

Notice of meeting and agenda

City of Edinburgh Council

10.00 am Thursday, 1st June, 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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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 4 May 2023 – submitted for approval as a correct record 25 - 184

5. Leader's Report

- 5.1 Leader's report 185 - 188

6. Appointments

- 6.1 If any

7. Reports

- 7.1 Interim Resource - Director of Adult Social Care – Report by the 189 - 192

Chief Executive

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| 7.2 | Children, Education and Justice Services Structure – Report by the Executive Director of Children, Education and Justice Services | 193 - 198 |
| 7.3 | Heathervale Children's House – Report by the Executive Director of Children, Education and Justice Services | 199 - 204 |
| 7.4 | Family Swim Sessions in Braidburn Pool – Report by the Executive Director of Children, Education and Justice Services | 205 - 208 |

8. Motions

8.1 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.”

8.2 By Council 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) Notes 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) A programme of mandatory training to be completed over a three-year period completed both in-person and online.
 - b) Additional 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) Recognises the essential value of 'lived experience, therefore should explore 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.”

8.3 By Councillor McNeese-Mechan - Russian Kidnapping of Ukrainian Children

“Council:

- 1) Reaffirms our commitment to both Edinburgh’s sister city Kyiv and the Ukrainian people in their struggle to free their country from the illegal Russian invasion.
- 2) Notes the City recently welcomed a visit from Member of the Ukrainian Parliament Lesia Vasylenko, Head of the Subcommittee on Climate Change and Clean Air. Although the government and parliament of Ukraine continue to function despite the odds, in the past twelve months, Vasylenko has had to shift her attention from clean air to air raids, due to the ongoing bombardment of the cities and countryside of Ukraine.
- 3) Notes with concern that on the 9th of March Lesia Vasylenko highlighted Russia’s programme of kidnapping Ukrainian children and transferring them to camps, a war crime. US State Department Spokesman Ned Price has also confirmed that the Russian authorities have

systematically snatched thousands of Ukrainian children, ranging in age from 4 months old to 17 years old, and refused to return them, having cut off all contact with their families confirming these war crimes have taken place.

- 4) Strongly denounces the Russian kidnapping and forced re-education of an estimated 6000 Ukrainian children, according to Yale University's Humanitarian Research Lab. Council particularly decries the practice of forcing boys aged 14 to 17 to train for armed combat and deployment in the Russian army.
- 5) Affirms its commitment to the UN Declaration on the Rights of the Child, and condemns the Russian authorities' war crimes as well as the attempted cultural eradication of banning of the use of the Ukrainian language by the kidnapped children.
- 6) Supports the decision by the International Criminal Court to issue an arrest warrant for Vladimir Putin.
- 7) Agrees the Council Leader should write to the UK Government to again ask them to suspend diplomatic credentials of the Russian Consulate in Edinburgh and expel all Russian State agents from the City of Edinburgh as well as supporting stronger international sanctions."

8.4 By Councillor McFarlane - Time for Inclusive Education

"Council:

- 1) Celebrates the fact that in 2021 Scotland was the first country in the world to agree cross-Party to embed lesbian, gay, bisexual and transgender (LGBT) inclusive education across the school curriculum and notes that there is a national expectation that Local Authorities ensure that all schools are delivering an LGBT inclusive education for their learners.
- 2) Agrees that LGBT inclusive education contributes to ensuring that all young people see themselves, their families, and the world around them in what they learn. Further agrees that this should be meaningful, relevant,

and part of ordinary learning, rather than exceptional or siphoned into particular calendar months or one-off occasions.

- 3) Notes that the charity Time for Inclusive Education (TIE) provides services and resources, co-developed with teachers from across Scotland and suitable for primary and secondary pupils that include stage appropriate educational workshops for pupils, professional learning for teachers, and curriculum materials. This is in addition to their responsibility for managing the new national platform lgbteducation.scot on behalf of the Scottish Government and endorsed by a variety of stakeholders including those in the education sector.
- 4) Understands that schools that have utilised this national platform and completed Stages 1 and 2 of the CPD pathway provided by TIE have reported significant and notable success in increasing the confidence of teachers to deliver LGBT inclusive education. Schools who have engaged with TIE's learner sessions, including those in Edinburgh have reported that pupils within their school community have a greater understanding of diversity, the impact of prejudice, and anti-bullying.
 - 4.1) Further understands that these resources and training are entirely free and come at no monetary cost to schools due to core funding support from The Scottish Government.

