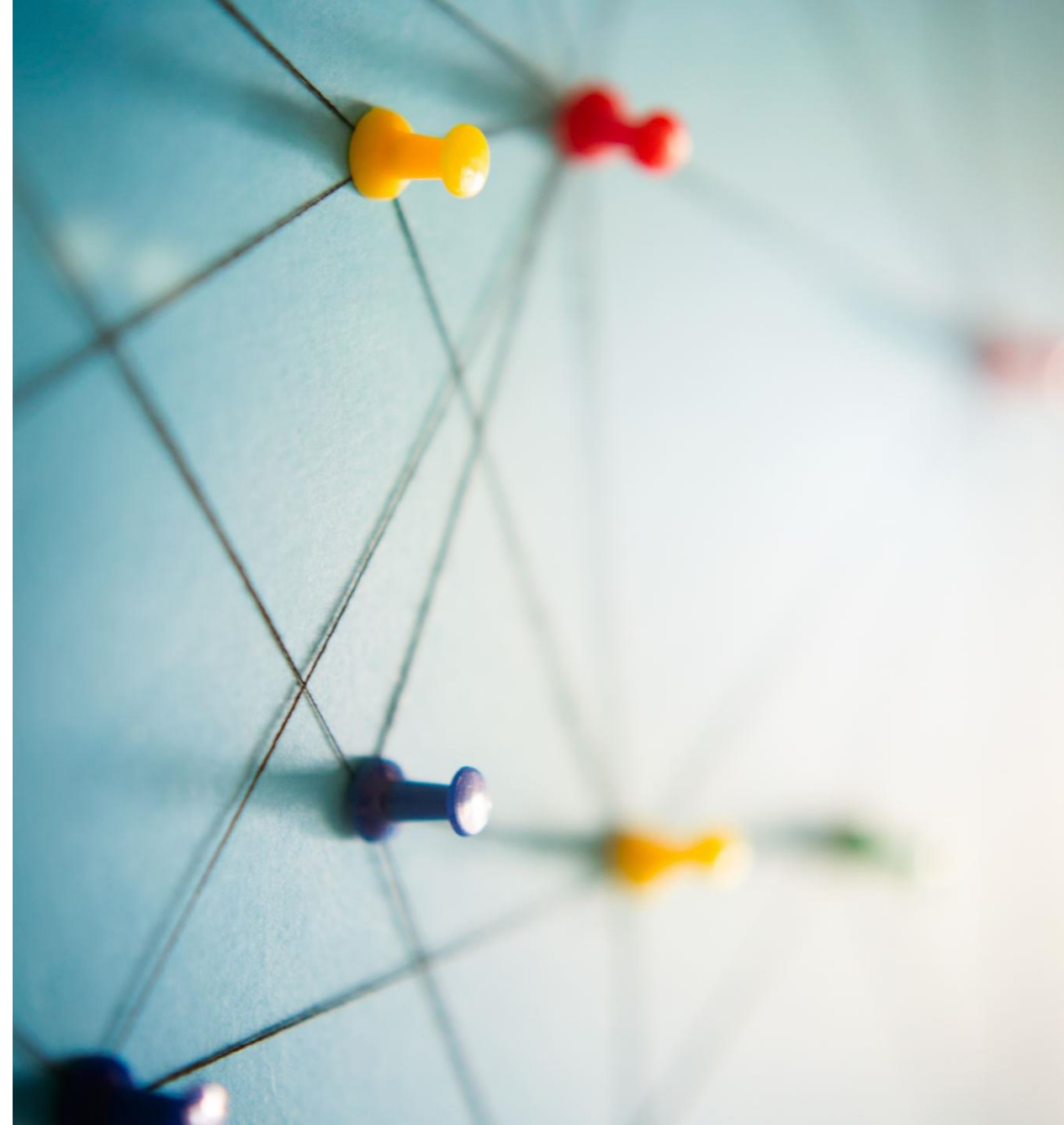
New forms of Partnering

- Support to **develop a new Regional delivery capability** to support the Regional Prosperity Framework
- Align national strategies & policies to **support regional aspirations**
- We ask both the Scottish and UK Governments to **commit to continue to work in tripartite (UKG/SG/ESES) partnership**.
- Recognise the region is closely aligned and uniquely positioned to progress the recommendations made in the Scottish Government's Regional Economic Policy Review.

Enablement

New powers and new delivery tools to deliver the Framework, through a “live” Action Plans.

National Strength Recognition – there are a basket of regional economic assets that are a vital part of the national economy, but which have been buffeted by recent economic upheavals. We want to work the Governments to secure these for the long term.



What Will Change?

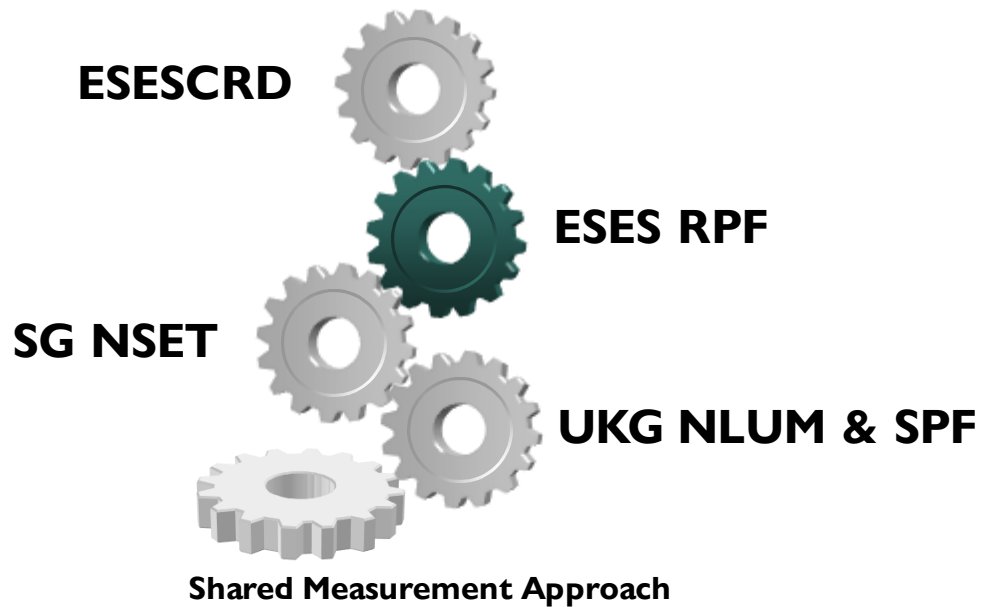
Measuring impact

As with the City Region Deal activity, it is intended that a Benefit Realisation approach be adopted for the Regional Prosperity Framework.

Given the emerging activities of the Scottish Government, and its National Strategy for Economic Transformation, and the Regional dimension to this being developed, and UK Government, through its Levelling Up Missions and Shared Prosperity Fund activity, the Regional Partners want to work with both UK and Scottish Government, and other Regional Partners, to develop a Benefit Realisation approach that enables all of these activities to be answered with the lowest possible resource demand, ensuring that resources are primarily focused on delivery and impact.

This will look at build up on the work already defined through the City Region Deal, to create a sustained suite of indicators of success and impact, supported by the stories of impact that allow economic development to be understood, allowing the stories of our citizens and businesses to be heard and amplified.

Page 498



Page 499

It has been a pleasure for the Regional Enterprise Council (REC) to have been part of developing the Regional Prosperity Framework (RPF), from its original vision through to this Delivery Plan. The REC advises the City Region Deal's Joint Committee on the delivery of projects across the city region and encourages further investment opportunities, and has helped shape the ambition and strategic direction of the RPF.

There has been considerable change at a national, local and regional level since the RPF was published in September 2021. The City Region Deal Partners are determined to respond positively to challenges and changes in the economy. It is critically important that the RPF Delivery Plan is a living document that is regularly reviewed and re-focussed to ensure that everyone benefits from regional prosperity and growth.

The four key programmes - Green Forth; Housing and Recovery; Culture & Visitor Economy; and Data Enabled Business - are critical to the region's economic future. They provide clarity for collaboration and future investment to ensure this region continues to be Scotland's most successful and productive regional economy. The RPF Delivery Plan is a key step in delivering sustainable, inclusive growth to enhance and protect our environment and make best use of the region's built and natural assets, ensuring that the region delivers a just transition to a net zero economy.

Claire Pattullo and Gary Clark, Chair and Vice Chair of the Regional Enterprise Council

It has been a privilege to have been part of the team preparing the Regional Prosperity Framework to constitute a flexible and lasting template for economic development across the whole Region and to maximise the benefits for all from the Edinburgh and South East Scotland City Deal.

A most welcome characteristic of how that team has worked together is the collaboration across geographies among the elected representatives from all political parties, council officials, communities and enterprises. As we have sought to build back differently for the future many open conversations have taken place about where we are now, where we want to be, and how we are going to get there. These conversations have been conducted, not as a dance of opposites, fueled by self-interest or point-scoring, but as heartfelt dialogues to collectively create and deliver a common vision for the future.

The team have had the confidence to be bold and ambitious in how the pressing challenges that exist for our enterprises, workplaces, marketplaces, communities and for our environment can be addressed. We have had a shared vision of a sustainable, respectful Scotland, where individuals and communities can flourish, and our diversity is celebrated. That vision recognises that our wellbeing is dependent upon the people most affected taking informed decisions about their futures.

As the Framework process now moves from design the team is wrestling with how the pace of delivery can be accelerated. As the actions and outputs are measured, we will answer the timeless question posed by immunologist Jonas Salk, who developed the polio vaccine in the 1950s: are we being good ancestors?

Robert Carr, Regional Enterprise Council, Partner and Solicitor Advocate - Anderson Strathern



CITY REGION DEAL

Edinburgh & South East Scotland

Regional Prosperity Framework: 2023/24 Delivery Plan

This is a *‘living document’* and will be updated on an annual basis to reflect the delivery of activities to ensure that the Region meets its long term goals of a regional economy that is **resilient, flourishing** and **innovative**.



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ANNEX 1: CASE STUDIES ON EXISTING REGIONAL COLLABORATION

Case Studies

Case Study: Borders Railway

When opened in September 2015, the Borders Railway marked the longest domestic railway to be constructed in Britain for over 100 years. The new railway quickly and substantially exceeded the predicted patronage figures and wider benefit forecasts.

The line has breathed fresh vitality and investment into the communities it serves, transforming the places and local economies by:

- Retaining and attracting residents;
- Enabling the local business base to expand; and
- Doing so in a sustainable manner.

There is a commitment in the Borderland Growth Deal for UK and Scottish Governments to fund a Feasibility Study to deliver the remaining section to Carlisle, providing an important regional and national connection southwards to the rest of the UK.



Source: Borders Railway Completion The missing link - re-connecting the Borderlands – Produced by Borderland Inclusive Growth Deal

Transport Scotland evaluation of the existing line has revealed the wide-ranging nature of the impacts in just the first two years of operation (since 2015/16). Only two years of data is likely to vastly underreport the full impacts - major rail infrastructure would typically take five to ten years for the full effects. Impact summary below:

Connectivity

- 40% of journeys were not previously made.
- In only two years, 15% of survey respondents indicating they had changed employment, and over half indicating that the line was a factor.
- 90%+ of travel is to/from Edinburgh and beyond.
- 15% of users did not have a car available.

