

Notice of meeting and agenda

City of Edinburgh Council

10.00 am Thursday, 4th May, 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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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 16 March 2023 – submitted for approval as a correct record 35 - 154

5. Leader's Report

- 5.1 Leader's report 155 - 158

6. Appointments

- 6.1 Review of Appointments to Committees, Boards and Joint Boards for 2023/2024 – Report by the Executive Director of Corporate Services 159 - 174

7. Reports

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| 7.1 | Scheme of Delegation 2023 – Report by the Executive Director of Corporate Services | 175 - 290 |
| 7.2 | Council Reporting – Report by the Executive Director of Corporate Services | 291 - 320 |
| 7.3 | City Strategic Investment Fund - referral from the Policy and Sustainability Committee | 321 - 328 |
| 7.4 | Stonewall Diversity Champions Programme – Report by the Executive Director of Corporate Services | 329 - 332 |
| 7.5 | Drug and Alcohol Recovery Services in Niddrie and Craigmillar – Report by the Interim Chief Officer, Edinburgh Health and Social Care Partnership | 333 - 338 |
| 7.6 | Proposed Compulsory Purchase Order - Granton Waterfront (Phase 1) Regeneration Site – Report by the Executive Director of Place | 339 - 392 |

8. Motions

8.1 By Councillor Mumford – Standing Up for Migrants and Refugees

“Council:

1. Notes that the Illegal Migration Bill passed bill passed its second reading in the UK Government House of Commons on Tuesday 13th March and is now making its way through the next stages of the parliamentary process.
2. Notes that the UNHCR view is that this Bill “would be a clear breach of the Refugee Convention and would undermine a longstanding, humanitarian tradition of which the British people are rightly proud”.
3. Notes that in March 2017 Edinburgh Council agreed to become a 'City of Sanctuary' for refugees and asylum-seekers.

Therefore, Council:

4. Agrees its opposition to the UK Government's Illegal Migration

Bill, and instructs the Council Leader and Lord Provost to make public statements to this effect.

5. Reaffirms its commitment to be a city which welcomes refugees, migrants, asylum seekers and all those seeking sanctuary.
6. Requests a briefing note to be circulated to all Elected Members before summer recess updating them on engagement with Edinburgh City of Sanctuary and future plans for embedding our commitment as a 'city of sanctuary' throughout Council operations."

8.2 By Councillor Miller – Care Inspection Reports

"Council:

1. Notes the findings of the Inspection of Adult Social Work and Social Care Services by the Care Inspectorate (published 21 March) and the joint inspection of Adult Support and Protection (published 14 February) both of which identify substantial areas for improvement.
2. Notes with concern the areas identified for improvement, which include protection, quality and availability of services, legislative compliance, outcomes-focused practice, and community support.
3. Recognises that, while financial and labour market pressures present challenges to the council, change and improvements are needed across areas such as IT, workforce strategy, processes, policies, and integration across the sector.
4. Notes the requirement to prepare an improvement plan in response to both inspections, thanks officers for beginning this work, and calls for improvement plans to be reported to the Policy & Sustainability Committee within one cycle."

8.3 By Councillor Day – Tourism Tax

1. "Council notes that Manchester has become the first city in the

UK to introduce a tourist tax, with visitors having to pay an extra £1 a night.

2. Recognises that Manchester is using its devolved powers to levy this 'city visitor charge' from the first of April.
3. Regrets that the Scottish Government has yet to fully devolve the power to Edinburgh in order for it to raise essential revenue to fund council services.
4. Agrees that the Council Leader engage with Tourism groups in the city to put pressure on the Scottish Government to devolve the tourism tax power and to write to the relevant Minister in the Scottish Government."

8.4 By Councillor Caldwell - Sewage in Edinburgh's Waterways

"Council -

Regrets

- 1) That there are a large number of Combined Sewer Overflow (CSOs) outputs in Edinburgh's waterways, such as along the Water of Leith, the River Almond and the Figgate Burn.
- 2) That many CSOs are not actively monitored, despite promises from Scottish Water and SEPA that a number of monitors would be installed by the end of 2022.
- 3) That although plans have come forward Scottish Water to reduce the amount of CSOs in total, action is still to be taken outwith 'upgrading' a small percentage of CSOs.

Notes

- 1) The important benefits that our rivers and coastline plays for our community, and that many voluntary organisations clean up our waterways, and thanks them for their ongoing service.
- 2) The current situation is contradictory to the City of Edinburgh Council's declaration of a Nature and Climate Emergency.
- 3) The City of Edinburgh Council is a member of the Edinburgh and Lothians Drain Partnership along with Scottish Water, SEPA and others.

