

# Notice of meeting and agenda

## City of Edinburgh Council

**10.00 am Thursday, 22nd 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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.

### Contacts

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## **1. Order of business**

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- 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**

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- 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**

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- 3.1 If any

## **4. Minutes**

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- 4.1 The City of Edinburgh Council of 1 June 2023 – submitted for approval as a correct record 25 - 136

## **5. Leader's Report**

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## **6. Appointments**

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- 6.1 If any

## 7. Reports

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	(b) Bed Base Review – Drumbrae Care Home – referral from the Finance and Resources Committee	
<b>7.2</b>	Adult Support and Protection and Social Work and Social Care Inspection Improvement Plans – Report by the Chief Executive	177 - 218
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## 8. Motions

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### 8.1 By Councillor Parker - Supporting Community Climate Action

“Council:

- 1) Notes that becoming a net zero city by 2030 is a core priority of the Council’s business plan and that “engaging and empowering citizens to help tackle climate change” is a key focus of the Council’s 2030 Climate Strategy which underpins delivery of this priority.
- 2) Welcomes the work of EVOC (Edinburgh Voluntary Organisations’ Council) and SCCAN (Scottish Communities Climate Action Network) to develop proposals for a Community Climate Hub where groups can co-ordinate and share resources around climate action, building on the success of the Community Climate Forum which is already supported by the Council.
- 3) Notes that overwhelming feedback from community groups through the Community Climate Forum highlights the need for a physical space where groups can meet and co-ordinate activity, and that a central Community Climate Hub could serve this function.
- 4) Welcomes that the Scottish Government has made £4.3m available for community groups, charities and social enterprises to apply for up to £250k to set up and lead Climate Action Hubs in local authorities across Scotland.

Further, Council agrees that:

- 5) In principle, creation of a Community Climate Hub would be positive for the city and help the Council to deliver its Climate Strategy by creating space for residents to meaningfully engage on issues relating to climate and sustainability, and that this could be a valuable resource for the Council too.
- 6) Given its role in developing the 2030 Climate Strategy and through its leadership and influence on climate action in the city already, the Council should be engaged with any Community Climate Hub that is created to ensure a joined-up approach as part of delivery of the 2030 Climate

Strategy.

Therefore, requests that:

- 7) Officers explore how the Council could support EVOC / SCCAN and community groups with “in-kind” support throughout the bid writing process to secure funding for the development of a Community Climate Hub.
- 8) Officers also explore through its estates teams if there are any central spaces which could be leased by the Community Climate Hub if it is successful in securing funding, as part of its commitment to delivering a net zero city by 2030
- 9) Officers report back on actions 7) and 8) at the next Climate and Sustainability APOG.”

## 8.2 By Councillor Parker - Student Homelessness Crisis

“Committee:

- 1) Notes with concern reports from the student group ‘Slurp: students for Action on Homelessness’ that, last year:
  - 20.8% of second to fifth year undergraduates did not have their name on a tenancy agreement at the start of teaching in Semester 1
  - 8.7% of second to fifth year undergraduates did not have their name on a tenancy agreement by Week 5 of teaching in Semester 1
  - 78.6% of undergraduates are worried about where they will live next year
- 2) Notes that whilst the university has reported taking some steps to address this such as through its “Accommodation Guarantee” and making some temporary accommodation available within its estate for students experiencing homelessness, the student community reports that this response is inadequate for the scale of the problem.
- 3) Recognises that this is a crisis, and a joined-up response from the Council and University will be important to address it, and that this might include thinking about more

creative solutions, such as supporting the creation of more student housing co-operatives to address needs.

Therefore, requests:

- 4) The Convener of the Housing, Homelessness and Fair Work Committee organises a clerked meeting in advance of Semester 1 of the 2023/2024 academic year with representatives from the University, Slurp campaign, student housing co-operative, each political group, Council officers and any other relevant, interested parties to discuss the crisis.
- 5) In advance of the meeting, officers prepare a short briefing note for attendees at the meeting outlining how the Council and University of Edinburgh currently work together to tackle issues relating to student housing and homelessness.”