Modal Shift

- 60% used another mode, of which 64% previously travelled by car.
- 6% of survey respondents had reduced their car ownership.

Housing

- Housing delivery in Midlothian doubled in years before opening.
- Over 50% of new residents stated the line had been a factor in their decision to move to the area.

Visitor Economy

- Visitor numbers for Midlothian and Borders attractions increased by 7% in the first half of 2016.
- 70% of tourist and day visitor users said the railway had been a factor in their decision to make the trip.

Skills/Qualifications/Training

- Applications to Borders College (Galashiels) increased by 74% in 2016/17 compared to the previous year.

Approach: Partnership
Themes: Innovative – Flourishing & Resilient
Benefits: Net Zero, jobs, connectivity, housing, skills

Case Studies

Case Study: Preparing for Tomorrow Today – Granton Net Zero Housing

As part of the Region's commitment to "net-zero" 75 net-zero carbon homes and three retail units have been developed as part of the Granton D1 initiative.

This is an [Edinburgh Home Demonstrator](#) (EHD) pilot, championed by City Region partner, the City of Edinburgh Council, with support from construction and academic partners. It is part of the region's ambitions to deliver 18,000 affordable homes by 2028.

The project was undertaken in partnership with CCG (Scotland) Ltd, to test this new business model for building affordable, net zero homes. A large proportion of the construction was carried out off-site in a factory setting, reducing the overall time it takes to build the homes.

The homes include zero emissions heating, reducing the risk of fuel poverty for tenants. In addition, this will help reduce their greenhouse gas emissions and support the region's net-zero targets.

The pilot is also supported by a team from Napier Edinburgh University, who are analysing the energy performance of the homes to validate and inform the net-zero carbon strategy for future EHD projects. The EHD project aims to deliver 1000 affordable net-zero carbon homes across the region as part of the City Region Deal.



Approach: Partnership
Themes: Innovative – Resilient
Benefits: Net Zero, homes, jobs, model for other developments

Case Studies

Case Study: Integrated Regional Employability & Skills (IRES)



IRES is a £25m, 8 year change programme which started in April 2018. Excellent progress is being made towards delivering an additional 14,700 skill improvements; 5,300 people into employment; and a further 500 career enhancements through its 7 themes:

Page 504



Workforce Mobility (WFM)



Data-Driven Innovation (DDI) Skills Gateway



Housing Construction and Infrastructure (HCI) Skills Gateway



Integrated Knowledge Management Systems (IKS)



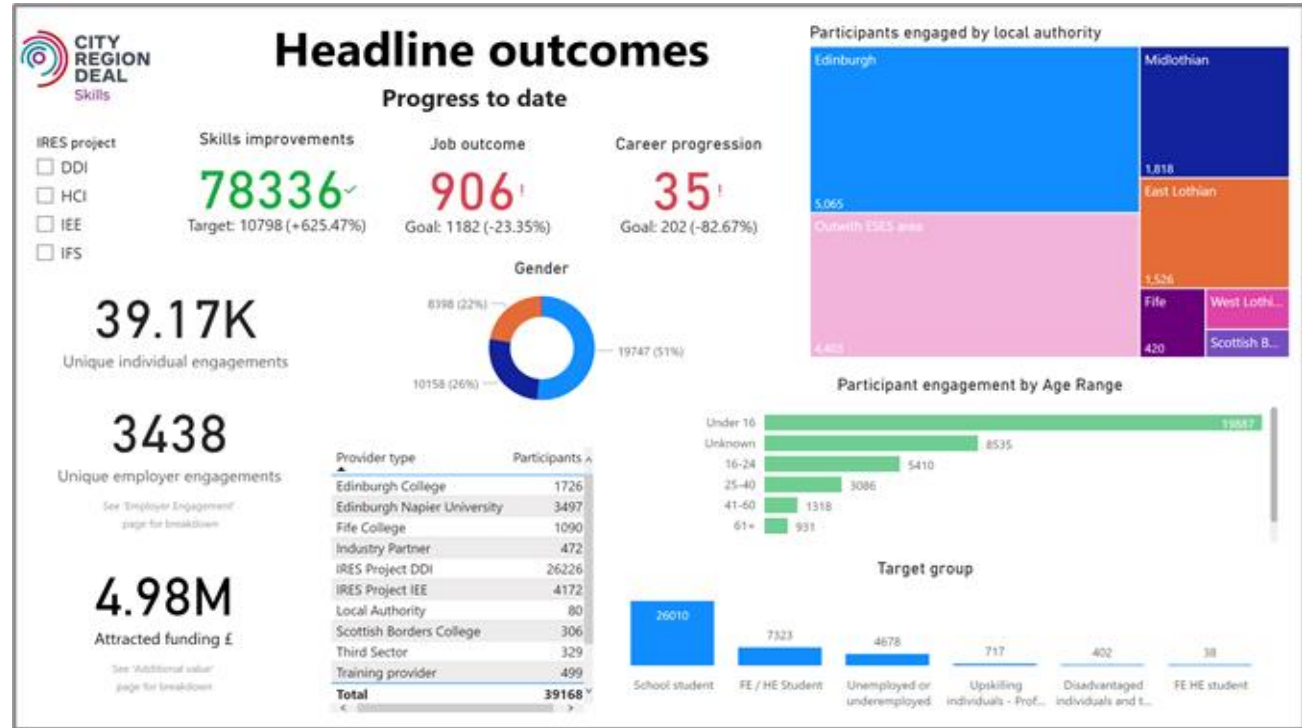
Intensive family support service (IFSS)



Labour Market Analysis and Evaluation (LMAE)



Integrated Employer Engagement (IEE)



Building on the successful partnerships established through the IRES programme we will support the Regional Prosperity Framework through the establishment of additional Skills Gateways. A Net Zero Accelerator to develop skills linked to green economy jobs including Construction, Energy and Transport; whilst there is a strong ambition for a Health and Social Care Skills Gateway to support innovation and capacity.

Outputs and outcomes are tracked through a bespoke monitoring and evaluation framework and reported using a live dashboard

Approach: Partnership
Themes: Resilient – Aligning Skills
Benefits: Skills, Jobs, Poverty Reduction

Case Studies

Case Study: Regional Transport Master Plan

Transport is a key enabler to unlock the region's potential, but in many areas, it has constrained the full realisation of opportunities and benefits for our people, place and economy. The national commitment to decarbonised transport and infrastructure provides a once in a generational opportunity to deliver a 'Just Transition' to tackle transport poverty and the inequalities that currently exist across the region. Coupled with the publication of the Regional Transport Strategy, Strategic Transport Projects Review 2 and the National Planning Framework 4, it all supports an 'infrastructure first' approach to deliver a sustainably connected region.

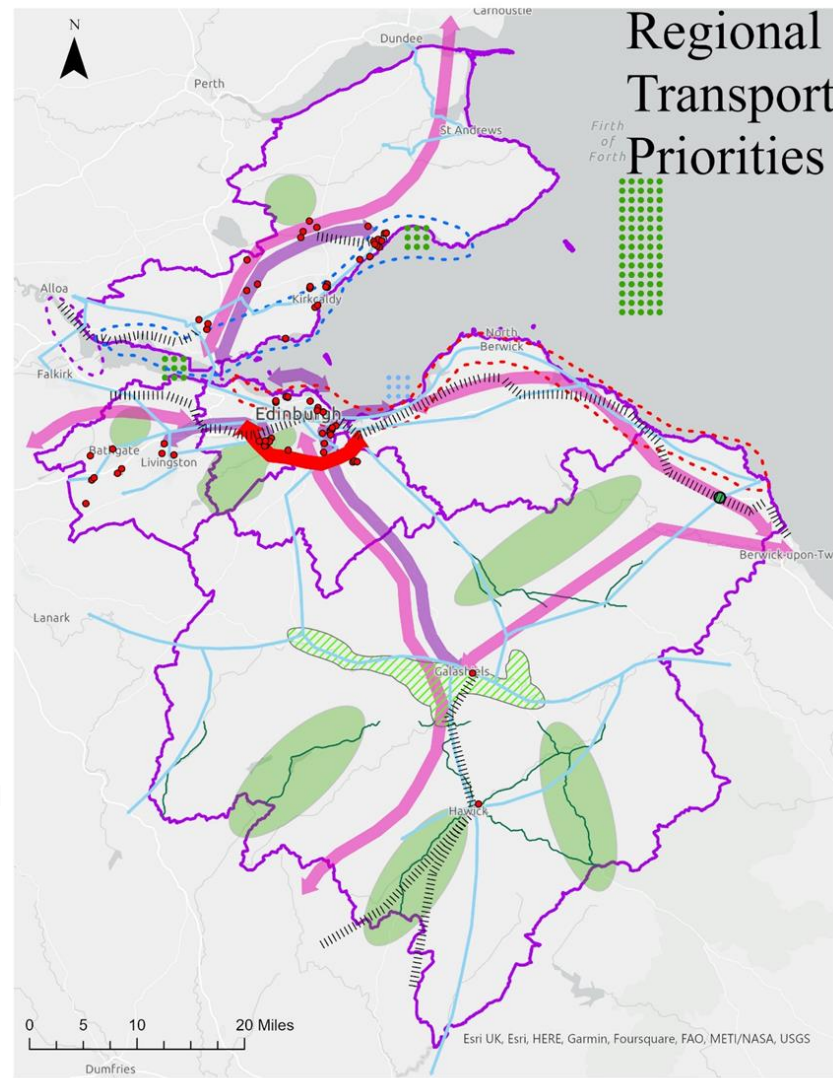
Our previous approach to public transport no longer responds to our region's needs and barriers. Instead, having a transport system which is collaborative, coordinated, reflects/analyses/responds to the emerging data, is inclusive and responsive, attracts a diverse workforce, while minimising its impact on the environment is critical to the region's success.

A regional Master Plan will respond to the needs of the region by identifying the cross-boundary opportunities that will fill the gaps of SPTR2, identify economies of scale, build on existing partnerships to support the region's ambition and respond to current and future challenges.

Approach: Partnership

Themes: Innovative, Flourishing & Resilient

Benefits: Net Zero, jobs, connectivity, enabling the RPF 4 Priority Projects



Regional Transport Priorities

As an example of this is Mass Rapid Transit (MRT). It must be designed with regional coordination, smarter (utilising data) and be responsive to accommodate high volumes of movement to key local and regional destinations, while acknowledge the variances in daily demand for a flexible working population. Regional MRT will include:

- Tram;
- Light / heavy rail (existing and new);
- Bus; and
- Active travel to deliver integration into wider local transport networks (whole journey approach – first mile/last mile).

Key to its success will be the equitable delivery of scaled journey hubs, targeted local/regional infrastructure improvements, a single Mobility as a Service information and ticketing system, open API's across all transport modes to optimise the network and experience for the end user

This will also support the expectations and demands of the visitors to our region, whether they are local, national or international. Assisting the role of the visitor arrival hubs like Edinburgh Airport, as a crucial access point for national and international visitors, before they seek coordinated sustainable transport options to visit the wider region and Scotland.