Requests

- 1) The Edinburgh and Lothians Drains Partnership holds an extraordinary meeting to draft a publicly accessible plan of action and invites key stakeholders and campaign groups including (but not exclusive to) The Water of Leith Conservation Trust, River Almond Action Group, Figgate Friends, Forth Rivers Trust and SOS Leith with Full Minutes published on the Council website alongside a map of all river-based CSOs within the City of Edinburgh.
- 2) That Transport and Environment Committee is:
 - a. provided six-monthly updates on the installation of sewage monitoring to the business bulletin.
 - b. provided ongoing data when this monitoring is live
- 3) The Council Leader write to the Scottish Government, Scottish Water and SEPA, outlining the Council's major concern that no-one knows how much sewage is being dumped in Edinburgh's biodiverse waterways.

Believes

that the ambition should be that Edinburgh's waterways are free from the discharge of human waste."

8.5 By Councillor Lang – Consideration of Private Business

"Council:

1. notes that, at its meeting on 21 March 2023, the Policy & Sustainability Committee considered a report on 'Four Seasons Healthcare - North Merchiston and Castlegreen Care Homes'.
2. acknowledges the commercial sensitivity that rightly led the committee to consider this item in private.
3. notes an addendum was tabled to the report which extended beyond the specific case of the two care homes and resulted in a majority decision to agree:
 - a) that 'the council's role as a care provider is best met through council owned and operated care homes' and,
 - b) that 'CECs presumption going forward should be in favour

of an in-house model', and for 'the Convenor to communicate this council position to EIJB'.

4. recognises this addendum was never published publicly and that any group which may have wished to give a deputation on these general issues would not have been able to do so.
5. further recognises that members of the public were excluded and the webcast turned off for the debate and vote on the general issues covered by the addendum.
6. agrees the Council should aspire to the highest levels of openness, transparency and accountability in its decision making.
7. recognises that, whilst there will be individual cases and sensitive matters which require consideration in private, discussion and decisions on general policy issues should always be held in public unless there are exceptional circumstances.
8. requests that officers consider the issues which arose on 21 March 2023 and reports back to Council within six months with options on how procedures could be amended to ensure discussions on general issues and decisions on policy are taken in public, even when the catalyst for such a discussion comes from a private agenda item.”

8.6 By Councillor Bennett - Period Product Provision

- “1. Council recognises that access to sanitary products is essential for those who menstruate.
2. Council agrees that an increase in poverty has accelerated the uptake and requirement of free period products in public buildings throughout Edinburgh.
3. Council notes that access to free period products is possible due to provision in public buildings, such as libraries, schools, and community centres.
4. Council regrets that, currently, there are many community buildings which, while previously receiving free period products to distribute, no longer do, especially third sector

partners.

5. Council requests a report to Policy and Sustainability Committee within 2 cycles detailing:
 - a. The possible costs associated with extension of provision.
 - b. An application scheme for interested parties to receive products to distribute.”

8.7 By Councillor McNeese-Mechan - Ekbatan Girls

“Council notes with deep concern that the Iranian Security Forces continue to snatch women and girls from schools, homes, and universities. In the latest such act of violence against women, five girls from the Ekbatan neighbourhood have been snatched by the so-called ‘morality police’, despite assurances from the Iranian Attorney General late last year that this had been abolished.

The City of Edinburgh Council declares our commitment to stamping out violence against women and girls wherever it occurs. We further affirm our understanding that key to tackling the global scourge of gender-based violence, it is essential to recognise the misogyny that underlies it.

Council agrees to support local organisations in their efforts to raise awareness, including but not limited to, offering free space for meetings for local Iranian networks in Edinburgh who are coordinating support and resistance in Iran.

Further agrees to write to all Edinburgh MPs encouraging them to seek action by the foreign office through diplomatic and intelligence channels to ensure the return of the Ekbatan girls to their families and push for identification of and action against those who kidnapped them, whether by the Iranian regime or internationally.”

8.8 By Councillor Mattos Coelho - Make Public Sexual Harassment Illegal Campaign

“Council acknowledges that ‘Make PSH (Public Sexual Harassment) Illegal’ Campaign’s was launched at the Scottish

parliament on International Women's Day, 8th March 2023. The campaign is calling on the Scottish Government to follow the recommendation as set out by [the Criminal Justice and Misogyny Working Group](#), to make public sexual harassment illegal in Scotland.

Council recognises that the "Women's Safety in public places – phase two" consultation closed on the 26 March and is intrinsically linked to the campaign above.

