

Notice of meeting and agenda

City of Edinburgh Council

10.00 am Thursday, 16th March, 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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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

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|-----|--|-----------|
| 4.1 | The City of Edinburgh Council of 9 February 2023 – submitted for approval as a correct record | 19 - 150 |
| 4.2 | The City of Edinburgh Council of 23 February 2023 – submitted for approval as a correct record | 151 - 240 |

5. Leader's Report

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| 5.1 | Leader's report | 241 - 244 |
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6. Appointments

6.1	Appointments to Working Groups – Report by the Interim Executive Director of Corporate Services	245 - 270
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(Note: This report was continued from the meeting of the City of Edinburgh Council on 9 February 2023)

7. Reports

7.1	By-Election - No 6 Corstorphine/Murrayfield Ward – Report by the Chief Executive	271 - 272
7.2	Appointment to Chief Officer Posts – Report by the Chief Executive	273 - 276
7.3	Council Business Plan 2023-27 – Report by the Chief Executive	277 - 326
7.4	Standards Commission for Scotland - Decision of Hearing Panel - former Councillors Child and Doran – Report by the Chief Executive	327 - 336
7.5	Charging for Visitor Access to St Giles' Cathedral – Report by the Chief Executive	337 - 392
7.6	Motion by Councillor Nicolson - Self Directed Support – Report by the Chief Officer, Edinburgh Health and Social Care Partnership	393 - 398
7.7	Drumbrae Care Home - Status Report – Report by the Chief Officer, Edinburgh Health and Social Care Partnership	399 - 406
7.8	Edinburgh Tram Inquiry – Funding update – Report by the Chief Executive	407 - 410
7.9	Revenue Budget 2023-24 Update – Report by the Executive Director of Corporate Services	411 - 442
7.10	Annual Treasury Management Strategy 2023/24 – referral from the Finance and Resources Committee	443 - 478
7.11	Capital Strategy 2033-33 - Annual Report – referral from the Finance and Resources Committee	479 - 508

7.12 Edinburgh International Conference Centre – Shareholders’ Agreement and Strategic Delivery Agreement - referral from the Housing, Homelessness and Fair Work Committee

509 - 552

8. Motions

8.1 By Councillor Heap - Gorgie Farm (arrangements for the care of animals)

Council:

- 1) Notes with regret that Gorgie Farm closed on 16 January.
- 2) Recognises that progress is being made in finding a new operator for the farm and thanks Council officers for their work in doing so.
- 3) Believes that the new provider should not be a commercial operator and the farm should always be free to access for visitors.
- 4) Notes that the animals resident at Gorgie Farm are being fostered/re-homed whilst a new operator for the farm is put in place.
- 5) Understands that some animals are being fostered/re-homed at other farms.
- 6) Notes with concern the media is reporting that up to 50 smaller animals have had to be fostered by staff and volunteers at their own expense.
- 7) Thanks the staff and volunteers for taking care of the animals.
- 8) Requests that officers investigate:
 - (a) the process by which the animals were fostered/re-homed;
 - (b) What can be done to provide financial support to staff and volunteers looking after animals at their own expense; and

- (c) How the new operator can take over financial and other responsibility for the care of the animals in a timely manner.
- 9) Requests the outcomes of this investigation are reported to Sighthill/Gorgie Councillors and party group leaders as soon as possible.

8.2 By Councillor Osler – Flooding

“Council

- 1) Notes the budget that was passed on 23rd February 2023.
- 2) Notes that contained within the capital budget was an additional £2m allocated for flood prevention measures.
- 3) Notes that the Council has a Vision for Water Management which fits within the Council’s Edinburgh 2050 Vision.
- 4) Notes that the Water Management Vision and its objectives are an important step towards mitigating the scale of flooding and have been developed with input from Scottish Water (SW) and the Scottish Environment protection Agency (SEPA).
- 5) Recognises the need for practical applications of the Vision for Water Management in line with the Sustainable Rainwater Management guidance.
- 6) Notes that there are, and will be, opportunities to develop capital funding for some schemes using partnership money from Scottish Water and funding partners like SUSTRANS.
- 7) Agrees that a report should come to the Transport and Environment Committee within two cycles setting out:
 - Currently identified priorities and potential sources of funding; and
 - how the extra £2m could be best spent to alleviate flooding concerns within the City.”