### 8.3 By Councillor McKenzie - Haymarket Square Construction

“Council:

**Notes that:**

- 1) Construction work at Haymarket Square began in March 2020 and is expected to continue until the end of 2025. Prior to this work, there had been two years of work to strengthen the railway tunnels.
- 2) This construction has caused noise pollution with knock-on mental health impacts, and in some cases, loss of earnings for local residents.
- 3) The building which is currently under construction will sit adjacent to the Dalry Colonies and will be leased to the Council for 25 years for the ‘Edinburgh International Conference Centre (EICC) hotel and hotel school project’.
- 4) The final business case for this project states “the Council’s involvement is driving betterment of what would otherwise happen”.

**Recognises that:**

- 5) The Council allows construction work to take place from

7am until 7pm, Monday to Saturday.

- 6) This policy has never been updated post-covid to consider the impact of construction noise on residents, with increased impact on people who are working from home, working nights or with caring responsibilities.
- 7) An assessment of the impact of noise on local residents has not been conducted since construction began.
- 8) The development of a positive, supportive relationship between the hotel and the residents of the Dalry Colonies will be important for the success of the project.

**Requests that:**

- 9) Elected members who sit on the EICC Board should convene a meeting between representatives of Sir Robert McAlpine, Dalry Colonies Residents Association and QMile.
- 10) This meeting should take place within 2 weeks and should consider the following requests from neighbouring residents:
  - a) Construction work should not begin before 9am on weekends. Site access – including the moving of vehicles – should not be permitted before 9am
  - b) Site management should review the need for frequent use of horns, sirens and other loud site noise with workers requested to be considerate of the neighbours.
  - c) Confirmation that post-construction surveys will take place to assess potential damage to neighbouring properties as a result of the development.”

**8.4** By Councillor O’Neill – Fuel Poverty Assistance

“Council:

- 1) Notes with regret that fuel poverty will remain a pertinent issue for many across the city due to inflation and the global energy crisis; and certain groups are at higher risk of extreme poverty – older adults, those on low income

and disabled people for example.

- 2) Further notes the UK Government provided £400 off energy bills to eligible households in England, Scotland, and Wales from October 2022 – March 2023 to help households through winter.
- 3) Expresses concern that the levels of unclaimed support are extremely high across Scotland; according to Ofgem, 34% of eligible households in Edinburgh have not redeemed vouchers which equates to £1,374,120.

Therefore requests:

- 4) That by the end of day on Friday 23<sup>rd</sup> June, the Council Leader writes to local advice and support services across the city to ensure as many people as possible are aware of the support they could access before the deadline.
- 5) Council uses its communication channels to make constituents aware of the deadline of vouchers expiring on 30<sup>th</sup> June 2023 and the following key facts from Energy Action Scotland;
  - a) The vouchers issued under the scheme are valid for 90 days, expired vouchers can be re-issued through the energy supplier, but all vouchers expire on 30<sup>th</sup> June when the scheme ends.
  - b) If a household is 'storing' their vouchers to redeem later, they must be aware that most pre-payment meters can only hold up to around £250 of energy credit at a time.
  - c) If a household didn't receive, has lost their voucher or had it expire, then they must ask their supplier for a new one to be reissued.
  - d) All eligible pre-payment meter households should have received all six of their vouchers by now. These will have been sent from their energy supplier by post, email or text message.
  - e) If the voucher was initially sent by post, people can ask their supplier to send it by email or text message instead."