Therefore, Council agrees:

- to support and endorse the campaign.
- that the Lord Provost will sign the open letter and encourage all other councillors to sign.
- to request that the Director of Corporate Services work with trade unions through the joint consultative forum and any other appropriate forums to explore actions to raise awareness and reduce these behaviours through staff networks.
- to also request the Director for Education and Children's Services works to identify further actions through schools, to equip teachers and parents with the necessary tools to teach children from P1 to S6 that harassment is not acceptable to tackle it across society."

8.9 By Councillor Mattos Coelho - Single Parents Day

"Council:

Notes that:

- 39% of children in single parent households are living in poverty –amounting to 90,000 children in Scotland.
- 40% of those are in households where the single parent is working.
- 92% of single parent families are headed by women.
- In Edinburgh, one in four (27%) families is headed by a single parent.

- Single parents are one of the hardest hit groups by the economic and social impacts of the pandemic and the cost-of-living crisis.
- Most single parents report feeling isolated and without significant support, and isolation contributes to low self-esteem, poor confidence, anxiety and depression.
- Lone parents are one of the six priority family types identified by the Scottish government as being at high risk of child poverty.

Notes that there is a clear gender inequality and that Single Parents should be specifically acknowledged and their strength celebrated. Further notes that since 1984 the United States has been making a “Single Parents Day” to help raise awareness to their existence and struggles.

Therefore, requests that Lord Provost takes necessary actions to make the 21st March each year “Single Parents Day” and work with officers to mark this in an appropriate way.”

8.10 By Councillor Key - Heathervale Care Home Service

“Council:

1. Notes the most recent inspection report by the Care Inspectorate of Heathervale Care Home Service.
2. Is very concerned with the quality grading of “Adequate”; this equates to an evaluation assessment of 3 on a scale of 1 to 6 and means that “strengths only just outweigh weaknesses”.
3. Is further concerned that this Service is not showing signs of improvement and is not achieving the high-quality grades that were evident 5 years ago.
4. Calls for a report to Council in one cycle that details the improvement plan called for by the Care Inspectorate and that assures council that all actions called for in the report have been completed satisfactorily.
5. Is very disappointed that Councillors, in their role as

Corporate Parents, only became aware of the details of this report through press media coverage rather than through a Member's Brief or other appropriate channel.

6. Calls for a comprehensive report within 2 cycles on all accommodation services that provide care to our young people within Edinburgh and to arrange Members' visits to them within this calendar year, 2023."

8.11 By Councillor Kumar - EDI Training

"Council:

1. Thanks officers for offering training around Equality and Diversity to elected representatives and refers to Council's Equality and Diversity Framework 2021-25.
2. Reflects on calls for both Police Scotland and Metropolitan Police to improve their Equality and Diversity training.
3. Recognises that Equality and Diversity training is critical and has a profound impact on those with protected characteristics under Equality Act 2010; and other people
 - with learning, sensory, and physical disabilities
 - experiencing domestic abuse and violence
 - facing digital exclusion
 - with care experience
 - from other underrepresented groups such as ethnic minority and Gypsy Travellers.
4. Notes that current equality and diversity training is offered as a one-off online training for staff.
5. Agrees to review our Equality and Diversity training, learning, and development practice to be changed to:
 - a) Mandatory training every 3 years completed online.
 - b) Provides opportunities for in-person training to reflect on case studies and examples of unconscious bias training that can impact on how we develop policies, procurement, funding, design and deliver services.

- c) Explores services of organisations such as CEMVO Scotland, Multi-Cultural Family Base and others to provide training on behalf of the Council.
- 6. Requests an update to be provided to Policy and Sustainability Committee in 2 cycles.”

8.12 By Councillor O'Neill - Edinburgh as a Feminist City

“Council:

1. Recognises that more work is needed to create safer and inclusive spaces for women and people of marginalised genders and that it is fundamental that gender equity is central to land use planning, and the management and design of public spaces.
2. Also recognises the disparity in women’s everyday lives which is exacerbated by lack of local and accessible job opportunities, lack of proximity to services and efficient public transport, and lack of access to green space and a safe public realm.
3. Notes the Violence Against Women and Girls Priority Papers published by Public Health Scotland which identify key areas of work including Place, Early Years, Mental Health, Inclusive Economy and Being Healthy and Active.
4. Commends the existing work of Equally Safe Edinburgh that promotes the delivery of an integrated, high-quality response to violence against women and girls, and children and young people affected by gender-based violence in Edinburgh.
5. Further commends the work of the Women’s Safety in Public Places Community Improvement Partnership, which is taking a broad approach to tackling the safety of women in the public spaces of the city.
6. Notes the other review work being done to create a more inclusive Edinburgh across the Council, including Equality Impact Assessments, the refreshment of Edinburgh Design Guidance, Active Travel Plan, the Circulation Plan, Open

Space Strategy, and the formation of City Plan 2030.