Therefore Council agrees:

- 5) To pursue embedding a proactive educational approach to addressing the stereotypes and stigma which can lead to prejudice or bullying experienced by pupils who are LGBT+, perceived or thought to be by others, or have LGBT family members (such as same-sex parents) in our school settings. This should be additional to procedures for supporting pupils who experience instances of bullying due to their sexuality, gender identity or perceived characteristics of such identities.
- 6) To agree that the working ambition of the council should be towards a 100% completion rate of the Scottish Government's Stage 1 and Stage 2 national professional

learning among Edinburgh's primary and secondary teachers. Additionally, Council agrees to commit to publishing our progress towards meeting the national expectation annually alongside the percentage of primary and secondary teachers who have completed Stage 1 and Stage 2 of the CPD pathway to the Education, Children and Families Committee.

- 7) That appropriate officers should engage directly with TIE with a view to working with them to host a launch event for the lgbteducation.scot national platform in the City Chambers emulating the success in other Local Authorities and engaging the city's headteachers, heads of department and council education officers with the opportunities that this can bring.
- 8) To further request a report to Education, Children and Families Committee within three cycles outlining:
 - Progress and efforts to date in rolling out LGBT+ inclusive education in Edinburgh identifying any challenges encountered thus far and potential solutions to overcome them. This should also include additional third sector work in this sphere such as LGBT+ Youth Scotland's Charter programme.
 - A prospective timeline or work programme looking to achieve or near achieve the aspiration of 100% of primary and secondary teachers progressing through Stage 1 and Stage 2 of the national professional learning.
 - Whether it may be appropriate to embed an LGBT+ Inclusive Education Action Plan within Edinburgh's Education Improvement Plans."

8.5 By Councillor McFarlane - International Overdose Awareness Day

"Council:

- 1) Notes that International Overdose Awareness Day takes

place on the 31st of August every year and that this is a worldwide annual campaign to end overdose, remember without stigma those who have died, and acknowledge the grief of the family and friends left behind.

- 2) Further notes that in 2022 the City of Edinburgh Council acknowledged this day by supporting Turning Point Scotland with an overdose awareness street stall in Leith.
- 3) Agrees to annually mark this day across the city with information promoted through the Council's social media channels to both raise awareness and signpost support services that are available in addition to engaging with Edinburgh's Health and Social Care Partnership to establish whether there can be further on the ground activity as in previous years.
- 4) Further agrees to a report to Culture and Communities Committee in two cycles investigating the possible options for a formal memorial or place of remembrance to those who tragically lost their lives in this way."

8.6 By Councillor Osler - Bowling Greens

"Council

- 1) Notes with regret that Edinburgh Leisure has given notice that they intend to return two bowling venues at St Margaret's Park and Victoria Park prior to the start of the 2023 bowling season.
- 2) Appreciates that this has come as a shock to users of these facilities who were given little warning.
- 3) Understands that officers from Parks and Greenspace, Sports and Estates are meeting to review options for alternatives uses which might include public toilets and café provision.
- 4) Agrees that the Council when presented with the opportunity of increasing the provision of publicly accessible toilets that this should be explored.

Therefore

- 5) Agrees that a report will go to Culture and Communities within two cycles looking into what uses could be provided at these venues including them remaining as Bowling Greens with publicly accessible toilet provision.”