**8.5** By Councillor Whyte - Controlled Parking Zone (CPZ) Anomalies  
– N6 Abbeyhill

- “1) Council notes that the N6 Abbeyhill CPZ is listed to have “implementation starting 12 June 2023” on the Council website and that a “go live” date is likely to be approximately two months later.
- 2) Council expresses concern that streets that were under development and were still “potentially adoptable” at the time of the initial design and legal process to implement the CPZ remain out with the controls and that work by Council officers to bring these within the CPZ is still in progress with a further legal process still to be undertaken.
- 3) Council recognises that this will create an uncontrolled island area within the CPZ and that residents in those streets will likely be plagued with overspill parking and commuter parking that previously used the surrounding areas. Further, should these streets be full any resident returning home to park for a period that includes controlled hours would be unable to do so and would have to find a space outside the zone – a minimum of 800m and a ten-minute walk from their home.
- 4) Council agrees that a report should be provided to the August Transport and Environment Committee updating the status of the process to include affected streets within the zone N6 controls.
- 5) Council further agrees that the report should explore the possibility of allowing residents in these streets access to an N6 permit prior to that legal process to allow them to park nearer to home while the anomaly is resolved and in line with the policy aims of the CPZ to prioritise resident parking over commuters.”

**8.6** By Councillor Dalgleish - Energy Efficiency in Homes -  
Introduction of Long-term Domestic Standards

“Council:

- 1) Understands that the Scottish Government will set long-term domestic standards by introducing regulations requiring all residential properties in Scotland to achieve an Energy Performance Certificate rating of at least equivalent to EPC C by 2033, where technically and legally feasible and cost-effective.
- 2) Notes the findings of the Heat in buildings strategy (October 2021) which sets out plans for how the Scottish Government proposes to reduce greenhouse gas emissions from Scotland’s buildings, via introduction of regulations by 2025 setting energy efficiency standards across all housing tenures.
- 3) Notes that during a time of economic uncertainty and a cost-of-living crisis, many Edinburgh residents will have little to no disposable income to invest in upgrading their homes to the standards set out in the Heat in buildings strategy regulations over the short to medium term.
- 4) Understands the unique nature of Edinburgh as a city with a strong historic fabric, reflected by the presence of 50 Conservation Areas and over 4,000 Listed Buildings, and the significant number of residential properties located within the designated conservation areas and directly and indirectly designated as listed buildings.
- 5) Acknowledges that a wide range of physical alterations and adaptations to residential homes in these cases are subject to regulation including the need for planning permission and listed building consent which will likely be required as part of efforts to achieve greater energy efficiency.
- 6) Acknowledges the ongoing work associated with the Motion by Councillor Osler on Conservation and Adaptation, including the completion of the recent consultation which sought views on the additional challenge those living within conservation areas face, when trying to adapt homes to make them more sustainable to improve energy efficiency and notes that the findings of this and the associated

working group will be reported to Planning Committee.

Finally, Council requests

- 7) That the Council Leader write to Minister for Housing requesting a meeting to discuss the challenges in residential properties within conservation areas and those which are listed buildings, face when looking to adapt and alter homes to achieve an Energy Performance Certificate rating of at least equivalent to EPC C, and to request further clarification on whether the adaptations required in the context of being technically feasible, legally feasible and cost-effective apply as exemptions to the regulations.
- 8) Furthermore, the Council Leader should discuss with the Minister the possibility of additional funds being allocated to the City of Edinburgh Council to assist with any potential consequences of the regulations found in the Heat in buildings strategy report.”
- 9) The outcome of these discussions be circulated to the Housing, Homelessness and fair work Committee, and the Planning Committee via an addition to the Business Bulletin.

#### **8.7 By Councillor Faccenda - Toilet Provision**

“Council:

Recognises the importance of safe accessible toilets across the city and that the lack of such facilities is a serious impediment to many, especially women, older people and those with certain health conditions to be able to go out, shop and enjoy green spaces.

Furthermore, notes that the toilets at Taylor Gardens in Leith have been closed since lockdown and still show as under repair on the council website.

Council asks for an update to the Transport and Environment Committee on the necessary work required and related costs to reopen the Taylor Garden toilets and what security measures and any staffing that will be required.”