7. Further notes work being carried out through Transport and Environment Committee, looking at mobility analysis – using CCTV systems to collect a wide range of traffic and mobility data including how pavement users move around at junctions and locations.
8. Believes a gender-neutral approach to city development does not work and that women and people of marginalised genders have diverse needs that are not currently reflected in practice.
9. Believes that we can learn from other European cities such as Vienna and Barcelona who have recently published a manual called 'Gender mainstreaming made easy', and a 'Handbook for everyday life urban planning: Urban planning with a gender perspective' respectively, resulting in the implementation of wider pavements, more benches in public spaces, improved lighting, ramps for wheelchairs and buggies and visible commemorations of women and the queer community.

Finally, Council requests.

10. Engagement from officers, elected members and experts in the form of workshop meetings to aid drafting the report.

Subsequently requests;

11. A report to Full Council in three cycles on how a feminist town planning approach and gendered lens can be adopted across the Council which should include;
 - a. Recommendations from current Council policy and upcoming changes to documents mentioned in points 6 & 7.
 - b. Reference to stakeholder involvement, budget implications and further recommendations to relevant committees."

8.13 By Councillor Parker – Disposable Vapes

“Council:

- 1) Notes the recent increase in use of disposable vapes and the negative impact this has on health, wellbeing and the environment.
- 2) Further notes increased pressures felt by the Council to deal with the safe disposal of disposable vapes including fire risk at recycling centres.
- 3) Notes that several Councils including Glasgow, Falkirk, Dundee, Renfrewshire, North Ayrshire and East Lothian have written to the Scottish Government to convey their support for a ban on disposable vapes.
- 4) Therefore, requests the Council Leader also writes to the Scottish Government Minister for Green Skills, Circular Economy and Biodiversity to convey the Council's support for the banning of disposable vapes as part of the Scottish Government's urgent review into the environmental impact of these as undertaken by Zero Waste Scotland.
- 5) Additionally, requests a report to Transport & Environment Committee in 3 cycles setting out what current provision is in place for the recycling of disposable vapes and what more could be done to make this easier for residents whilst a ban is not in place.”

8.14 By Councillor Dijkstra-Downie - Class Bus Passes for Schools

“Council notes that:

1. All children and young people in Scotland aged 5-21 are currently eligible for free bus travel.
2. Children and young people can only take advantage of free bus travel when they are able to present a National Entitlement Card with valid free travel entitlement activated.
3. Last year, data released showed that around 1 in 4 eligible children and young people in Edinburgh had not applied for a free bus travel pass.

4. All primary and secondary school pupils in Edinburgh fall within the qualifying age bracket for free bus travel.

Council further understands that:

5. Edinburgh schools frequently use local bus travel for school outings but find that not all school pupils either possess or have access to free bus passes at the time of travel, resulting in unnecessary costs, delays and inequity when using local buses for school-related travel.
6. Edinburgh schools would welcome access to a number of teacher-administered 'class bus passes' that would each allow an entire class access to free bus travel.

Council therefore asks:

7. Officers to investigate the possibility of the implementation of such a scheme and report to the Transport & Environment Committee in two cycles.
8. The Convener of the Transport & Environment Committee to write to Lothian Buses and McGills to ask them how a pilot scheme might be implemented."

8.15 By Councillor Aston – Noise App

"Council:

- 1.1 Recognises that noise nuisance caused by neighbours can, like other forms of antisocial behaviour, be a blight on the lives of Edinburgh's council tenants.
- 1.2 Accepts that noise nuisance complaints are often challenging for officers to investigate and take action on, as well as being challenging to substantiate because of the difficulty in obtaining corroboration.
- 1.3 Acknowledges that the Council should take all reasonable and available steps to assist the process of substantiating noise complaints, including looking at new tools such as digital applications.
- 1.4 Understands that a number of Registered Social Landlords operating in Edinburgh and some other local authorities use a noise recording app to help substantiate allegations

of nuisance noise, which their tenants are able to download onto their smartphones.

- 1.5 Requests a report in three cycles to the Housing, Homelessness and Fair Work Committee (or to the Culture and Communities Committee, depending on which is held to be the executive committee responsible), making an evaluation of the efficacy of apps of this type, an assessment of legal considerations such as compliance with the Regulation of Investigatory Powers (Scotland) Act, potential cost implications, and any other relevant factors.”