8.3 By Councillor Staniforth - Improving the Budget Process

- “1) Notes:
- a) Cllr Kate Campbell's motion to GRBV calling for an audit into the budget process and correctly noting that the budget process for 23/24 was not a good model.
 - b) That the budget process was originally created for a council with a majority controlling coalition or single party and that this is in fact a rarity in Edinburgh following the introduction of STV.
 - c) That the budget process varies widely from council to council across Scotland.
- 2) Therefore:
- a) Instructs officers to hold a workshop of all councillors to explore how the budget process can be improved.
 - b) Instructs officers to report - either as part of an audit or independently - on the budget process undertaken by other council across Scotland in order to inform our own potential budget process reforms.”

8.4 By Councillor Mitchell - Communal Bin Review Locations Framework

“Council:

- 1) Notes the ongoing work in the communal bin review.
- 2) Thanks, officials, for the ongoing work across the communal bin review including the additional work in the World Heritage Site.
- 3) Regrets that many residents both within and outwith the World Heritage Site are dissatisfied with aspects of the proposals for a variety of reasons including, but not limited to, impact on residential amenity based on the location of the bin hubs.
- 4) Acknowledges that not all streets are alike.

- 5) Believes that suitable alternative locations with community support can be identified in reasonable proximity to locations originally perceived as optimal under the design framework and that these parameters should be acceptable for consideration. For example, across a road by walls, railings or fencing as has previously worked in many streets without issue and is preferred by residents.
- 6) Therefore, agrees to an urgent review of the design framework originally set by committee to allow for greater flexibility and consideration of how and where bin hubs are located to reduce impact on residential amenity, and is prepared to accept that new TROs may need to be raised to deal with these issues. The review should be available in report form at the Transport and Environment Committee within two cycles.”

8.5 By Councillor Ross - Commercial Property Undeveloped Land

“Council:

- 1) Notes the Council’s commercial property portfolio contains a wide variety of assets and is managed with a view to maximising the generation of income.
- 2) Notes that the rental income generated from commercial property leases supports spending in the Council’s revenue budget.
- 3) Recognises that the commercial property portfolio represents a potential source of additional capital for investment in Council priorities.
- 4) Agrees to consider a report to Finance & Resources Committee in two cycles setting out a medium to long-term strategy for the Council’s commercial property portfolio that sets out its purposes and objectives. The report should provide information on the properties held in the portfolio.
- 5) Agrees that the report should also outline how an exercise could be undertaken to identify undeveloped land held by the Council and the HRA with recommendations for retention, development or potential disposal.”

8.6 By Councillor Ross - Cost Recovery from Commercial Events

“Council:

- 1) Notes that events will normally require council permission, and that, for many events, an Event Planning Operations Group meeting (EPOG) is held. The EPOG is a multi-agency safety advisory group that scrutinises arrangements for holding events to ensure that they are safe and well managed. As part of this process, Council officers from a variety of service areas who provide a range of services and permissions attend these meetings to ensure the safe and smooth running of events within the city.
- 2) Requests a report to Finance & Resources Committee in two cycles outlining options on how costs might further be recovered for services and permissions from commercial operators of sports grounds and events.”

8.7 By Councillor Dobbin - Conservatives Voter ID Disenfranchisement Legislation

“Council notes the UK Conservative Government has passed a voter suppression law, designed to disenfranchise 2 million people across the UK.

Notes the (Election Act 2022) relies on people having photographic ID, which many do not, and asks those without photo ID to go through a bureaucratic process before the day of poll, meaning many may lose their voting rights without knowing until election day- at which point it will be too late for any action to be taken to restore their ability to vote.

Council notes the SNP/Green fully-costed joint budget allocated additional money to help the elections team mitigate the Conservative’s attempt to withdraw universal voting rights from people, including thousands of residents in Edinburgh. Further notes that Labour, Conservative and Liberal Democrat Councillors voted this down.

Requests a report to Policy and Sustainability Committee in three cycles, setting out the impact of the Conservative's voter ID disenfranchisement legislation, with information from the impact during May's English local government elections. This should further set out all actions being taken by the Edinburgh Returning Officer, valuation board and elections team to support people most at risk of losing their voting rights."