8.7 By Councillor Heap – Celebrating Pride Month

“Council:

- 1) Welcomes the celebration of Pride in Edinburgh this month;
- 2) Understands that pride is a celebration of the diversity, history, achievements and equal status and dignity of the LGBTIQ+ community;
- 3) Celebrates the significant strides made in LGBTIQ+ equality in recent decades, but
- 4) Further understands that Pride is also a protest against the continuing, and in some cases, increasing, inequalities faced by this community;
- 5) Notes with regret the 10% and 87% yearly increases in, respectively, sexual orientation and transgender hate crimes in Scotland in 2021/22;
- 6) Further notes with regret that the UK fell several places in the recently-published ILGA Europe’s Rainbow Index ranking of countries by progress on LGBTI+ equality, noting a number of regressions in LGBTIQ+ equality, including that “Anti-trans rhetoric continued to cause serious damage in the UK again this year, with continued hostile reporting in mainstream newspapers” and also that “LGBT Youth Scotland’s ‘Life in Scotland’ report found that the rate of LGBTI young people thinking Scotland was a “good place for LGBTI young people to live” dropping from 81% to 65% in just five years”
- 7) Believes that the Council chamber and Committee chambers should be no place for speeches which endanger the transgender and broader LGBTIQ+ communities.

- 8) Welcomes the flying of the Progress Flag from the City Chambers for the entirety of Pride Month.
- 9) Believes the Council has a central role in driving progress towards the full equality and inclusion of LGBTIQ+ people in Edinburgh.
- 10) And requests a report to the first Full Council after the summer recess covering:
 - (a) what progress on LGBTIQ+ equality has been made as part of the Council's Equality and Diversity Framework 2021-2025 so far;
 - (b) And what future actions it will take as part of the Framework to advance LGBTIQ+ equality including
 - (i) what can be done to support local pride activities across the city, and
 - (c) How the Council works with Police Scotland to tackle LGBTIQ+ hate crime."

8.8 By Councillor Mowat - Critical Risks

"Council notes:

That the black rated critical risks for service delivery and workforce on the Corporate Leadership Team's Risk Register is unprecedented and presents the most serious challenge to the organisation;

That the Council's core function is to deliver services to the residents of Edinburgh who rely on the Council as their sole service provider;

That Councillors have a duty to both ensure the Corporate Leadership Team focuses their attention on addressing this issue with the utmost urgency and to support staff to ensure that the situation does not worsen;

That the latest Audit Scotland Local Government Overview 2023 details the serious challenges facing councils and has produced a checklist that all Councillors should complete to focus their attention which includes the question "Are we (Councillors and senior officers) investing time and capacity into thinking radically

about the Council's future operating model?

Agrees:

- 1) That the Chief Executive will bring a report to Full Council in 1 cycle detailing a plan to reduce the Critical risks noted above, and that plan will be monitored by an appropriate Committee for the next six months and a further report detailing progress will be brought to Council in December 2023;
- 2) That Councillors support officers by considering whether motions, amendments and written questions are necessary for the pursuance of Council business and delivery and resist bringing those that would add to officer workload and to review this restraint when the progress report is brought to council in December 2023."

8.9 By Councillor Faccenda - Achieving our Sustainable Food Goals

"Council notes:

- In 2023 the Edinburgh Medal was awarded to global food campaigner Professor Marion Nestle and Edinburgh has now achieved Silver Status from Sustainable Food Places
- The Edible Edinburgh Sustainable Food Partnership which was set up in 2014 to bring together stakeholders and partners to address key issues of health, well-being, climate change and food justice, campaigning for change and informing policy for collaborative food and growing projects has produced a Sustainable Food Plan for Edinburgh setting out a 10-year plan for the city.
- That sustainable food systems are central to achieving the 3 goals of the Council Business Plan, Challenging Poverty, Achieving Net Zero 2030 ambitions and the well-being of all Edinburgh citizens.
- The recent report commissioned by the Council on developing food markets/hubs across the City to address food sustainability and food and health inequalities.

Council reaffirms that:

- Everyone in Edinburgh should have equal access to affordable, good, healthy food.
- Our food should be produced in a way that is good for the environment and biodiversity making Edinburgh a city that produces, provides, and purchases food that is good for the planet, good for people and good for all those involved in growing, making and selling it.
- We should support a vibrant and resilient local food economy celebrating local food enterprises.
- People working in the food system should be respected and paid a fair wage.