Master Plan Priorities:

- Partnership;
- Mobility as a Service;
- Data sharing and digital infrastructure aligned to transport network;
- Public transport infrastructure and services investment and funding models;
- Improve arterial routes into rural communities;
- Active Travel;
- Efficient movement of freight;
- Behavioral Change; and
- Decarbonising Transport.

Case Studies

Case Study: Place, People and Planet



Page 506

Edinburgh Innovation Hub & Park

- Joint venture between East Lothian Council and Queen Margaret University to deliver the Edinburgh Innovation Hub
- Is funded by UK Government, the Scottish Government, and the Council
- The Hub will drive company growth, support and develop existing businesses and create sustainable new businesses to access a global market for healthy and functional food
- Will be a catalyst for subsequent delivery of wider Edinburgh Innovation Park (EIP)
- The EIP will create a nationally significant centre of knowledge exchange, innovation and high value businesses

Draft Example



East Lothian's Climate Evolution Zone

As part of the wider greening of the Forth, strategic net zero and just transition opportunities in this Zone include:

- the redevelopment of the Cockenzie Power Station site for net zero infrastructure and strategic employment
- Blindwells new settlement, with potential for expansion into a significant new town
- Sustainable infrastructure, including strategic transport improvements, potential for high speed rail, and green and blue network and nature based solutions

These major green growth projects can also be a catalyst for significant regeneration, and require partnership to enable and accelerate benefits.



Future of Torness Power Station Site

The future reuse of Torness Power Station site, with its grid connection, coastal location and deep water access, is a significant long term opportunity linked to the wider greening of the Forth. Strategic collaboration and partnership on the future use of this site and wider area could deliver long term benefits.

Approach: Partnership
Themes: Flourishing – Innovative – Resilient
Benefits: Green growth and jobs, and biomedical, net zero and just transition innovation, housing delivery, including affordable homes, strategic and sustainable infrastructure, regeneration and place-making,

The City of Edinburgh Council

10.00am, Thursday, 9 February 2023

Treasury Management: Mid-Year Report 2022/23 – referral from the Finance and Resources Committee

Executive/routine
Wards
Council Commitments

1. For Decision/Action

- 1.1 The Finance and Resources Committee has referred the Treasury Management: Mid-Year Report 2022/23 to the City of Edinburgh Council for approval.

Richard Carr
Interim Executive Director of Corporate Services

Contact: Taylor Ward, Assistant Committee Officer
Legal and Assurance Division, Corporate Services Directorate
Email: taylor.ward@edinburgh.gov.uk

Referral Report

Treasury Management: Mid-Year Report 2022/23

2. Terms of Referral

- 2.1 On 26 January 2023, the Finance and Resources Committee considered a report which provided an update on Treasury Management activity undertaken in the first half of 2022/23.
- 2.2 The Finance and Resources Committee agreed:
 - 2.2.1 To note the mid-year report on Treasury Management for 2022/23.
 - 2.2.2 To refer the report to 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.

3. Background Reading

- 3.1 [Finance and Resources Committee – 26 January 2023 - Webcast](#)
- 3.2 Minute of the Finance and Resources Committee – 26 January 2023

4. Appendices

- 4.1 Appendix 1 – report by the Interim Executive Director of Corporate Services

Finance & Resources Committee

10:00am, Thursday, 26th January 2023

Treasury Management: Mid-Year Report 2022/23

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the mid-year report on Treasury Management for 2022/23; and
 - 1.1.2 refers the report to 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.

Richard Carr

Interim Executive Director of Corporate Services

Contact: Innes Edwards, Principal Treasury and Banking Manager

E-mail: innes.edwards@edinburgh.gov.uk | Tel: 0131 469 6291

Treasury Management: Mid-Term Report 2022/23

Treasury Management: Mid-Term Report 2022/23

2. Executive Summary

- 2.1 The purpose of this report is to give an update on Treasury Management activity undertaken in the first half of 2022/23.
- 2.2 In accordance with the Strategy set in March 2022 the Council has borrowed just £3.1m from the PWLB in the first half of the year. This borrowing relates to loans to the Edinburgh Living Mid-Market Rent LLP.
- 2.3 The investment return for 2022/23 is matching the Fund's benchmark, during a period of increasing interest rates while maintaining the security of the investments as a priority.

3. Background

- 3.1 The Council has adopted the CIPFA Code of Practice on Treasury Management in the Public Sector, and under the code, the mid-term report has been prepared setting out activity undertaken.

4. Main report

4.1 UK Interest Rates

- 4.1.1 During the last six months economic uncertainty continued due to the recovery from the COVID-19 pandemic, the war in Ukraine, high inflation rates and a deteriorating economic outlook. The Bank of England's (BoE) Monetary Policy Committee (MPC) increased UK Bank Rate at all four of their of their meeting during the first half of 2022/23 (and have subsequently increased Bank Rate further to 3.5%). Appendix 1 gives a summary of the first six months from the Council's Treasury Advisors.

4.2 Debt Management

4.2.1 The Council continued to fund its borrowing requirement by reducing its investments but also took the opportunity as previously mentioned to lock in a small amount of borrowing at an attractive rate of interest. Appendix 2 outlines the debt management activity during the period.

4.2.2 The £3.1m borrowed secured funding for Edinburgh Living MMR LLP.

4.3 Investment Out-turn

4.3.1 The Council's cash balances are pooled and invested via the Treasury Cash Fund subject to the limits set out in the Treasury Management Policy Statement. Appendix 3 provides detail on the Council's investments.

4.3.2 As can also be seen in Appendix 3 Treasury Cash Fund performance has performed in line with its benchmark with absolute investment returns increasing due to the increases in UK Bank Rate.

5. Next Steps

5.1 The Treasury team will continue to operate its Treasury Cash Fund with the aim of out-performing its benchmark of 7-day compounded Sterling Overnight Index Average (SONIA) and manage the Council's debt portfolio to minimise the cost to the Council while mitigating risk.

5.2 The Treasury team will also continue to review the Council's borrowing requirements, taking into account the significant planned capital investment set out in the ten-year capital plan, and the opportunities that the market presents.

6. Financial impact

6.1 The Treasury Cash Fund has generated significant additional income for the Council.

6.2 Loan charges associated with the borrowing will be managed within the approved budget.

7. Stakeholder/Community Impact

7.1 There are no adverse stakeholder/community impacts arising from this report.

8. Background reading/external references

8.1 None

9. Appendices

Appendix 1: Economic Background

Appendix 2: Debt Management Activity

Appendix 3: Investment Out-turn

Appendix 4: Debt outstanding 30th September 2022

Appendix 1

Economic Background

Our Treasury Advisors, Arlingclose summarised the financial markets and gilt yields over the first six months of the financial year as follows:

The ongoing conflict in Ukraine has continued to put pressure on global inflation and the economic outlook for UK and world growth remains weak. The UK political situation towards the end of the period following the 'fiscal event' increased uncertainty further.

The economic backdrop during the April to September period continued to be characterised by high oil, gas and commodity prices, ongoing high inflation and its impact on consumers' cost of living, no imminent end in sight to the Russia-Ukraine hostilities and its associated impact on the supply chain, and China's zero-Covid policy.

Central Bank rhetoric and action remained robust. The Bank of England, Federal Reserve and the European Central Bank all pushed up interest rates over the period and committed to fighting inflation, even when the consequences were in all likelihood recessions in those regions.

UK inflation remained extremely high. Annual headline CPI hit 10.1% in July, the highest rate for 40 years, before falling modestly to 9.9% in August. RPI registered 12.3% in both July and August. The energy regulator, Ofgem, increased the energy price cap by 54% in April, while a further increase in the cap from October, which would have seen households with average energy consumption pay over £3,500 per annum, was dampened by the UK government stepping in to provide around £150 billion of support to limit bills to £2,500 annually until 2024.

The labour market remained tight through the period but there was some evidence of easing demand and falling supply. The unemployment rate 3m/year for April fell to 3.8% and declined further to 3.6% in July. Although now back below pre-pandemic levels, the recent decline was driven by an increase in inactivity rather than demand for labour. Pay growth in July was 5.5% for total pay (including bonuses) and 5.2% for regular pay. Once adjusted for inflation, however, growth in total pay was -2.6% and -2.8% for regular pay.

With disposable income squeezed and higher energy bills still to come, consumer confidence fell to a record low of -44 in August, down -41 in the previous month. Quarterly GDP fell -0.1% in the April-June quarter driven by a decline in services output, but slightly better than the 0.3% fall expected by the Bank of England.

The Bank of England increased the official Bank Rate to 2.25% over the period. From 0.75% in March, the Monetary Policy Committee (MPC) pushed through rises of 0.25% in each of the following two MPC meetings, before hiking by 0.50% in August and again in September. August's rise was voted by a majority of 8-1, with one MPC

member preferring a more modest rise of 0.25%. the September vote was 5-4, with five votes for an 0.5% increase, three for an 0.75% increase and one for an 0.25% increase. The Committee noted that domestic inflationary pressures are expected to remain strong and so given ongoing strong rhetoric around tackling inflation further Bank Rate rises should be expected.

On 23rd September the UK government, following a change of leadership, announced a raft of measures in a 'mini budget', loosening fiscal policy with a view to boosting the UK's trend growth rate to 2.5%. With little detail on how government borrowing would be returned to a sustainable path, financial markets reacted negatively. Gilt yields rose dramatically by between 0.7% - 1% for all maturities with the rise most pronounced for shorter dated gilts. The swift rise in gilt yields left pension funds vulnerable, as it led to margin calls on their interest rate swaps and risked triggering large scale redemptions of assets across their portfolios to meet these demands. It became necessary for the Bank of England to intervene to preserve market stability through the purchase of long-dated gilts, albeit as a temporary measure, which has had the desired effect with 50-year gilt yields falling over 100bps in a single day.

Bank of England policymakers noted that any resulting inflationary impact of increased demand would be met with monetary tightening, raising the prospect of much higher Bank Rate and consequential negative impacts on the housing market.

Uncertainty remained in control of financial market sentiment and bond yields remained volatile, continuing their general upward trend as concern over higher inflation and higher interest rates continued to dominate. Towards the end of September, volatility in financial markets was significantly exacerbated by the UK government's fiscal plans, leading to an acceleration in the rate of the rise in gilt yields and decline in the value of sterling.