8.16 By Councillor Heap – Europe Day – Celebrating Edinburgh’s European Identity

“Council

- Recognises that Europe Day, celebrated by the Council of Europe on 5 May, marks the foundation of the Council of Europe on 5 May 1949, and is a celebration of peace and unity in Europe.
- Notes that the role of the Council of Europe is to promote human rights, democracy and the rule of law across the continent.
- Understands that Edinburgh is a leading city of a Council of Europe member state.
- Recognises that many citizens of Edinburgh value the City’s identity as a European city, and that Edinburgh derives economic, cultural and social benefits from being recognised as such throughout the rest of the European continent and the world.
- Therefore, requests that:
 - On a date on or close to 5 May 2024 and around the same time every year after, the City of Edinburgh Council hosts an appropriate civic celebration of Edinburgh’s European identity.
 - Retrospectively for 2023 but within one month of the

passage of the motion, and on a date on or close to 5 May 2024 every year after, the Council Leader publishes a statement outlining what the Council has done to:

- (1) develop links with other Council of Europe nations and,
 - (2) promote human rights, democracy and the rule of law in the city
- Within one week of the passage of this motion, the flag of the Council of Europe is flown from the city chambers on a year-round basis as much possible given the need to fly other flags listed in the Council's Flag Protocol.
 - Officers report within two cycles on what the City of Edinburgh Council can do to increase engagement with the Council of Europe and other local governments in member states."

8.17 By Councillor Parker – Edward Windsor

"Council:

1. Notes that in March Charles Mountbatten-Windsor gifted the title of Duke of Edinburgh to his brother, Edward, on his 59th birthday.
2. Notes the absence of any kind of consultation with the people of Edinburgh over who should be given a title bearing the name of their home, and the lack of democratic legitimacy of the title of Duke.
3. Notes that the people of the city have democratic paths to elect their representatives through elections to the City of Edinburgh Council, the Scottish Parliament, and the Parliament of the United Kingdom.
4. Notes that according to the Lieutenancies Act 1997 the formal relationship between the City of Edinburgh and the Royal Family is through the office of the Lord Provost, who

is an elected member.

5. Notes a briefing note circulated to members of the Finance & Resources Committee confirming that the appointment of a Duke and Duchess of Edinburgh signals an increase in upcoming royal activity in the city.

Therefore, Council:

6. Agrees that the only legitimate representation of the people of Edinburgh is that which is democratic and accountable to them;
7. Believes that the title of Duke of Edinburgh should hold no official status in the city, and therefore this Council also believes it should be considered an illegitimate title;
8. Regrets the bestowal of the title of Duke and Duchess of Edinburgh to members of the Royal Family and believes these titles should not exist;
9. Regrets the increased disruption and costs which may be incurred by Edinburgh and its citizens by this undemocratic bestowal of a title referring to our city;
10. Regrets that this title may confer official standing in events hosted by the Council, including special privileges or access to Council property regarding events for the city or its people; and
11. Regrets that the titles of Duke and Duchess of Edinburgh will be used in Council communication and believes that instead the current holders of the titles should be referred to by their names.”

8.18 By Councillor Mowat – West End Parking Dispensation

“Council notes:

That residents were informed in week beginning 17th April 2023 that parking dispensations allowing residents with a valid parking permit to park in spaces other than residents or shared parking

spaces in their zone would be rescinded on 1st May 2023.

That this is less than 2 weeks' notice and that includes rescinding parking dispensations in Zone 1 which is currently experiencing a significant traffic diversion through residential streets removing residents parking spaces; that due to works for CCWEL there has been a significant loss of parking to both accommodate the works and as part of the design and that the plans for CCWEL and the associated reduction in parking were drawn up prior to the Pandemic and not altered when the TRO was approved.

That there has been significant change from office to residential accommodation in the West End during the design and implementation of CCWEL and:

Council therefore agrees that there should be no rescinding of the dispensation to park in pay and display spaces until work has been undertaken to ensure there is adequate parking provision for resident permit holders and a report made to Transport and Environment Committee in 2 cycles containing:

- An assessment of the impact of the combination of continuing severe disruption whilst works for CCWEL are implemented, the change of building occupancy in parts of the West End and the change in working patterns created by the Pandemic on the previous estimates of the parking provision required.
- Current number of parking spaces by category; resident, shared and pay and display in each parking zone; the number of residents permits issued for each zone; and the number of any other permits that can use that zone that are issued (for permits that can use zone the total number to be provided).

That due to the short timescale given regarding this decision to rescind parking exemptions this should be suspended across all parking zones in order to assess those areas where other measures are needed if the exemptions are to be rescinded."