Furthermore, council notes that:

Council agrees:

- 1) To continue to support the work of the Edible Edinburgh Sustainable Food Partnership
- 2) Build public awareness and active food citizenship.
- 3) Take a strategic and collaborative approach to good food governance in council work by gathering information on all council provided catering and food procurement with a view to revitalising local and sustainable food supply chains.
- 4) Council asks for a report in 3 cycles to the Policy and Sustainability Committee to bring together an assessment of all food related initiatives across the council as a start to developing our statutory Food Plan and to avoid repetition of work being done due to the current broad range of work across the council.”

8.10 By Councillor Day - Safe Cycling at Work

“Council notes there is an increasing number of cycle delivery services in the city that do not provide their workers with lights or high visibility clothing and as such there could be at risk to these riders and other road users.

Council believes that it is essential for all road users to behave

responsibly and to adhere to the highway code.

Council agrees employers are responsible for supplying the appropriate safety clothing/equipment for their delivery teams and therefore agrees to support a joint campaign with the Police, and any other relevant organisation, on promoting cycle safety at work.”

8.11 By Councillor Jones - Edinburgh College Faces Funding Cuts

“Council notes –

- Edinburgh College is the flagship college of further education for Scotland delivering 10% of all college activity in Scotland. It provides education courses to around 27000 students every year, helping address skills gaps, employability, social mobility and income poverty.
- 900 students are from a care experienced background, around 15% are from the 20% most deprived wards and 20% of students report having a disability.
- 90% of students report that they are satisfied with their Edinburgh College experience, and 95% go onto a positive destination.
- Edinburgh college works with over 2000 businesses and 10,000 employees a year to aid economic growth and SME development furthermore is committed to providing the necessary skills for the new Forth Green Freeport.
- The College welcomes students from over 100 countries and undertake teaching work across all five continents.
- Council notes that the Scottish Government has clawed back a £46 million uplift promised to Scotland's universities and colleges in the most recent budget. The resulting impact for Edinburgh College will likely lead to further staff cuts to achieve the cost savings, possible reductions in student support services, and further reductions in the number of courses offered, all negatively impacting on the College's capacity to deliver good quality outcomes for students, addressing skills gaps in the region, and enabling inclusive

economic growth.

- Edinburgh College already experiences 13% less funding than other colleges throughout Scotland as a result of the present funding formula.
- Only last year, John Swinney, Acting Finance Secretary, said “We must have a skills, training and research environment that enables our people and businesses to realise their potential. For that reason we have increased the resources available to the College and university sectors by £26 million and £20 million to support this process.” Mr Dey confirmed that this increase would now not happen. This cut in funding is a total betrayal.
- Council requests that the Leader of the Council writes immediately in the strongest terms possible to Minister for Higher and Further Education; and Minister for Veterans - Graeme Dey, to reverse these cuts and furthermore to remove the disparity which already exists in funding received by Edinburgh College.”

9. Congratulatory Motions

9.1 By Councillor O'Neill - North Edinburgh Community Festival

“Council;

- 1) Congratulates North Edinburgh Community Festival which took place on Saturday 13th May in West Pilton Park.
- 2) Notes the scale of the event with 80 community stalls, live music and performances, Disney themed parade, variety of food stalls and other activities for all ages and abilities.
- 3) Further notes the support from sponsors, organisations such as Scotmid, Edinburgh College, The National Lottery, The Edinburgh Partnership, and local organisations in the north of the city including Granton Youth, West Pilton Neighbourhood Centre (WPNC), Fresh Start, North Edinburgh Arts, L.I.F.T, Project Esperanza, P.C.H.P., Stepping Stones and many more.

- 4) Thanks those who organised this free, family friendly and community-led event and those who volunteered on the festival team ensuring its operation on the day.
- 5) Commends the care taken to accessibility with the provision of a wheelchair accessible buggy that helped transport people from the WPNC onto the park and around the stalls.
- 6) Further commends the work to create, foster and showcase the power and community of North Edinburgh.
- 7) Looks forward to the next North Edinburgh Community Festival.”