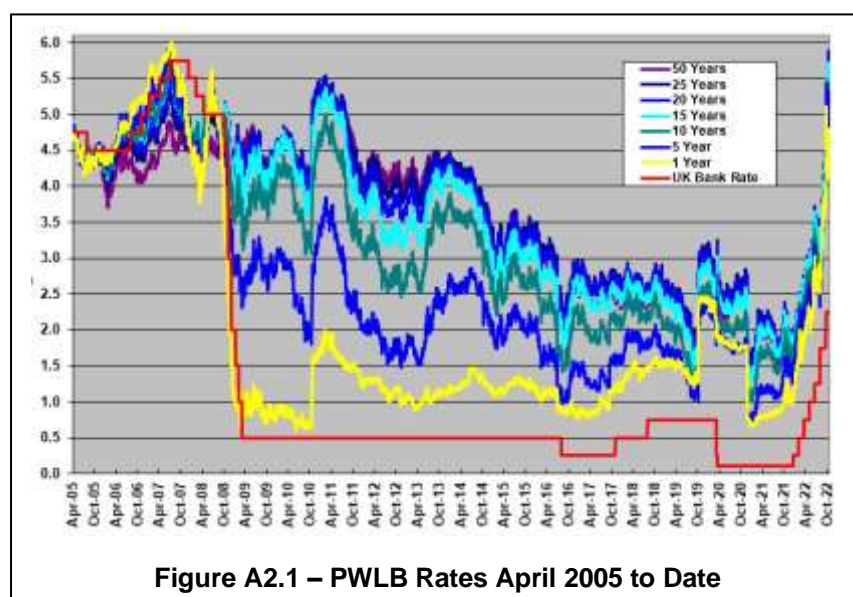
Due to pressure on pension funds, the Bank of England announced a direct intervention in the gilt market to increase liquidity and reduce yields.

Over the period the 5-year UK benchmark gilt yield rose from 1.41% to 4.40%, the 10-year gilt yield rose from 1.61% to 4.15%, the 20-year yield from 1.82% to 4.13% and the 50-year yield from 1.56% to 3.25%. The Sterling Overnight Rate (SONIA) averaged 1.22% over the period.

Appendix 2

Debt Management Activity

Figure A2.1 below shows the PWLB borrowing rates since April 2005.



Borrowing rates have risen dramatically since the Treasury Strategy for 2022/23 was approved. The Debt Management Strategy for 2022/23 as outlined in the Strategy Report was:

To address the borrowing requirement it is intended, subject to appropriate rates being available, to:

- *continue to reduce investment balances to temporarily fund capital expenditure;*
- *seek alternative sources of funds to the PWLB; and*
- *continue to lock out the risk on projects when the timing of capital expenditure becomes certain and interest rates are appropriate.*

We have previously highlighted significant concerns over the prospects for inflation and the medium-term outlook for interest rates and noted that this was the rationale for taking substantial PWLB borrowing during 2021/22 to lock in the low interest rates. However, Interest rates rose faster than had been anticipated. In the circumstances, we have continued to reduce investment balances to temporarily fund capital expenditure. We borrowed £18m in 2021/22 to cover future lending to Edinburgh Living for all projects which were already on site. However, early in the financial year one of the projects where the homes were being purchased from the Council by Edinburgh Living MMR LLP remained affordable at the prevailing borrowing rates. £3.1m was therefore borrowed to cover the loan to the LLP, retaining the pool of pre-borrowing for future projects.

Appendix 3

Investment Out-turn

The Council's cash balances are pooled and invested via the Treasury Cash Fund subject to the limits set out in the Treasury Management Policy Statement. Figure A3.1 below shows the daily investment in the Cash Fund since April 2009 highlighting the increased cash holdings due to borrowing. The Treasury Management strategy is to ensure that surplus funds are invested in accordance with the list of approved organisations for investment, minimising the risk to the capital sum and optimising the return on these funds consistent with those risks. The Cash Fund's Investment Strategy continues to be based around the security of the investments.

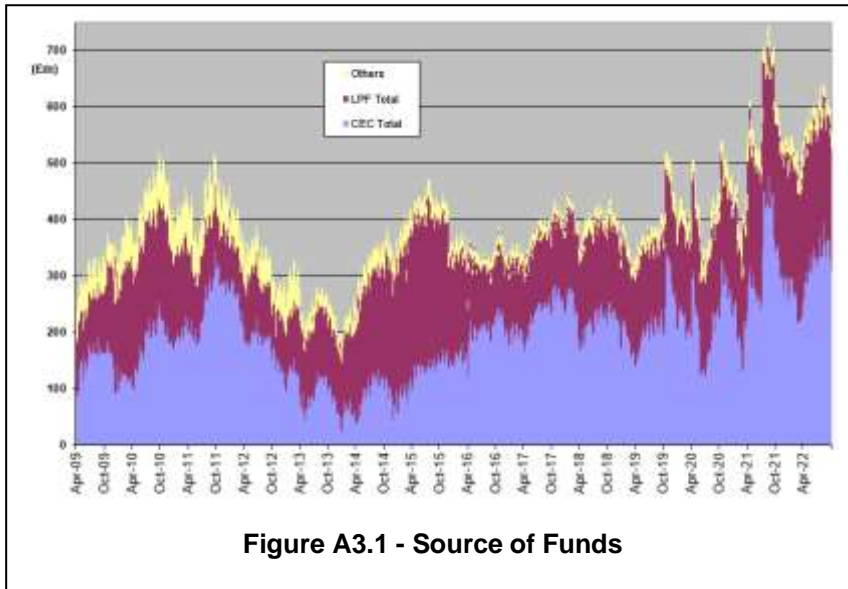


Figure A3.2 shows the rates achieved in the Friday auctions of UK Treasury Bills. As can be seen rates are increasing with each UK Bank Rate increase.

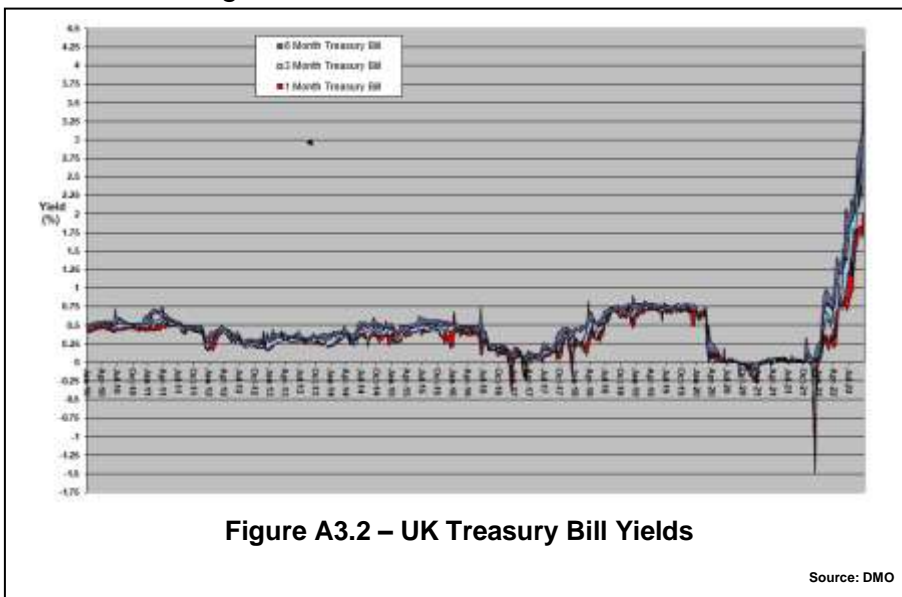
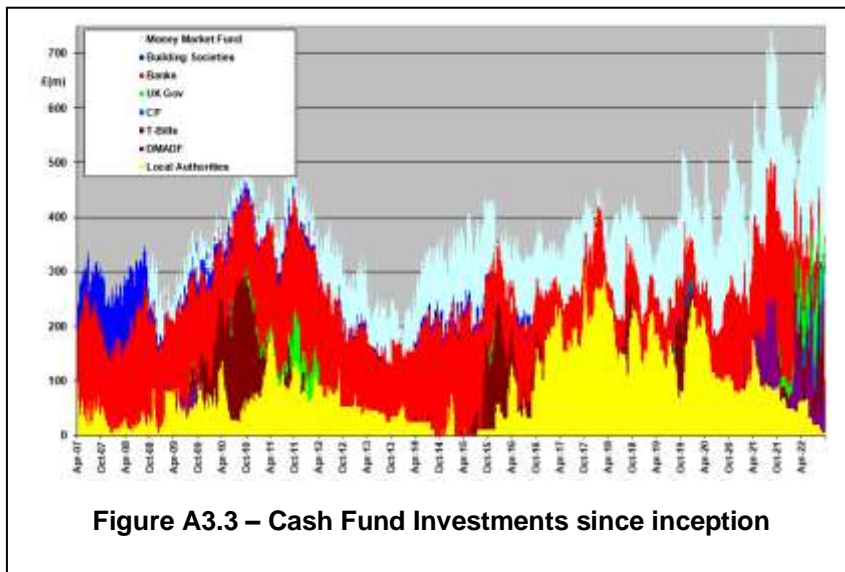
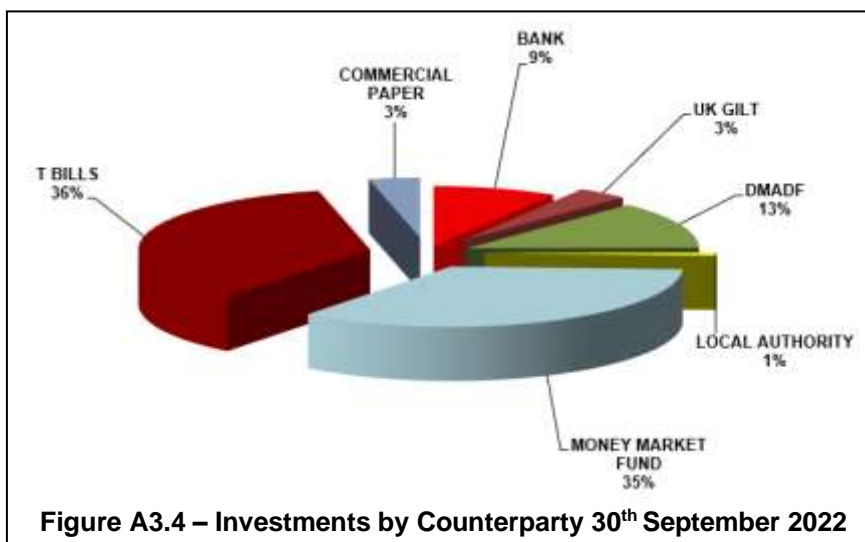


Figure A3.3 shows in detail the distribution on Cash Fund investments since inception in 2007. This shows increased investment in UK Treasury Bills, UK Gilts, commercial paper in ring-fenced banks and the Governments Debt Management Agency Deposit Facility (DMADF).