8.19 By Councillor McFarlane – Save the Filmhouse

“Council:

- 1.0 Notes the Emergency SNP Motion to March’s Policy and Sustainability Committee 2023 secured a unanimous endorsement from councillors declaring Edinburgh Council’s preference to retain cultural film and film education as the central use of The Filmhouse.
- 1.1 However, further notes the private sale of 88 Lothian Road has now concluded and the new private owners are reported as Caledonian Heritable LTD.
2. Welcomes the fact that the Edinburgh International Film Festival, its domain name, assets and intellectual property have been saved with funding from Creative Scotland/Screen Scotland and notes the positive news that the EIFF will return to Edinburgh in August 2023 for its 76th edition as part of the Edinburgh International Festival.
3. Notes that the City of Edinburgh Council has previously given grant funding to the Centre for Moving Image of £100,000 per year which it has then distributed among various activities including educational activity and the cultural cinema function, and therefore there is precedent for financial support acknowledging the importance and benefits The Filmhouse brings to the city.
4. Notes that at least one option that could see those with the expertise to maintain 88 Lothian Road as a cultural cinema is emerging following the efforts of the Save The Filmhouse Campaign.
- 5.1 Council agrees to reiterate its support for cultural cinema to remain at the heart of 88 Lothian Road and believes that we as an authority are a key stakeholder in efforts to secure this provision which has a rich history locally in the city and aligns with the approved City Culture Strategy aims and ambitions alongside sustaining the burgeoning film production sector which brings economic, social and cultural benefit to the city.
- 5.2 Council therefore further requests that officers immediately contact all cultural partners known to be currently involved in talks with Caledonian Heritable LTD including Creative

Scotland/Screen Scotland and the Minister for Culture in the Scottish Government to identify any actions of the City of Edinburgh Council which could be the lynchpin to securing agreement to retain a model of cultural cinema within the building between the new owner and a cultural organisation up to and including:

- A review of future ongoing CEC revenue funding to support a sustainable future for The Filmhouse as a cultural cinema in line with previous financial support.
- Engagement and exploration of how partnership could be established between the potential tenants of 88 Lothian Road, Creative Scotland / Screen Scotland and the City of Edinburgh Council.
- Full exploration of all options that would achieve our stated ambition for 88 Lothian Road including that of a prospective rent or lease guarantee jointly in partnership with Creative Scotland/Screen Scotland if this could provide necessary confidence to allow the known potential cultural tenants to restore the premises as the home of cultural cinema in Edinburgh.
- Any ongoing governance support and oversight necessary to enable this outcome to progress.

5.3 Agrees to engage with Caledonian Heritable LTD to signal our intentions to explore all options fully and in detail alongside stakeholders whilst understanding any decision would be subject to further Council approval.

5.4 Further agrees an update report on progress within 1 cycle to the Culture and Communities committee.”

8.20 By Councillor McKenzie – Review Rights of Appeal in Planning

“Council:

1. Notes the complaint made in September 2022 by Environmental Rights Centre Scotland, Planning

Democracy, RSPB Scotland and Friends of the Earth Scotland to the Aarhus Convention Compliance Committee (ACCC), a United Nations body tasked with upholding environmental rights, regarding the lack of community appeal rights in planning for members of the public in Scotland.

2. Notes that the complaint centres around the fact that members of the public in Scotland, who are not applicants for planning permission, and who seek to challenge a planning decision, do not have the same statutory appeal rights as applicants; that applicants for planning permission in Scotland enjoy statutory appeal rights which enable them to have the full merits of planning decisions reviewed at no or low financial cost, and that the only legal recourse for members of the public is statutory review or judicial review in the Court of Session.
3. Notes that statutory review and judicial review do not allow for full merits reviews of planning decisions and are prohibitively expensive, notes that applicants for planning permission therefore have a privileged position in terms of their statutory planning appeal rights, relative to other members of the public.
4. Notes that the complaint is now being investigated by the ACCC, who have written to the Scottish Government requesting a response by 21 July 2023.
5. Notes the 2017-2022 Capital Coalition supported a community right of appeal in planning, as does the 2022 Edinburgh Labour manifesto.
6. Notes that the Minister for Local Government Empowerment and Planning is scheduled to meet all Council Leaders in Scotland shortly.
7. Therefore agrees that the Council Leader will request at this meeting that the Minister responds to the complaint by committing to a review of rights of appeal, and will write to the Minister to that effect, and that Planning Committee will be updated on progress of this action and any response from the Minister.”

8.21 By Councillor Davidson – Crisis in NHS Dentistry

“Council notes:

1. that access to NHS Dentistry has become significantly harder in recent years for the residents of Edinburgh.
2. that the number of NHS dental claims in NHS Lothian area reduced from 958,000 in 2019 to just 555,678 between January and November 2022.
3. that many dentists are not accepting new NHS patients and that polling has shown many of those registered have been unable to get appointments, leaving people in pain and causing wider mouth health issues to be missed.

Council believes access to NHS dentistry is essential for residents of Edinburgh and that the SNP/Green Scottish Government is failing to reform the funding structures so dentists can return to taking on NHS activity and enable more patients to be seen.