9.2 By Councillor Heap – The Forth Act and A Midsummer Night's Dream

“Council:

- 1) Welcomes the setting up of a new community theatre group in west Edinburgh, The Forth Act.
- 2) Notes that it will hold its first production, which will be *A Midsummer Night's Dream* by William Shakespeare, in Saughton Park, 21-24 June.
- 3) Welcomes that local people will be involved in all elements of the production, including the acting, costumes, direction and scenery.
- 4) Believes that Community Theatre projects such as The Forth Act are essential in ensuring that everyone in the city has access to cultural opportunities.
- 5) Wishes The Forth Act the best of luck with their production, and all the very best with their future development.
- 6) Requests The Lord Provost congratulate The Forth Act on their establishment and first production.”

9.3 By Councillor Dobbin - Spartans FC

“Council:

Is proud to celebrate and recognise the success of Spartans FC in winning the Lowland League (for the second time since the league was formed in 2013), and subsequently beating Albion Rovers to win promotion to the SPFL: League Division 2.

Council also recognises the success of the Women's team in having 4 of their players selected as internationals for the Scotland under 19's

These are magnificent achievements, and great testament to Spartans continued commitment to develop young players from North Edinburgh and changing lives through sport.

To celebrate this outstanding achievement Council requests that the Lord Provost writes to Spartans to congratulate them on their sporting success and to acknowledge the importance of the wide range of work that they do in serving the communities of North Edinburgh."

9.4 By Councillor Mowat - The Spartans FC

"That Council;

Congratulates The Spartans Football Club on their historic promotion to the SPFL League 2 following their recent Pyramid Play-Off victory against Albion Rovers.

Further congratulates The Spartans Football Club, who play their home games at Ainslie Park in Pilton Drive, for their achievement not only in gaining promotion but also on winning their record third Lowland League title in doing so.

Celebrates the work the community club undertake within North Edinburgh under the stewardship of Chairman Craig Graham and Manager Douglas Samuel and asks the Lord Provost to mark this in an appropriate way."

9.5 By Councillor Arthur - Spartans FC - Winning the Lowland Football League and Promotion to League Two of SPFL

"Council:

Congratulates The Spartans FC for winning the Lowland Football

League on the 8th of April with two games still to play, and then going on to win promotion to League Two of SPFL.

Notes that in part the success is due to how the club is embedded in the local community, as Dougie Samuel MBE (manager) put it: "I think we're recognised as being a community anchor organisation that does help local people."

Welcomes that The Spartans FC will join FC Edinburgh, Heart of Midlothian and Hibernian in the SPFL.

Agrees that the Lord Provost should mark the success of Dougie Samuel MBE and his team in an appropriate manner."

9.6 By Councillor O'Neill – Congratulating Spartans FC

"Council:

- 1) Congratulates Edinburgh team Spartans FC for their triumph against Albion Rovers which has been hailed as a great moment in club history.
- 2) Notes that the club was founded in 1951 by University of Edinburgh graduates and has been transformed in the past 20 years thanks to chairman Craig Graham.
- 3) Commends this transformation which includes establishing a youth academy pathway and a women & girls section.
- 4) Further notes that this win promotes Spartans to the Scottish Professional Football League (SPFL).
- 5) Wishes the team the best of luck with the season and congratulates all involved in the club and its work."

9.7 By Councillor Mumford - Edinburgh High School Students Union

"Council;

- Welcomes the creation of the Edinburgh High School Students Union (EHSSU) in January 2023, with the aim of "giving a voice to young people in Edinburgh to collectively raise issues and create a better and more positive educational experience for all";

- Celebrates this initiative and recognises that supporting EHSSU can enable the Council to further our commitment to respecting pupil voice;
- Congratulates the EHSSU on their six-month anniversary and request the Lord Provost marks this in an appropriate way.”

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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