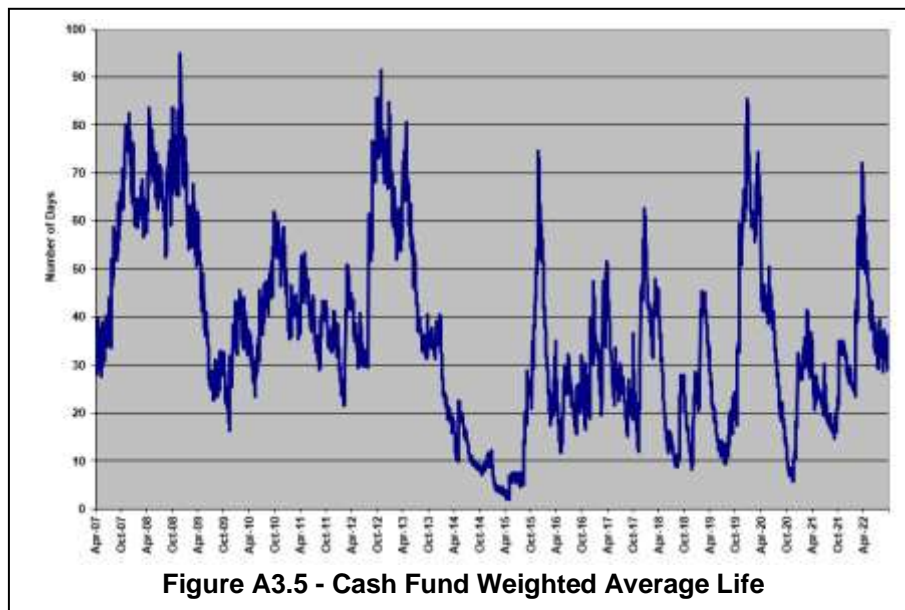


As can be seen in Figure A3.4, 1% of the fund was invested in a Local Authority deposit, 36% with UK Treasury Bills, 3% with UK Gilts, 13% invested with DMADF, 12% was invested with Banks in call accounts split between instant access and commercial paper with ring-fenced institutions and 35% on deposit with Money Market Funds.



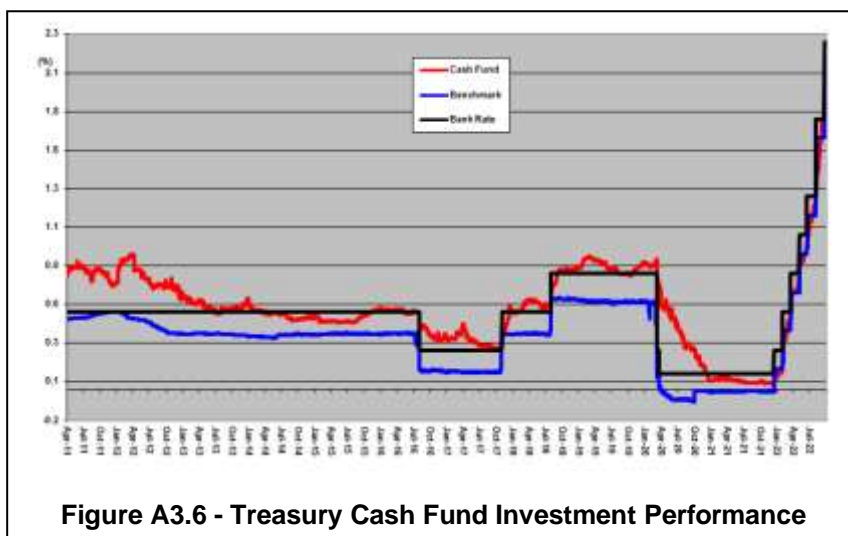
The strategy is to seek Local Authority and UK Treasury Bill trades which add value to relative MMF/Bank rates and make a positive performance contribution. There has been little interest from local authorities for many remain cash rich and rates remain relatively low due to large cash balances. Treasury will continue to monitor yield increases and take advantage of any opportunity to achieve an increase rate with Government backed investments.

As can be seen in Figure A3.5 the weighted average life of the fund was 35 days at the end of September. The duration on the portfolio is mainly made up from UK Treasury Bills with the longest maturing in January alongside a UK Gilt. One local authority deposit matures in March.



Cash Fund Performance

The annualised rate of return for the Cash Fund for the six months to September 2022 was 1.12% against a benchmark of 1.13%. Figure A3.6 below shows the daily investment performance of the Cash Fund against its benchmark since April 2011. As can be seen, recent Cash Fund performance remained slightly below the benchmark which increased more quickly with increases in UK Bank Rate than the cash fund rate. Treasury will continue to seek trades which add value while retaining security of investments.



Appendix 4

Debt outstanding 30th September 2022

Market Debt (non LOBO)

Loan Type	Start Date	Maturity Date	Principal Outstanding (£)	Interest Rate (%)	Annual Interest (£)
M	08/10/2020	08/10/2045	57,392,301.61	2.613	1,511,165.09
M	30/06/2005	30/06/2065	5,000,000.00	4.4	220,000.00
M	07/07/2005	07/07/2065	5,000,000.00	4.4	220,000.00
M	21/12/2005	21/12/2065	5,000,000.00	4.99	249,500.00
M	28/12/2005	24/12/2065	12,500,000.00	4.99	623,750.00
M	14/03/2006	15/03/2066	15,000,000.00	5	750,000.00
M	18/08/2006	18/08/2066	10,000,000.00	5.25	525,000.00
M	01/02/2008	01/02/2078	10,000,000.00	3.95	395,000.00
			121,642,025.46		

Market Debt (LOBO)

Loan Type	Start Date	Maturity Date	Principal Outstanding (£)	Interest Rate (%)	Annual Interest (£)
M	12/11/1998	13/11/2028	3,000,000.00	4.75	142,500.00
M	15/12/2003	15/12/2053	10,000,000.00	5.25	525,000.00
M	18/02/2004	18/02/2054	10,000,000.00	4.54	454,000.00
M	28/04/2005	28/04/2055	12,900,000.00	4.75	612,750.00
M	01/07/2005	01/07/2065	10,000,000.00	3.86	386,000.00
M	24/08/2005	24/08/2065	5,000,000.00	4.4	220,000.00
M	07/09/2005	07/09/2065	10,000,000.00	4.99	499,000.00
M	13/09/2005	14/09/2065	5,000,000.00	3.95	197,500.00
M	03/10/2005	05/10/2065	5,000,000.00	4.375	218,750.00
M	23/12/2005	23/12/2065	10,000,000.00	4.75	475,000.00
M	06/03/2006	04/03/2066	5,000,000.00	4.625	231,250.00
M	17/03/2006	17/03/2066	10,000,000.00	5.25	525,000.00
M	03/04/2006	01/04/2066	10,000,000.00	4.875	487,500.00
M	03/04/2006	01/04/2066	10,000,000.00	4.875	487,500.00
M	03/04/2006	01/04/2066	10,000,000.00	4.875	487,500.00
M	07/04/2006	07/04/2066	10,000,000.00	4.75	475,000.00
M	05/06/2006	07/06/2066	20,000,000.00	5.25	1,050,000.00
M	05/06/2006	07/06/2066	16,500,000.00	5.25	866,250.00
			172,400,000.00		

PWLB Loans

Loan Type	Start Date	Maturity Date	Principal Outstanding (£)	Interest Rate (%)	Annual Interest (£)
M	16/02/1995	03/02/2023	2,997,451.21	8.625	258,530.17
M	24/04/1995	25/03/2023	10,000,000.00	8.5	850,000.00
M	05/12/1995	15/05/2023	5,200,000.00	8	416,000.00
M	20/09/1993	14/09/2023	2,997,451.21	7.875	236,049.28
M	20/09/1993	14/09/2023	584,502.98	7.875	46,029.61
M	08/05/1996	25/09/2023	10,000,000.00	8.375	837,500.00
M	13/10/2009	13/10/2023	5,000,000.00	3.87	193,500.00
M	05/12/1995	15/11/2023	10,000,000.00	8	800,000.00
M	10/05/2010	10/05/2024	10,000,000.00	4.32	432,000.00
M	28/09/1995	28/09/2024	2,895,506.10	8.25	238,879.25
M	14/05/2012	14/11/2024	10,000,000.00	3.36	336,000.00
A	14/12/2009	14/12/2024	2,065,863.38	3.66	96,956.99
M	17/10/1996	25/03/2025	10,000,000.00	7.875	787,500.00
M	10/05/2010	10/05/2025	5,000,000.00	4.37	218,500.00
M	16/11/2012	16/05/2025	20,000,000.00	2.88	576,000.00
M	13/02/1997	18/05/2025	10,000,000.00	7.375	737,500.00
M	20/02/1997	15/11/2025	20,000,000.00	7.375	1,475,000.00
A	01/12/2009	01/12/2025	4,057,234.04	3.64	176,932.55
M	21/12/1995	21/12/2025	2,397,960.97	7.875	188,839.43
M	21/05/1997	15/05/2026	10,000,000.00	7.125	712,500.00
M	28/05/1997	15/05/2026	10,000,000.00	7.25	725,000.00
M	29/08/1997	15/11/2026	5,000,000.00	7	350,000.00
M	24/06/1997	15/11/2026	5,328,077.00	7.125	379,625.49
M	07/08/1997	15/11/2026	15,000,000.00	6.875	1,031,250.00
M	13/10/1997	25/03/2027	10,000,000.00	6.375	637,500.00
M	22/10/1997	25/03/2027	5,000,000.00	6.5	325,000.00
M	13/11/1997	15/05/2027	3,649,966.00	6.5	237,247.79
M	17/11/1997	15/05/2027	5,000,000.00	6.5	325,000.00
M	13/12/2012	13/06/2027	20,000,000.00	3.18	636,000.00
M	12/03/1998	15/11/2027	8,677,693.00	5.875	509,814.46
M	06/09/2010	06/09/2028	10,000,000.00	3.85	385,000.00
M	14/07/2011	14/07/2029	10,000,000.00	4.9	490,000.00
E	14/07/1950	03/03/2030	1,895.62	3	62.56
M	14/07/2011	14/07/2030	10,000,000.00	4.93	493,000.00
E	15/06/1951	15/05/2031	2,109.12	3	68.54
M	06/09/2010	06/09/2031	20,000,000.00	3.95	790,000.00
M	15/12/2011	15/06/2032	10,000,000.00	3.98	398,000.00
M	15/09/2011	15/09/2036	10,000,000.00	4.47	447,000.00
M	22/09/2011	22/09/2036	10,000,000.00	4.49	449,000.00
M	10/12/2007	10/12/2037	10,000,000.00	4.49	449,000.00
M	08/09/2011	08/09/2038	10,000,000.00	4.67	467,000.00
M	15/09/2011	15/09/2039	10,000,000.00	4.52	452,000.00
M	06/10/2011	06/10/2043	20,000,000.00	4.35	870,000.00