**8.8** By Councillor Hyslop - Established Character of Edinburgh's Communities

- “1) Notes that Policy HOU 6 of the CityPlan 2030 states that “Planning permission will be granted for purpose-built student accommodation where: d) there will be no adverse impact on the established character of the area”.
- 2) Notes that there have been instances at the Development Management Sub-Committee where questioning of Planning Officers has highlighted challenges in determining the established character of an area.
- 3) Requests that a report be prepared and presented to the Planning Committee within 2 cycles which outlines a strategy for authoritatively determining the established character of communities across Edinburgh with associated potential timescales.”

**8.9** By Councillor Macinnes - Abortion Rights

“Council:

notes with dismay the recent 28 month prison sentence imposed on a woman who, during the very difficult circumstances of Covid lockdown, choose to exercise her right to an abortion but who was not aware of how advanced her pregnancy was.

Does not consider that a prison sentence is appropriate in these circumstances and calls for a change in attitude and if required legislation to prevent this occurring.

Regrets the excessive punishment, particularly when viewed in comparison to other sentencing guidelines and practice in other fields.

Welcomes those efforts, such as ‘Abortion should not be a crime’, an event hosted by BPAS, Women’s Equality Party and the Fawcett Society, to shine a light on these issues, to highlight the disparity in the treatment of women in the judicial system, particularly in relation to reproductive rights.

Requests that the Council Leader, in consultation with Group

Leaders on content, writes to appropriate Ministers in the UK government, expressing our concern and requesting feedback on how such a situation could be avoided in future. Further requests an additional letter to appropriate Scottish Ministers seeking assurance that Scottish Courts would as things stand not come to the same conclusion and any action the Government plans to further ensure this is the case.”

**8.10** By Councillor Gardiner - Short Term Lets

- “1) Council notes the outcome of the Court of Session decision on Edinburgh’s Short Term Let policy being “unlawful” and acknowledges the need to respond swiftly to ensure the new policy is legally sound and enforceable.
- 2) Council therefore agrees to receive a report to the Planning and Regulatory Committees within once cycle: to examine the impact of the judgement, to identify any actions required to make the policy legally competent and to set a timeline for when changes can be made to ensure the policy is enforceable. This should also contain information on the legal advice sought prior to implementation.”

**8.11** By Councillor Mumford - Dignity and Support for Asylum Seekers

“Council

**Notes:**

- 1) that the use of HMS Victoria to house people arriving in Edinburgh from Ukraine was agreed with the Scottish Government only under specific circumstances which included consultation with the Ukrainian Community, agreement of support packages, and in the context of national schemes to support people displaced by the invasion of Ukraine;
- 2) that this arrangement is due to end on July 11<sup>th</sup> 2023 and following extensive work from Council staff and with support from the Scottish Government, Ukrainian families

are now moving into more suitable accommodation which can better meet their needs;

- 3) That the Convener of HHFW Convener has been instructed to write to the relevant ministers in Scottish and UK Governments setting out the housing needs of all refugee communities in the city and requesting details from both governments of their long-term plan to support the Council to address this;
- 4) That last month the Council reaffirmed its commitment to be a city which welcomes refugees, migrants, asylum seekers and all those seeking sanctuary.

#### **Further notes**

- 5) the UK Government's continuation of the 'hostile environment' for refugees, asylum seekers and migrants which now includes proposals to place them in highly unsuitable floating accommodation, with the Prime Minister pledging to use "as many barges as it takes";
- 6) that this approach includes utilising the 'Bibby Stockholm', an engineless barge in Falmouth which is intended to "house" 500 people, each given a living area smaller than a parking space;
- 7) that there is no indication of plans being put in place to support the wellbeing of people placed on this barge, or to provide additional funding or support to the local authority or public and third sector organisations for this;
- 8) That Wirral Council were approached about a similar scheme and refused to support this proposal, with the leader of the council saying "The idea that as many as 2,000 asylum seekers, people fleeing persecution and torture, would be marooned on barges, effectively prison ships, is immoral and inhumane."
- 9) **Condemns** the UK Government's hostile environment and their plans for unsuitable floating accommodation without due regard for human rights and the wellbeing of people seeking support;
- 10) **Opposes** any potential moves by the UK Government to dock boats to house refugees, asylum seekers and

migrants in Edinburgh unless the UK Government will commit to:

- a) Ensuring adequate standards of living, access to services including health checks and medical care and civic freedoms;
  - b) Early and ongoing conversations with Edinburgh Council, the Scottish Government, Education Scotland, the NHS and other potential service providers including the third sector;
  - c) Ending the national policy of No Recourse to Public Funds, which prevents Edinburgh Council from offering support to people needing help; and
- 11) Instructs** the Council Leader and Chief Executive to communicate this position should the UK Government approach Edinburgh Council about utilising floating accommodation to accommodate people in the city.”

## 9. Congratulatory Motions

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### 9.1 By Councillor Day - Edinburgh Women's Aid 50th Anniversary

“Council:

Notes this year marks the 50th anniversary of Edinburgh Women’s Aid.

Recognises the tens of thousands of women and children that have had access to safe accommodation and support through their activism and action against domestic abuse.

Understands that they will be hosting a year-long series of events to mark their anniversary, with one co-hosted by the School of Social and Political Science at Edinburgh University attended by the Council Leader, in recognition of their important endeavours.

Celebrates this milestone and asks the Lord Provost to recognise this anniversary in an appropriate manner.”

### 9.2 By Councillor Day - Traverse 60th Anniversary Celebrations

“Council:

Notes this year marks the 60th anniversary of the establishment of the Traverse Theatre.

Recognises the far-reaching impact that the Traverse has had in terms of talent discovery and development; and the impact it has had on the cultural environment of the City.

Understands that on their landmark 50<sup>th</sup> anniversary year, the Council honoured the theatre with a reception to acknowledge the contribution the Traverse has made to the City, Scotland, UK and wider global new playwriting ecology.

Asks the Lord Provost to celebrate this milestone in an appropriate manner.”

**9.3** By Councillor Walker - 20th Anniversary UNESCO City of Literature

“Council:

Recognises and celebrates the 20th anniversary in 2024 of Edinburgh’s designation as the world’s first UNESCO City of Literature reflecting our exceptional contemporary writing talent and rich tradition as the home of so many world-renowned literary figures throughout the centuries.

Acknowledges the founding role of Edinburgh UNESCO City of Literature Trust in the establishment and growth of what is now a network of 42 UNESCO Cities of Literature cities in 32 countries worldwide.

Acknowledges the Council’s continued support of the UNESCO City of Literature designation.

Looks forward to Edinburgh’s hosting the annual UNESCO Cities of Literature Conference in 2024 as part of the 20th Anniversary celebrations and supports the conference as an opportunity to promote in our city the UNESCO designation as the world’s first UNESCO City of Literature, providing opportunities to further develop international partnerships, and ensuring literature professionals in our city can meet international programmers and organisations.



Reflects the Council's key role in both achieving the designation and on-going success of the Edinburgh UNESCO City of Literature and the network of up to 70 international delegates participating in the Conference in 2024.

Requests the Lord Provost marks this important occasion in an appropriate manner.”

**9.4** By Councillor Parker - Ard-Sgoil Sheumais Ghilleasbuig - James Gillespie's High School - Award for Gaelic Education

“The Council:

- 1) Congratulates pupils, teachers and staff from Àrd-Sgoil Sheumais Ghilleasbuig / James Gillespie's High School for winning the 'Gaelic Education' category at the Scottish Education Awards in Glasgow on 7 June 2023;
- 2) Notes that Scottish Education awards recognise those who dedicate their lives to children and young people and showcases the valuable work and innovation in Scottish classrooms;
- 3) Notes that the Gaelic Education category is dedicated to education settings which foster a culture of respect, ambition and achievement with regard to Gaelic - and help promote the flourishing of the Gaelic language;
- 4) Recognises that this award follows the opening last year of the Ath-Thaigh Darroch / Darroch annex for Gaelic education at JGHS – and the virtual tour here <https://youtu.be/CB3KB4S9jSI>
- 5) Requests that the Lord Provost recognises this achievement 'sgoinneil' in an appropriate way.”