8.8 By Councillor O'Neill - Edinburgh's Monuments and Commemoration

"Council:

- 1) Notes that there are over 130 structures of public art or monuments across the city of Edinburgh.
- 2) Regrets that of those structures, 79 represent or commemorate men with just 8 representing women, less than the total number of structures dedicated to animals (15).
- 3) Recognises the cultural significance of statues and what values and ideas they commemorate.
- 4) Notes the motion by Councillor Cameron agreed at full council on 22 August 2019 and the subsequent report to Planning Committee, which agreed that, "when a street is named after a person, a woman's name is given priority.", further notes that this policy does not currently apply to public art or monuments.
- 5) Notes the work of the Edinburgh Slavery and Colonialism Legacy Review, and in particular recommendation 2 that that structures "...associated with slavery and colonialism are retained and re-presented in accordance with a new, dedicated interpretation strategy which explains the nature and consequences of that involvement, , and recommendation 7, that "a significant public artwork be commissioned acknowledging Edinburgh's links with slavery and colonialism", and that this "initiates the development of a city-wide strategy for public art that fairly represents the diversity of the city...".

- 6) Notes that this is a live discussion, and that it is therefore in the best interests of the public that the council position on this is clear and unambiguous.
- 7) Agrees that new statues, monuments, buildings and street names should reflect the diverse history of Edinburgh and the Council wishes to see better representation in our placemaking.
- 8) Also agrees that this representation goes further than statues, for example in Leith's Pride Bridge which is the only cultural landmark to LGBT+ people in Edinburgh.
- 9) Therefore, requests a report within 2 cycles to Culture & Communities committee, and thereafter be referred to Planning Committee which sets out:
 - a) The current process for how new statues, monuments and commemorative structures are decided upon in the city, and what role the Council plays in this;
 - b) Options for establishing a new policy and process for new statue / monument / commemorative structure proposals, to ensure that these contribute to the objectives set out in 5), including further options for improving representation amongst commemorative structures erected in the city."

8.9 By Councillor Griffiths - School Leaver Destination Statistics

"Asks Council to note the recently published School Leaver Destination Report which showed gains for our leavers in securing an initial positive destination. Notes that the City's statistics are now better than the Virtual Comparator and the national average.

In particular, notes that the positive destinations for young people in areas of deprivation increased and that the gap was narrowed.

Commends all staff in schools from early years through to senior phase and partners for their efforts in securing these strong results.

Further, to continue to build on this success:

- Calls for the city's employers to offer more work placements for young people to experience this vital development of their skills while at school.
- Calls for even stronger partnerships to be developed by all industries to offer apprenticeships at every level.
- Calls for all key stakeholders to discuss and feedback on the new developments for Education Reform so that the considerable assets of our city are used to improve curriculum and learning pathways for all."

9. Congratulatory Motions

9.1 By Councillor Lezley Marion Cameron - Scottish Property Awards - Deal of the Year

"Council notes that the Scottish Property Awards 2023 category, Deal of The Year, was awarded to the Haymarket, Edinburgh Lease to the City of Edinburgh Council for the new Hyatt Centric Hotel, a partnership between M&G Real Estate, the QMile Group, Hyatt Hotels and the City of Edinburgh Council.

The hotel will be operated by the Edinburgh International Conference Centre under a franchise agreement with Hyatt. In addition to providing hotel capacity for visiting EICC delegates, the new hotel and hospitality training school will create new jobs and sustainable economic benefits for Edinburgh, ensuring the EICC remains at the forefront of Edinburgh and Scotland's business tourism offering.

Council asks the Lord Provost to congratulate all parties involved in achieving this major project milestone and award in an appropriate way."

9.2 By Councillor Lezley Marion Cameron - Scottish Rugby Union 150 Years Anniversary

"Council warmly congratulates the Scottish Rugby Union on its 150 years anniversary of its formation, coming into being on 3

March 1873.

Further to Council's decision in February that the three historic back-to-back Calcutta Cup victories by the Scottish Rugby men's national team in 2021, 2022 and 2023 were to be celebrated in an appropriate manner, Council agrees that a celebration such as a combined civic reception be held which together marks the 150th anniversary of the inception of the Scottish Rugby Union and the historic Calcutta Cup victories."