Council requests the Council leader writes to (a) the Scottish Health Secretary to request urgent action to tackle the lack of access to NHS dentists in Edinburgh and (b) the Edinburgh Integrated Joint Board to request a written update on the approach being to improve access to NHS dentistry in the city for consideration at a future meeting of the Policy & Sustainability Committee.”

8.22 By Councillor Flannery – Bridgend Farm Reserve Funding

“Council notes:

1. With disappointment the lack of Scottish Government “Investing in Communities” Funding for Bridgend Farmhouse, where this has been granted in the past
2. That Bridgend Farmhouse has been placed on a ‘reserve list’ for funding, and the concern and uncertainty that brings for long-term planning

3. Ongoing work to develop the Council's Community Centre Strategy
4. The real pressures that many of our Community Centres and Management Committees are presently under
5. That current uncertainty for Bridgend Farmhouse affects all community groups that use the centre, with challenges for programming, staff hire and long-term strategy
6. With caution, the recent experiences of Drylaw Neighbourhood Centre, Muirhouse Millennium Centre and Gorgie Farm
7. That the motion 'Muirhouse Millennium Centre' agreed by Council in February 2023 expressed regret that information concerning the financial status of community centres was not able to be collected
8. The devastating blow to the local community the potential loss of Bridgend Farmhouse would be.

Council therefore asks;

9. For a briefing note to be circulated to members of Culture & Communities committee to provide details of any other Edinburgh organisations on the 'reserve list' for funding, and therefore at similar risk.
10. For the Convener of Culture & Communities to meet with officers and Bridgend Farmhouse to explore what the Council can do to support Bridgend Farmhouse, timeously."

9. Congratulatory Motions

9.1 By Councillor McFarlane - West Port Garden

Council notes that on the 29th of April the West Port Community Garden celebrated ten years since the City of Edinburgh Council handed over the keys to volunteers and residents of the Grassmarket and the surrounding area who have tirelessly rescued, maintained, and improved the inner-city green space for the benefit of the community and visitors alike.

Established in 1909 by Patrick Geddes as one of several gardens in the Old Town to allow inner-city children from the then-slum to experience nature, green space and gardening it is notable thanks to the volunteers that the West Port Garden is still around and serving its original purpose over a century later as a thriving and calm greenspace in the centre of the bustling Grassmarket.

Council requests that the Lord Provost congratulates GRASS (The Grassmarket Residents Association), and the volunteer gardeners of the West Port for all their hard work in reaching this milestone in an appropriate way.”

9.2 By Councillor McNeese-Mechan - 50th Anniversary of the Edinburgh Renaissance Band

“Council notes that the Edinburgh Renaissance Band will be celebrating its 50th year anniversary in 2023. This group of 11 local musicians formed in 1973 to perform medieval and Renaissance music from the period between 1200-1650, including both a Scottish and European repertoire, in well-researched concerts that have both informed and delighted audiences over the past half century.

From their very beginnings as a ‘late night Festival Fringe’ show, Edinburgh Renaissance Band have expanded to perform in concert halls, period balls and corporate events, with the unifying vision to entertain and educate listeners to this often obscure four hundred year period of early music. During the recent pandemic, ERB played on, delivering a successful online virtual performance.

Additionally, the ERB have expanded beyond the bounds of the city to participate in Dunfermline’s 900th anniversary of the death of St.Margaret, the 450th anniversary observation of the Siege of Haddington, and were featured at the opening of the new extension of the National Museum of Scotland on Chambers Street in 1992. Further afield, they have been invited to perform in Paris, Cologne, and Stockholm, amongst other European cities.

Council proudly offers its thanks and congratulations to the Edinburgh Renaissance Band for its contributions to the city's cultural and educational offerings, and therefore asks that the Lord Provost observe this significant milestone in an appropriate way."

9.3 By Councillor Gardiner - 150 Year Anniversary of the Scottish Football Association

"City of Edinburgh recognises and celebrates the important role that the Scottish Football Association has played in Scottish society over the last one hundred and fifty years, promoting and administering football in our country and organising our national teams.

To celebrate this outstanding achievement Council requests that the Lord Provost writes to the Scottish Football Association to acknowledge this important anniversary and enquires whether the respective managers of the senior national women's and men's teams would be available to speak at a celebratory event at City Chambers, with the team captains from the Capital City's youth teams also invited to attend."

9.4 By Councillor Lezley Marion Cameron - Scotland Men's Curling Team Win World Curling Championships

"Council warmly congratulates the Scotland Men's Curling Team; Bruce Mouat, Grant Hardie, Bobby Lammie and Hammy McMillan; on its emphatic victory over Canada in the World Men's Curling Championship final on 10 April in Ottawa.