**9.5** By Councillor Burgess - Hope Cottage Nursery – Education Scotland Award 2023 for 'Making a Difference'

“Council:

- 1) Congratulates Hope Cottage Nursery School in Southside-Newington for winning the early years 'Making a

Difference' category at the Scottish Education awards 2023 in Glasgow on 7 June;

- 2) Notes that Scottish Education awards recognise those who dedicate their lives to children and young people and showcases the valuable work and innovation in Scottish classrooms;
- 3) Recognises that this award celebrates an early learning or childcare establishment that has committed to transforming the lives of learners - overcoming obstacles to nurture equality, achievement and wellbeing;
- 4) Recognises the innovative work at Hope Cottage Nursery in taking an Eco Pledge to 'cut down, cut out and source natural not synthetic' and 'tackle the huge problem of plastic waste by making permanent sustainable changes, focusing on cutting out non-recyclable plastics and microplastics';
- 5) Applauds the Hope Cottage Eco Journal, that aims to share their 'Eco Journey' into sustainable practice including with other schools  
<https://hopecottageeco.blogspot.com/>
- 6) Thanks Hope Cottage teachers Lisa McLaughlin and Natasha Stewart for bringing children from Hope Cottage Nursery to the Education, Children and Families Committee on 6 June to present examples of their work - <https://tinyurl.com/bdeuerk6> (from 00:27:00) and that the council will now look to ensure that materials in the procurement catalogue used in schools are truly environmentally friendly;
- 7) Requests that the Lord Provost recognises this fantastic achievement in an appropriate way."

**9.6** By Councillor McNeese-Mechan - Multi-Cultural Family Base

"Council notes the significant contributions made by Multi-Cultural Family Base (MCFB) to families arriving to settle in the capital city.

Council recognises that MCFB are now celebrating their 25th

year in Edinburgh.

Council acknowledges the contributions to social cohesion this work offers, and the value and importance of professional social services being available in key community languages by MCFB staff who are trained in cultural awareness.

Council further notes that the key services offered by MCFB continued even during the pandemic, bringing reassurance to highly vulnerable families.

Council therefore asks that the Lord Provost recognises the welcome contributions of Multi-Cultural Family Base in an appropriate manner.”

## 10. Questions

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| <b>10.5</b> | By Councillor McKenzie - Cases Relating to Foliage - for answer by the Convener of the Transport and Environment Committee | 467 - 468 |
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<b>10.23</b>	By Councillor Booth - Size of City of Edinburgh Council Secondary Schools – for answer by the Convener of the Education, Children and Families Committee	503 - 504

- 10.24** By Councillor Booth - Introduction of a School Street at Stanwell Street – for answer by the Convener of the Transport and Environment Committee 505 - 506

## **Deputations**

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### **Nick Smith**

Service Director, Legal and Assurance

## **Information about the City of Edinburgh Council**

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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**

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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](mailto:gavin.king@edinburgh.gov.uk).

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

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

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Generally the public seating areas will not be filmed. However, by entering the Council Chamber and using the public seating area, individuals may be filmed and images and sound recordings captured of them will be used and stored for web casting and training purposes and for the purpose of keeping historical records and making those records available to the public.

Any information presented by individuals to the Council at a meeting, in a deputation or otherwise, in addition to forming part of a webcast that will be held as a historical record, will also be held and used by the Council in connection with the relevant matter until that matter is decided or otherwise resolved (including any potential appeals and other connected processes). Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above.

If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee Services ([committee.services@edinburgh.gov.uk](mailto:committee.services@edinburgh.gov.uk)).