M	09/08/2011	09/02/2046	20,000,000.00	4.8	960,000.00
M	23/01/2006	23/07/2046	10,000,000.00	3.7	370,000.00
M	23/01/2006	23/07/2046	10,000,000.00	3.7	370,000.00
M	19/05/2006	19/11/2046	10,000,000.00	4.25	425,000.00
M	07/01/2008	07/01/2048	5,000,000.00	4.4	220,000.00
A	24/03/2020	24/03/2050	14,011,287.23	1.64	234,715.95
A	26/03/2020	26/03/2050	4,663,035.29	1.49	71,004.13
A	26/03/2021	26/03/2051	9,614,327.97	1.75	171,644.97
A	12/07/2021	12/07/2051	38,980,830.65	1.78	707,484.79
M	27/01/2006	27/07/2051	1,250,000.00	3.7	46,250.00
M	16/01/2007	16/07/2052	40,000,000.00	4.25	1,700,000.00
M	30/01/2007	30/07/2052	10,000,000.00	4.35	435,000.00
M	13/02/2007	13/08/2052	20,000,000.00	4.35	870,000.00
M	20/02/2007	20/08/2052	70,000,000.00	4.35	3,045,000.00
M	22/02/2007	22/08/2052	50,000,000.00	4.35	2,175,000.00
M	08/03/2007	08/09/2052	5,000,000.00	4.25	212,500.00
M	30/05/2007	30/11/2052	10,000,000.00	4.6	460,000.00
M	11/06/2007	11/12/2052	15,000,000.00	4.7	705,000.00
M	12/06/2007	12/12/2052	25,000,000.00	4.75	1,187,500.00
M	05/07/2007	05/01/2053	12,000,000.00	4.8	576,000.00
M	25/07/2007	25/01/2053	5,000,000.00	4.65	232,500.00
M	10/08/2007	10/02/2053	5,000,000.00	4.55	227,500.00
M	24/08/2007	24/02/2053	7,500,000.00	4.5	337,500.00
M	13/09/2007	13/03/2053	5,000,000.00	4.5	225,000.00
A	14/10/2019	10/04/2053	104,750,808.43	2.69	2,832,296.87
M	12/10/2007	12/04/2053	5,000,000.00	4.6	230,000.00
A	01/07/2021	01/07/2053	48,867,526.62	1.98	993,421.87
M	05/11/2007	05/05/2057	5,000,000.00	4.6	230,000.00
M	15/08/2008	15/02/2058	5,000,000.00	4.39	219,500.00
A	25/01/2019	25/01/2059	2,593,078.97	2.65	69,548.05
A	11/06/2019	11/06/2059	1,222,443.71	2.23	27,613.76
A	01/10/2019	01/10/2059	1,284,067.74	1.74	22,448.09
A	02/10/2019	02/10/2059	38,250,958.78	1.8	691,722.20
A	05/11/2019	05/11/2059	6,900,131.28	2.96	206,456.25
A	28/11/2019	28/11/2059	1,262,575.05	3.03	38,664.01
A	02/12/2019	02/12/2059	2,718,126.50	3.03	83,237.57
A	20/01/2020	20/01/2060	1,911,997.78	1.77	34,316.53
A	20/01/2020	20/01/2060	442,750.38	2.97	13,291.81
M	04/10/2019	04/04/2060	40,000,000.00	1.69	676,000.00
A	07/12/2021	07/12/2060	18,929,684.58	1.8	343,793.42
M	02/12/2011	02/12/2061	5,000,000.00	3.98	199,000.00
A	07/12/2021	07/12/2061	4,128,600.24	1.79	74,543.62
A	19/05/2022	19/05/2062	3,096,067.00	2.86	88,248.03
A	24/03/2022	24/03/2063	17,877,239.67	2.65	473,746.85
M	26/03/2020	26/03/2070	10,000,000.00	1.29	129,000.00

M	12/07/2021	12/07/2071	50,000,000.00	1.74	870,000.00
M	23/12/2021	23/12/2071	25,000,000.00	1.45	362,500.00
			1,173,111,248.50		

SALIX INTEREST FREE

Loan Type	Start Date	Maturity Date	Principal Outstanding (£)	Interest Rate (%)	Annual Interest (£)
Z	31/03/2015	01/04/2023	180,289.74	0.00	0.00
Z	22/09/2015	01/10/2023	65,939.91	0.00	0.00
Z	29/03/2019	01/04/2029	97,985.02	0.00	0.00
			344,214.67		

The City of Edinburgh Council

10.00am, Thursday, 9 February 2023

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

Executive/routine
Wards
Council Commitments

1. For Decision/Action

- 1.1 The Finance and Resources Committee has referred the Accounting for Service Concessions to the City of Edinburgh Council for approval.

Richard Carr
Interim Executive Director of Corporate Services

Contact: Taylor Ward, Assistant Committee Officer
Legal and Assurance Division, Corporate Services Directorate
Email: taylor.ward@edinburgh.gov.uk

Referral Report

Accounting for Service Concessions

2. Terms of Referral

- 2.1 On 7 February 2023, the Finance and Resources Committee considered 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.
- 2.2 The Finance and Resources Committee agreed:
- 2.2.1 To note the contents of the report.
 - 2.2.2 To refer the report to City of Edinburgh Council for approval of the following recommendations:
 - 2.2.2.1 The Council exercises flexibility on accounting for Service Concessions, effective from 1 April 2023, as permitted under Finance Circular 10/2022.
 - 2.2.2.2 The retrospective benefit of £95.208m to the end of 2022/23 is transferred into the General Fund, from the Capital Adjustment Account, and its use considered as part of the budget setting process.
 - 2.2.2.3 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.
 - 2.2.2.4 To agree, for this reason, that future benefits which would accrue under the revised accounting arrangements are ring-fenced to help towards future years' costs.

3. Background Reading

- 3.1 [Finance and Resources Committee – 7 February 2023 - Webcast](#)
- 3.2 Minute of the Finance and Resources Committee – 7 February 2023

4. Appendices

- 4.1 Appendix 1 – report by the Interim Executive Director of Corporate Services

Finance and Resources Committee

10.00 a.m., Tuesday, 7 February 2023

Accounting for Service Concessions

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 The Finance and Resources Committee is asked to note the content of this report and refer it to Council to approve the following recommendations:
- 1.1.1 The Council exercises flexibility on accounting for Service Concessions, effective from 1 April 2023, as permitted under Finance Circular 10/2022;
 - 1.1.2 The retrospective benefit of £95.208m to the end of 2022/23 is transferred into the General Fund, from the Capital Adjustment Account, and its use considered as part of the budget setting process;
 - 1.1.3 Notes that adoption of the guidance will extend the repayment period over a longer timeframe, past the date when government grant support will cease;and
 - 1.1.4 Agrees, for this reason, that future benefits which will accrue under the revised accounting arrangements are ring-fenced to help towards future years' costs.

Richard Carr

Interim Executive Director of Corporate Services

Contact: Hugh Dunn, Service Director – Finance and Procurement

E-mail: hugh.dunn@edinburgh.gov.uk | Tel: 0131 469 3150

Accounting for Service Concessions

2. Executive Summary

- 2.1 The report sets 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. Adoption of the opportunities available under these financial flexibilities is subject to approval at a meeting of the Council. The report will be considered by Council at its meeting on 9th February. Use of retrospective benefits arising from the proposed changes, if approved, will be considered at the Council's budget meeting on 23rd February 2023.

3. Background

- 3.1 The Revenue Budget 2022/27 Framework: progress update report to the Finance and Resources Committee on 16th June 2022 updated members on the progress with the request from local government for a service concession financial flexibility. The request sought to allow, in accounting terms, the principal element of debt repayments to be spread over the (longer) life of the asset and not the contract term, with the effective "credit" from prior years being treated as overpayments to be made available to fund expenditure.
- 3.2 The report advised that the Scottish Government had confirmed that the flexibility would be made available to councils. Use of these flexibilities is subject to both (i) robust local consideration to ensure such use is prudent, sustainable and affordable over the life of the asset and (ii) explicit approval by Council. The flexibilities may only be applied to existing concession arrangements. The Scottish Government issued Finance Circular 10/2022 setting out further details.
- 3.3 The Council has five service concessions that fall within scope for consideration, noting the flexibilities, if adopted, must be applied to all concessions in scope. The Council cannot choose to apply the flexibilities to some schemes and not others.
- 3.4 The five service concessions within scope are detailed in Appendix 1. Under the accounting arrangements for these service concessions, the Council added £337m of assets to its balance sheet, creating a lease liability of the same value. This amount excludes capital contributions that the Council made as part of the contractual arrangements.

- 3.5 The unitary charge, or contractual payment, made to the providers comprises three elements – payment for services provided, repayment of debt and interest payable. The element relating to repayment of debt is used to write down the lease liabilities over the contract term(s).
- 3.6 At the end of the contract period, the lease liabilities will be fully repaid and the assets are transferred into Council ownership.
- 3.7 As at 31 March 2023, the Council expects to have outstanding lease liabilities of circa £221m arising from these contracts.
- 3.8 Advice and support has been sourced from Link Asset Services for the work undertaken on service concessions.

4. Main report

- 4.1 The Council has four service concession arrangements for the provision of education services, as detailed in Appendix 1. The current arrangements provide for repairs and maintenance to be carried out during the life of the contracts and the assets are expected to be in a good condition when ownership transfers to the Council at the end of the contractual periods in compliance with contract conditions.
- 4.2 Under the new guidance issued by the Scottish Government, councils now have the option to account for the payment for the assets over their useful life, rather than over their contractual period. Other education buildings funded through the capital programme have an asset life of 50 years. It is therefore proposed to extend the repayment period for each of the education service concessions to 50 years, on a consistency basis.
- 4.3 Furthermore, had these assets been provided through the capital programme at the time of construction, the debt repayments would have been calculated on an annuity basis. For consistency purposes, it is also proposed to adopt an annuity repayment method for these assets
- 4.4 The Council is not proposing to change the asset life for the waste facility at Millerhill due to this being an operational asset subject to technology and legislative risk but is proposing, on a consistent accounting basis, to adopt the annuity repayment method.
- 4.5 Members are asked to note that this proposal does not change the amount that will be paid to the service concession providers each year, nor the contract term over which these payments will be made.
- 4.6 Details of the current and proposed repayment profiles are set out in Appendix 2.
- 4.7 The guidance provides councils with the opportunity to apply these changes retrospectively. This allows the Council to revisit the repayments that have been made and restate them over the revised useful life, on the annuity basis proposed. This creates an overpayment situation, which currently sits in unusable reserves (*Capital Adjustment Account*). The Council is permitted to move the overpayment from unusable reserves to its General Fund balance.

- 4.8 Adopting the Scottish Government guidance provides the Council with a retrospective gain of £95.208m as at 31st March 2023. Council will be asked to approve the release of this retrospective gain into the General Fund and to subsequently consider its use as part of the budget setting process.
- 4.9 Members should note that the level of reserves held, and the use thereof, is considered as part of the capital financing requirements and inform the Council's Treasury Strategy.
- 4.10 Further savings will be generated in future years through the use of extended asset lives, and the adoption of annuity-based repayments. Extension of asset lives, however, will require the Council to budget for repayments after the end of the service concession contractual periods as the Level Playing Field Support funding provided by the Scottish Government towards debt and interest costs will cease at the end of the contractual periods. The Council's longer financial planning will require to provide for repayments as they fall due. For this reason, it would be prudent for the Council to ring fence and set aside future savings as they arise to help mitigate these costs and anticipated increased repairs and maintenance expenditure in future years.
- 4.11 Members are advised that the Service Director: Finance and Procurement, in his capacity as s95 officer, confirms that the proposals set out in this report, including the set-aside of future years' savings to mitigate increased costs, is consistent with the requirements for the proposal to be prudent, sustainable and affordable. Use of the retrospective gain of £95m should be applied on a prudent basis, recognising the significant incremental funding gaps over the full period of the framework. As reported to members on 10 November 2022, a five-year period for application of the flexibility is considered appropriate.