Council asks the Lord Provost to convey, in an appropriate way, Council's congratulations to the Scotland men's Curling Team and all involved in the training and preparations for, and throughout the tournament, culminating in the team's gold medal success in the Men's World Curling Championships."

9.5 By Councillor Lezley Marion Cameron – 75 Years of the Edinburgh Black Cabs Annual Children's Outing

“Council notes that in 1947, the first Edinburgh Black Cabs Children’s Outing took place.

75 years on, the annual, fun filled, spectacular procession will take place this year on Tuesday 13th June. and it is anticipated that up to 50 black cabs and over 100 children will take part in this year’s outing.

As per tradition, Black Cab drivers take time out to take children and their parents for a memorable, fun day out.

Prizes will be awarded for the best taxi float, best balloon dressed taxi, and best fancy dressed child and taxi driver at a ceremony at Edinburgh Zoo ahead of the Lord Provost waving off the annual children’s taxi outing parade to make its way through the city.

Council congratulates the Edinburgh Black Cab trade on its 75th anniversary of the first Edinburgh Taxi outing and asks the Lord Provost to formally convey Council’s congratulations and gratitude to the Edinburgh Black Cab trade and its sponsors for creating fun filled days out and happy memories for the countless of children and families who have taken part in what is a firm favourite charitable event in Edinburgh’s calendar.”

9.6 By Councillor Lezley Marion Cameron - 100 Years of the SNIPEF (The Scottish and Northern Ireland Plumbing Employers' Federation

“Council notes that the Scottish and Northern Ireland Plumbing Employers’ Federation (SNIPEF), the principal trade association for plumbing and heating businesses in Scotland and Northern Ireland, is celebrating its centenary year in 2023.

Promoting high standards across the plumbing and heating industry, SNIPEF represents over 750 member firms that employ more than 5,500 operatives. SNIPEF provides quality assurance for consumers and works in partnership with bodies like Skills Development Scotland to ensure the industry has a highly skilled and qualified workforce.

Council congratulates SNIPEF on reaching its centenary milestone and notes that SNIPEF is hosting its forthcoming centenary celebratory lunch and reception event in the City

Chambers.

Council asks the Lord Provost to convey the congratulations of Council to SNIPEF in an appropriate way.”

9.7 By Councillor Lezley Marion Cameron - Edinburgh Leisure Turns 25

“Council congratulates Edinburgh Leisure on reaching its 25 years milestone on 1 April 2023.

Since its formation in April 1998, Edinburgh Leisure has provided through its network of venues, an extensive range of leisure and sports activities, opened new facilities such as the Gracemount Leisure Centre, the Drumbrae Leisure Centre; and undertaken major refurbishments of facilities including the Royal Commonwealth Pool in 2012, and the newly rebuilt Meadowbank Sports Centre in 2022.

Council congratulates all involved in Edinburgh Leisure on making a positive impact to the wellbeing of Edinburgh citizens and visitors over the past 25 years and asks the Lord Provost to convey Council’s congratulations and gratitude in an appropriate way.”

9.8 By Councillor Meagher – Edinburgh Living Wage City

“Council:

- Welcomes and celebrates the outstanding commitments being made by employers across Edinburgh to help ensure that in the midst of a continuing cost of living crisis, workers in this city can earn a decent wage that is enough to live on.
- Recognises and thanks the 30 employers who became accredited as real Living Wage employers during the first quarter of 2023, and thanks the Edinburgh Living Wage Action Group for its continuing work to promote fair work and the real Living Wage in Edinburgh. These employers join a community of 633 Living Wage accredited employers in Edinburgh, collectively employing over 200,000 workers.

- Further recognises that this voluntary commitment from employers means that levels of low pay employment in Edinburgh are circa 25% lower than they would otherwise be.
- Notes that evidence continues to show that a commitment to fair work is good for business as well as being good for workers, and congratulates the many real Living Wage employers who have been celebrated by their business peers in recent awards ceremonies. These include business such as Edinburgh Dog and Cat Home, Edinburgh College, Surgeon's Quarter, Narro Associates, Capital City Partnership – all Living Wage accredited employers - who were recently recognised for their excellence at this year's Edinburgh Chamber of Commerce business awards.
- Further notes that on 25th May this year the Council will be host to the first UK wide conference bringing together cities and towns who have committed to being 'Living Wage Places'.
- This conference, led by the UK Living Wage Foundation, will include delegates from areas such as Cardiff, Sunderland, Dundee, Salford, Greater Manchester, Norwich, Scottish Borders and others and will provide a great opportunity to showcase the progress made in Edinburgh to date, and learn from best practice in the promotion of fair work in partner cities across the UK."

10. Questions

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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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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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