10. Questions

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| 10.1 | By Councillor Campbell - Council House Sites – for answer by the Convener of the Housing, Homelessness and Fair Work Committee | 553 - 554 |
| 10.2 | By Councillor Campbell - HRA Ten Year Capital Programme – for answer by the Convener of the Housing, Homelessness and Fair Work Committee | 555 - 556 |
| 10.3 | By Councillor McFarlane - BT Phone Boxes – for answer by the Convener of the Transport and Environment Committee | 557 - 558 |
| 10.4 | By Councillor McFarlane - Maintenance on Setted Streets along Lawnmarket and Victoria Street – for answer by the Convener of the Transport and Environment Committee | 559 - 560 |
| 10.5 | By Councillor McFarlane - Trams Remedial Work – for answer by the Convener of the Transport and Environment Committee | 561 - 562 |
| 10.6 | By Councillor Dobbin - Window Replacement Programme – Tenders – for answer by the Convener of the Housing, Homelessness and Fair Work Committee | 563 - 564 |

10.7	By Councillor McFarlane - Closure of Haymarket Terrace – for answer by the Convener of the Transport and Environment Committee	565 - 566
10.8	By Councillor Beal - Road and Pavements Repairs – for answer by the Convener of the Transport and Environment Committee	567 - 568
10.9	By Councillor Lang - Davidson's Mains Roundabout – for answer by the Convener of the Transport and Environment Committee	569 - 570
10.10	By Councillor Ross - Planning Notification Letters – for answer by the Convener of the Planning Committee	571 - 572
10.11	By Councillor Davidson - After School Clubs – for answer by the Convener of the Education, Children and Families Committee	573 - 574
10.12	By Councillor Younie - Land Ownership – for answer by the Leader of the Council	575 - 576
10.13	By Councillor Work - Cemetery Provision in South Queensferry – for answer by the Convener of the Culture and Communities Committee	577 - 578
10.14	By Councillor Booth - Corporate Gaelic Development Officer (CGDO) Post – for answer by the Leader of the Council	579 - 580
10.15	By Councillor Booth - Gaelic Medium Education High School – for answer by the Convener of the Education, Children and Families Committee	581 - 582

10.16	By Councillor Booth - Melville Monument Plaque - Media Release – for answer by the Convener of the Development Management Sub-Committee	583 - 584
10.17	By Councillor Booth - Melville Monument Plaque - Media Release – for answer by the Convener of the Planning Committee	585 - 586
10.18	By Councillor Booth - Reduction in Licensing Board Membership – for answer by the Leader of the Council	587 - 588
10.19	By Councillor Booth - Gaelic Tram Signage – for answer by the Convener of the Transport and Environment Committee	589 - 590
10.20	By Councillor Whyte - Leith Walk Tram Related Street Design – for answer by the Convener of the Transport and Environment Committee	591 - 592
10.21	By Councillor Mowat - Impact of Deposit Return Scheme (DRS) on Doorstep Glass Collections – for answer by the Convener of the Transport and Environment Committee	593 - 594
10.22	By Councillor Mowat -Haymarket Public Conveniences – for answer by the Convener of the Planning Committee	595 - 596
10.23	By Councillor Cowdy - CityFibre Oversight – for answer by the Convener of the Transport and Environment Committee	597 - 598
10.24	By Councillor Jones - Health and Wellbeing Census – for answer	599 - 600

by the Convener of the Education, Children and Families Committee

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| 10.25 | By Councillor Cowdy - Active Travel Action Plan Cycle Lanes – for answer by the Convener of the Transport and Environment Committee | 601 - 602 |
| 10.26 | By Councillor Rust - Lawfulness or Legal Competence of Different Iterations of SNP-Green Budget Proposals for Council Tax – for answer by the Convener of the Transport and Environment Committee | 603 - 604 |
| 10.27 | By Councillor Bruce - Climate Change – for answer by the Convener of the Transport and Environment Committee | 605 - 606 |
| 10.28 | By Councillor O'Neill - Impact of Deposit Return Scheme – for answer by the Convener of the Transport and Environment Committee | 607 - 608 |
| 10.29 | By Councillor Jones - Early Years Funding – for answer by the Convener of the Education, Children and Families Committee | 609 - 610 |
| 10.30 | By Councillor Jones - LGBT Youth Scotland - Schools Material – for answer by the Convener of the Education, Children and Families Committee | 611 - 612 |
| 10.31 | By Councillor Caldwell - Third Sector Response to Ukraine's Invasion – for answer by the Leader of the Council | 613 - 614 |

11. Resolution to Consider in Private

- 11.1** The Sub-Committee, is requested under Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting for the following items of business on the grounds that they would involve the disclosure of exempt information as defined in Paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

12. Private Reports

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| 12.1 | Edinburgh Tram Inquiry - Funding Update – Report by the Chief Executive | 615 - 618 |
| 12.2 | Council’s Human Resources and Payroll System, Recommendation to Award Contract - referral from the Finance and Resources Committee | 619 - 634 |

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.

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