5. Next Steps

- 5.1 Subject to the agreement of the Committee, the report will be referred to Council for approval, as required under the Scottish Government guidance.
- 5.2 Should approval be given, the Council will adopt the accounting changes set out in this report as part of its revenue budget strategy.
- 5.3 The Council's Annual Treasury Strategy will consider any impact on the Capital Financing Requirement.
- 5.4 The applicable accounting policies will be updated in the Financial Statements from financial year 2023/24 onwards.

6. Financial impact

- 6.1 Adopting the Scottish Government guidance by extending the asset lives of the educational schemes assets and using an annuity repayment basis results in a retrospective gain of £95.208m as at 31 March 2023, together with further savings in future years until the end of the current PPP service concession contracts, as noted in 4.10 above.

- 6.2 Extending the asset lives will result in repayments being due after the end of the contractual periods when Level Playing Field Support will also cease. These costs will require to be included in the Council's revenue budget framework as they fall due.
- 6.3 The retrospective benefit is on an accounting basis. Using this retrospective gain as part of the revenue budget framework will increase the Council's Capital Financing Requirement (CFR). Funding the CFR is considered as part of the Council's Annual Treasury Strategy which is reported in March each year to the Council.
- 6.4 Use of the retrospective gain will have an opportunity cost in terms of interest earned on credit balances. For example, use of £20m of gain in 2023/24 would result in foregone interest of £0.6m, assuming an interest rate of 3%. This loss of interest earned on credit balances will be managed within the overall loan charges / investment income budget included in the financial framework.
- 6.5 Level Playing Field Support (LPFS) provided by the Scottish Government towards contractual debt repayments and interest costs will cease at the end of the original contractual period. The Council receives circa £20m of LPFS funding per annum.
- 6.6 The current and proposed repayment position is summarised in the following table, with tables on a concession-by-concession basis shown in Appendix 2.

Year	Current repayment £m	Revised repayment £m	(Reduction) / cost £m	NPV at 3.5% £m
Pre 2023/24	115.566	20.358	(95.208)	(95.208)
Due within one year	9.009	2.374	(6.635)	(6.411)
Due within 2 – 5 years	41.728	11.429	(30.299)	(26.825)
Due within 6 – 10 years	64.528	20.065	(44.463)	(33.772)
Due within 11 – 25 years	106.023	131.066	25.043	5.386
Due within 26 – 40 years	-	135.225	135.225	46.446
Due within 41 – 50 years	-	16.337	16.337	3.641
Total	336.854	336.854	-	(106.743)

- 6.7 Council is required to demonstrate that implementing these changes is sustainable and prudent. Retention of future years' savings, as noted in 4.10 above will provide funding towards costs arising after the contractual repayment periods end. Adopting an annuity basis for repayment matches the costs of repaying debt to the useful life of the asset and is an approved repayment basis in line with accounting standards.
- 6.8 At the end of the original contract period, the existing budget, less the LPFS funding, will become available to the Council to meet future costs of school facilities and maintenance that were provided under the PPP contracts and costs arising from the change in accounting treatment proposed.

7. Stakeholder/Community Impact

- 7.1 There is no direct relevance to the report's contents.

8. Background reading/external references

8.1 [Local government finance circular 10/2022](#)

8.2 [Revenue Framework 2022-27 Progress Update June 2022](#)

9. Appendices

Appendix 1 In-scope service concessions

Appendix 2 Summary of current and proposed repayment profiles

In-Scope Service Concessions

Service Area	Provider	Assets provided under arrangement	Year (Contract entered into)	Original Write Down Period	Total amount to be repaid, excl. interest
Waste Disposal	FCC	Provision of residual waste treatment at Millerhill. Joint arrangement with Midlothian Council, on an 80 / 20 basis	2016	26 years Ends 2044/45	£25.090m
Education	Edinburgh Schools Partnership	Provision of school buildings, maintenance and other facilities Ten primary, five secondary and two special schools, one close support unit and one community wing	2001	32 years Ends 2033/34	£80.332m
Education	Axiom Education Ltd	Provision of school buildings, maintenance and other facilities Two primary and six secondary schools	2007	31 years Ends 2038/39	£160.011m
Education	Hub South East Scotland	Provision of a new building for James Gillespie's High School	2013	28 years Ends 2041/42	£33.854m
Education	QHS DBFMCO Ltd	Provision of a new building for Queensferry High School	2018	25 years Ends 2044/45	£37.567m

Note: The above amounts exclude any capital contributions made by the Council towards the overall project costs.
Finance and Resources Committee – 7 February 2023

PPP1

The summary position for the PPP1 scheme (Edinburgh Schools Partnership) shows the repayment of the £80.332m debt liability for the current 32-year contract period compared to the calculation based on a 50-year annuity and highlights the following:

Current position		Principal repayments based on a 50-year annuity @ 8.968%		
PPP principal repayments	Current repayment £000	Revised repayments £000	(Reduction) / cost £000	NPV 3.5% £000
Pre 2022-23	38,308	5,636	(32,672)	(32,672)
2022-23	2,596	605	(1,991)	(1,924)
Yrs 2 to 5	15,074	3,014	(12,060)	(10,650)
Yrs 6 to 10	21,018	5,561	(15,457)	(11,889)
Yrs 11 to 25	3,336	41,836	38,500	19,284
Yrs 26 to 40		23,680	23,680	9,167
Total	80,332	80,332	-	(28,684)

- The statutory adjustment for the cumulative repayment of debt liability up to 31 March 2023 is a £32.672m reduction.
- Further annual reductions totalling £31.415m from 2023/24 to 2033/34 when the contract expires
- In the period between 2034/35 to 2051/52 the revised profile will result in a total of £64.087m of higher costs than the current repayment profile (ranging from £1.557m in 2034/35 to £6.703m in 2051/52)
- These higher costs can be partly mitigated by setting aside the £31.415m of annual reductions arising between 2023/24 and 2033/34 in a ring-fenced fund.
- The rescheduling of all the charges gives an NPV saving of £28.684m

PPP2

The summary position for the PPP1 scheme (Axiom Education Ltd.) shows the repayment of the £160.011m debt liability for the current 31-year contract period compared to the calculation based on a 50-year annuity and highlights the following:

Current position		Principal repayments based on a 50-year annuity @ 5.895%		
PPP principal repayments	Current repayment £000	Revised repayments £000	(Reduction) / cost £000	NPV 3.5% £000
Pre 2022-23	67,383	13,178	(54,205)	(54,205)
2022-23	4,286	1,348	(2,938)	(2,839)
Yrs 2 to 5	17,146	6,232	(10,914)	(9,683)
Yrs 6 to 10	29,203	10,094	(19,109)	(14,383)
Yrs 11 to 25	41,993	55,169	13,176	2,230
Yrs 26 to 40		73,990	73,990	25,619
Total	160,011	160,011	-	(53,261)

- The statutory adjustment for the cumulative repayment of debt liability up to 31 March 2023 is a £54.205m reduction.
- Further annual reductions totalling £58.332m from 2023/24 to 2038/39 when the contract expires
- In the period between 2039/40 to 2057/58 the revised profile will result in a total of £112.537m of higher costs than the current repayment profile (ranging from £3.369m in 2039/40 to £9.446m in 2057/58)
- These higher costs can be partly mitigated by setting aside the £58.332m of annual reductions arising between 2023/24 and 2038/39 in a ring-fenced fund.
- The rescheduling of all the charges gives an NPV saving of £53.261m

James Gillespie's High School

The summary position for James Gillespie's High School shows the repayment of the £33.854m debt liability for the current 28-year contract period compared to the calculation based on a 50-year annuity and highlights the following:

Current position		Principal repayments based on a 50-year annuity @ 8.205%		
PPP principal repayments	Current repayment £000	Revised repayments £000	(Reduction) / cost £000	NPV 3.5% £000
Pre 2022-23	5,499	692	(4,807)	(4,807)
2022-23	852	112	(740)	(716)
Yrs 2 to 5	3,796	547	(3,249)	(2,879)
Yrs 6 to 10	5,513	976	(4,537)	(3,435)
Yrs 11 to 25	18,194	6,781	(11,413)	(7,293)
Yrs 26 to 40		22,129	22,129	6,839
Yrs 41 to 60		2,617	2,617	639
Total	33,854	33,854	-	(11,652)

- The statutory adjustment for the cumulative repayment of debt liability up to 31 March 2023 is a £4.807m reduction.
- Further annual reductions totalling £23.625m from 2023/24 to 2041/42 when the contract expires.
- In the period between 2042/43 to 2063/64 the revised profile will result in a total of £28.433m of higher costs than the current repayment profile (ranging from £0.500m in 2042/43 to £2.618m in 2063/64)
- These higher costs can be partly mitigated by setting aside the £23.625m of annual reductions arising between 2023/24 and 2041/42 in a ring-fenced fund.
- The rescheduling of all the charges gives an NPV saving of £11.652m

Queensferry High School

The summary position for Queensferry High School shows the repayment of the £37.567m debt liability for the current 25-year contract period compared to the calculation based on a 50-year annuity and highlights the following:

Current position		Principal repayments based on a 50-year annuity @ 6.301%		
PPP principal repayments	Current repayment £000	Revised repayments £000	(Reduction) / cost £000	NPV 3.5% £000
Pre 2022-23	2,958	374	(2,584)	(2,584)
2022-23	970	141	(829)	(801)
Yrs 2 to 5	4,419	656	(3,763)	(3,331)
Yrs 6 to 10	6,258	1,082	(5,176)	(3,933)
Yrs 11 to 25	22,962	6,168	(16,794)	(9,417)
Yrs 26 to 40		29,146	29,146	7,822
Total	37,567	37,567	-	(12,244)

- The statutory adjustment for the cumulative repayment of debt liability up to 31 March 2023 is a £2.584m reduction.
- Further annual reductions totalling £28.283m from 2023/24 to 2044/45 when the contract expires.
- In the period between 2045/46 to 2069/70 the revised profile will result in a total of £30.867m of higher costs than the current repayment profile (ranging from £0.539m in 2046/47 to £2.618m in 2069/70)
- These higher costs can be partly mitigated by setting aside the £28.283m of annual reductions arising between 2023/24 and 2044/45 in a ring-fenced fund.
- The rescheduling of all the charges gives an NPV saving of £12.244m

Millerhill

The summary position for Millerhill shows the repayment of the £25.090m debt liability for the current 26-year contract period compared to the calculation based on a 26-year annuity and highlights the following:

Current position		Principal repayments based on a 50-year annuity @ 6.301%		
PPP principal repayments	Current repayment £000	Revised repayments £000	(Reduction) / cost £000	NPV 3.5% £000
Pre 2022-23	1,417	478	(939)	(939)
2022-23	305	169	(136)	(132)
Yrs 2 to 5	1,293	979	(314)	(283)
Yrs 6 to 10	2,537	2,352	(185)	(132)
Yrs 11 to 25	19,538	21,112	1,574	583
Total	25,090	25,090	-	(903)

- The statutory adjustment for the cumulative repayment of debt liability up to 31 March 2023 is a £0.939m reduction.
- Further annual reductions totalling £2.220m from 2023/24 to 2043/44 when the contract expires.
- In financial year 2044/45 the revised profile will result in a total of £3.160m of higher costs than the current repayment profile.
- These higher costs can be partly mitigated by setting aside the £2.220m of annual reductions arising between 2023/24 and 2043/44 in a ring-fenced fund.
- The rescheduling of all the charges gives an NPV saving of £0.903mm

The City of Edinburgh Council

10.00am, Thursday 9 February 2023

Renaming the Education and Children's Services Directorate – referral from the Education, Children and Families Committee

Executive/routine
Wards
Council Commitments

1. For Decision/Action

- 1.1 The Education, Children and Families Committee has referred a recommendation to rename the Education and Children's Services Directorate to Council for approval.

Richard Carr
Interim Executive Director of Corporate Services

Contact: Lesley Birrell, Committee Officer
Legal and Assurance Division, Corporate Services Directorate
Email: lesley.birrell@edinburgh.gov.uk

Referral Report

Renaming the Education and Children’s Services Directorate

2. Terms of Referral

- 2.1 On 31 January 2023, the Education, Children and Families Committee considered the attached 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.
- 2.2 The Education, Children and Families Committee agreed:
 - 2.2.1 To approve the proposal to rename the Education and Children’s Services Directorate to “Children, Education and Justice Services”.
 - 2.2.2 To recommend that Council approves renaming the Directorate as proposed.

3. Background Reading

- 3.1 [Education, Children and Families Committee – 31 January 2023 Webcast](#)

4. Appendices

- 4.1 Appendix 1 – report by the Executive Director of Education and Children’s Services

Education, Children and Families Committee

10am, Tuesday, 31 January 2023

Renaming the Education and Children's Service Directorate

Executive/routine
Wards
Council Commitments

1. Recommendations

1.1 The Education, Children and Families Committee is asked to:

- 1.1.1 Approve the proposed change of Directorate from Education and Children's Services to Children, Education and Justice Services.

Amanda Hatton

Executive Director of Education and Children Services

Contact: Amanda Hatton, Executive Director of Education and Children's Services E-mail:
amanda.hatton@edinburgh.gov.uk

Renaming the Education and Children's Service Directorate

2. Executive Summary

- 2.1 The proposal is to rename the directorate to Children, Education and Justice Services to reflect the changes within the directorate, put children at the forefront and be more inclusive. Homelessness, and Family and Household Support have now moved to Place Directorate, and Justice Services remains within our directorate but have felt excluded as not being part of the name.
- 2.2 This report was the agenda of the Education, Children and Families Committee on the 12 November 2022, and after discussion it was agreed to bring this back to committee on the 31 January 2023 for further consideration.

3. Background

- 3.1 Communities and Families was the title of the Directorate for a number of years. When the interim Executive Director was appointed to post in May 2021 the title was changed to Interim Executive Director of Education and Children's Services to make it more inclusive, and this title has remained since then.
- 3.2 Justice Services remain part of the directorate and there is a need to reflect this in the title.

4. Main report

- 4.1 Feedback from the Executive Director's Townhall Sessions had indicated that Justice colleagues would like to be recognised as part of the directorate and asked if the directorate could be renamed.
- 4.2 The cultural change being taken forward is centred on children being first in everything that we do and therefore putting them at the front of the name of the directorate reinforces this.

5. Next Steps

- 5.1 The internal / external council websites, systems, and the global internal address book to be updated to reflect the new name. This will involve consultation with the web design team and communications team.
- 5.2 All appropriate templates e.g. letter templates updated.

5.3 The Directorate email distribution list amended.

5.3 Communication to all staff in the Directorate to advise of the name change and to update email signatures.

6. Financial impact

6.1 There are no financial implications as a result of this report.

7. Stakeholder/Community Impact

7.1 Consultation with colleagues at the Town hall session.

7.2 Consultation with the web design team and communications team.

8. Background reading/external references

8.1 n/a

9. Appendices

None

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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)

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

Answer (2)

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 Ofcoms legislation?

Answer (3)

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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

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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)

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)

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)

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)

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)

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)

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)

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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)

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

Answer (2)

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 Convener please confirm when will this be made available?:

Answer

(3)

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

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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)

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

Answer (2)

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

Answer (3)

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

Answer (4)

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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

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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)

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

Answer (2)

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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 15th 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) |
| Question | (2) What, if any, third sector organisations or agencies are the Council working with to complete the investigations? |
| Answer | (2) |
| Question | (3) Will the investigations include a recommendations report to be presented to the Housing, Homeless and Fair Work Committee? |
| Answer | (3) |
| 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) |

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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)

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

Answer (2)

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

Answer (3)

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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 16th 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)

- 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)

- 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)

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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)

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

Answer (2)

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

Answer (3)

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

Answer (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)

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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)

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)

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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)

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)

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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 19th January, traffic lights at the pedestrian crossing at St Thomas' Church on Glasgow Road were removed as part of the upgrade programme. As of 29th 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)

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)

Question (3) Which other pedestrian crossings are planned for upgrade, by ward, over the next three months?

Answer (3)

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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)

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

Answer (2)

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

Answer (3)

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

Answer (4)

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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 6th January to 30th January?

Answer (1)

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

Answer (2)

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

Answer (3)

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)

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)

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)**

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

Answer **(2)**

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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

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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)

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)

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)

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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) | |
| Question | (2) | Any defects and/or repairs logged for action. |
| Answer | (2) | |
| Question | (3) | Any upcoming scheduled improvements. |
| Answer | (3) | |

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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) |
| Question | (2) What work they have been contracted to carry out? |
| Answer | (2) |
| Question | (3) What the value of the Contract is? |
| Answer | (3) |
| Question | (4) Whether this is a rolling contract or if each new piece of work is contracted separately? |
| Answer | (4) |
| Question | (5) What is the value of contracts with Project Centre in each of the last 5 fiscal years? |
| Answer | (5) |
| 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) |

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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 (NO₂), 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 NO₂ in 2020 and the results in Air Quality Management Areas show that pollution was well below the legal limit in 2022 for both PM_{2.5} and PM₁₀?

Answer

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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)**

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)**

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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)**

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

Answer **(2)**

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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.

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

Answer (1)

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

Answer (2)

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

Answer (3)

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

Answer (4)

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

Answer (5)

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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:

- | | |
|-----------------|---|
| Question | (1) An IIA has been carried out for each of the proposed ETROs |
| Answer | (1) |
| Question | (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? |
| Answer | (2) |
| 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) |

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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.”*

Question (1) Is implementing Experimental TROs lawful when there is no ring-fenced budget for removal suggesting they are already being treated as permanent?

Answer (1)

Question (2) Has approval been sought from the council's own Internal Auditor and/or Audit Scotland that the practice is acceptable?

Answer (2)

Question (3) Can the Convener provide estimates for the cost of reinstating each individual scheme?

Answer (3)

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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)

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THE CITY OF EDINBURGH COUNCIL

9 FEBRUARY 2023

DEPUTATION REQUESTS

Subject	Deputation
3.1 In relation to Item 7.8 on the agenda – Drum Brae Care Home Status Report	UNISON
3.2 In relation to Item 8.2 on the agenda – Motion by Councillor Jenkinson – National Care Service	UNISON
3.3 In relation to Item 8.5 on the agenda – Motion by Councillor Nicolson – Stolperstein	Edinburgh Interfaith Association (EIFA) (submission attached)
3.4 In relation to Item 8.6 on the agenda – Motion by Councillor McVey – UK Government Attack on Devolution	The Sovereignty Research Group
3.5 In relation to Item 8.7 on the agenda – Motion by Councillor Campbell – Coillesdene House Lifts	Coillesdene House Residents Association (submission attached)
3.6 In relation to Item 8.12 on the agenda – Motion by Councillor Mumford - Gender Recognition Reform	a) The Sovereignty Research Group b) Evidence Based Social Work Alliance (EBSWA) c) Concerned Adults talking openly about gender identity ideology
3.7 In relation to Item 8.15 on the agenda – Motion by Councillor Younie – Muirhouse Millenium Centre	LIFT @ Muirhouse Millenium Centre (Low Income Families Together)



Deputation by Professor Joe Goldblatt, Chair

Lord Provost, distinguished members of the City of Edinburgh Council, and dear friends of my beloved adopted city.

I have been invited by Ward 5 Councillor Vicky Nicolson to add my voice to those of many others in supporting the Stolperstein commemorative stone and plaque in honour of Jane Haining.

As a Jewish person who has the honour and privilege of serving as chair of the oldest interfaith association in Scotland, I feel as though it is my duty to unreservedly share with you why this recognition will mean so much to so many for so long in our city.

Perhaps the best way to illustrate the importance of this commemoration of a noble life is to share with you a story from one of our Edinburgh schools.

This past week a group of ten S2 students performed a play about the Jewish refugees in Shanghai, China. When countries all over the world shut their doors to the Jews during the outbreak of World War II, Shanghai welcomed these poor souls and many of them were children.

One of the student actors asked me if she could speak to me privately. She then told me that she had told her grandfather that she was in a play about the Jewish people. The grandfather then told his granddaughter for the first time that his mother was born Jewish in Germany, however, to protect her family, she hid her Judaism and later converted to Christianity. He had kept this secret

for three generations. He then hugged his granddaughter and told her how proud he was that she was telling this story of the Jewish people.

The student then looked at me with tears in her eyes and said, "I am so proud to know that I have Jewish heritage and this play has helped me discover my pride."

I hope that in the years to come when children and others pass the Solperstein stone and plaque they too will feel pride because of this daughter of Edinburgh whose courage and bravery saved so many Jewish lives.

Therefore, on behalf of myself and the Edinburgh Interfaith Association, I urge you, with all my heart, to approve this motion by acclaim as a sign of the unity of our city regarding important matters such as this one.

Sincerely

A handwritten signature in black ink, appearing to read "Joe Goldblatt". The signature is written in a cursive style with a large initial "J".

Professor Joe Goldblatt

Chair

Edinburgh Interfaith Association

Edinburgh, 09th of February 2023

Dear Sir/Madam,

COILLESDENE HOUSE LIFTS

We live in a ten-storey block containing 41 flats located in Edinburgh East.

There are two lifts in the building. One for the even floors and one serving the odd floors. These lifts are sixty years old and have been having to have more frequent call outs in recent months culminating in the evens lift breaking down completely on the 6th of December. Intermittently between that date and January both lifts were out of commission.

The evens lift is still broken and although the odds lift is working now, residents are feeling very vulnerable if going out in case they cannot access their flats on their return. It has been suggested that the lifts are needing replaced as parts are so difficult, if not impossible to source. There are many older people and people with mobility issues within the block and some have been trapped in their homes since the 6th of December. Surely this is totally unacceptable and is made more frustrating by the Council's reluctance to communicate with us.

A deputation from the Resident's Association is attending the Council meeting on Thursday 9th February when hopefully some resolution can be reached.

Yours faithfully,

Coillesdene House Residents Association