

Minutes

The City of Edinburgh Council

Edinburgh, Thursday 28 September 2023

Present:

LORD PROVOST

The Right Honourable Robert Aldridge

COUNCILLORS

Scott Arthur
Danny Aston
Jule Bandel
Alan C Beal
Fiona Bennett
Marco Biagi
Chas Booth
Graeme Bruce
Steve Burgess
Jack Caldwell
Lezley Marion Cameron
Kate Campbell
Christopher Cowdy
James Dalgleish
Euan R Davidson
Cammy Day
Sanne Dijkstra-Downie
Stuart Dobbin
Phil Duggart
Katrina Faccenda
Pauline Flannery
Catherine Fullerton
Neil Gardiner
Fiona Glasgow
Margaret A Graham
Joan Griffiths
Dan Heap
Euan Hyslop
Stephen P Jenkinson
Tim Jones
David Key

Simita Kumar
Kevin Lang
Lesley Macinnes
Martha Mattos Coelho
Finlay McFarlane
Ross McKenzie
Amy McNeese-Mechan
Jane E Meagher
Claire Miller
Max Mitchell
Jo Mowat
Alys Mumford
Marie-Clair Munro
Vicky Nicolson
Adam Nols-McVey
Kayleigh O'Neill
Hal Osler
Ben Parker
Tim Pogson
Susan Rae
Neil J Ross
Jason Rust
Alex Staniforth
Edward J Thornley
Val Walker
Mandy H Watt
Iain Whyte
Norman J Work
Louise Young
Lewis J Younie

1 Deputations

a) **Volunteering Matters** **(in relation to item 7.6 on the agenda – Connected Communities Edinburgh 2024-27 Grants Programme)**

The deputation felt that at present, the consequences of the current proposal would mean that services for children and families would be lost, without any means of alternate funding/ transition plans in place, and crucially with no impact assessment having been carried out to see if viable alternatives were genuinely available. They stressed that services would have to close based simply on the type of organisation that delivered them and not on their value to the children and families of Edinburgh.

The deputation indicated that a conscious choice to exclude support to children and families based on the organisation type, rather than whether or not it meets fully the criteria, was deeply troubling and had aimed to be both pragmatic and helpful in suggestions of how change in the grant funding criteria could be achieved. They felt that by using weighted criteria based on a charity's local roots and responsiveness, and its ability to deliver for the people it targets, the Council would be ensuring lessons were learnt from previous funds - an arbitrary cap simply did not achieve that aim and as a result the current proposal meant that an organisation's turnover was being used as a primary factor over the needs of local communities.

(see item 11 below)

b) **Place2Be** **(in relation to item 7.6 on the agenda – Connected Communities Edinburgh 2024-27 Grants Programme)**

The deputation indicated that at the moment the introduction of the £2 million income cap in eligibility meant that they would be excluded from applying for fund from connecting communities, so the only direct funding that they currently received from Edinburgh Council would end and for the 10 schools that the grant supported it would mean that they and the schools would have to find £50,000 pounds at short notice to plug the gap. They also stressed that the funding from the local authority helped them leverage further funding from other sources and losing the current £50,000 put that severely at risk.

The deputation strongly supported the goal of this fund to better assess grassroots groups and the value of the positive engagement with the third sector in shaping the funds as they were, nonetheless, along with a coalition

of organisations they did not believe the income cap was the right approach to achieve the goal of supporting place-based grassroots work. The deputation asked for the cap to be removed and for a dedicated fund to be created for charities with an income under £200,000 pounds.

The deputation urged council officials to consider the full impact and meet with organisations affected to work together to find a way forward to ensure that children and young people in Edinburgh continued to access crucial specialist and embedded services.

(see item 11 below)

**c) CrossReach
(in relation to item 7.6 on the agenda – Connected Communities
Edinburgh 2024-27 Grants Programme)**

The deputation were concerned about the proposal for the income criteria to be removed and that the focus of the connected communities grant be on those services that demonstrated their connection to their local communities rather than their income. They asked that the impact assessment be brought forward in the project planning so that the Council moved forward with its eyes wide open to the impact on the children and families that relied on the vital services that the fund supported.

The deputation understood that the fund was aimed at locally based services and agreed and supported the principle; but felt that by introducing this new income criteria, that there was potentially unintended consequences to community-based services such as these with decades of knowledge, skill, and long-standing collaborative partnerships, which benefitted from the infrastructure support which they could provide as added value.

They urged the Council to remove the income criteria and that the focus of the connected communities grant be on those services that demonstrated their connection to their local communities rather than on their income.

(see item 11 below)

**d) One Parent Families Scotland
(in relation to item 7.6 on the agenda – Connected Communities
Edinburgh 2024-27 Grants Programme)**

The deputation asked the Council to re-consider the proposal for the £2 million income cap that had been placed on the Connecting Communities Fund and raised concerns of third sector organisations in Edinburgh who's work with children and families would be severely impacted by the cap. They felt that this would block their ability to apply for funding that could go directly to frontline, service specific and targeted knowledge and understanding in

relation to this family group and stressed that families would have poorer outcomes and support would be removed, should this income cap remain.

(see item 11 below)

**e) Lothian Association of Youth Clubs, Stepping Stones North Edinburgh and The BIG Project
(in relation to item 7.6 on the agenda – Connected Communities Edinburgh 2024-27 Grants Programme)**

The deputation indicated that feedback from some organisations following briefing sessions had been positive and encouraging, describing the process as more transparent fairer and refreshed. All funders had criteria to protect the purpose of their fund and the Council progressing to invest funds into local organisations was welcomed.

The deputation stressed that the loss of any services to children and young people was a very difficult outcome to bear but that this was a reality they all faced as the existing Council grant funding was to end in March. They felt that no matter the service provider, it would impact children, young people and the partners involved, however, for community based organisations it was not solely the loss of service but also the loss of organisations that communities claimed as their own which for many families, were a safe space, a place where they could come at any time and be welcomed, access in the right support at the right time and provide them with a sense of belonging.

The deputation indicated that a challenge to the eligibility criteria had caused a ripple of anxiety across their sector who felt that it appeared to be supporting the interests of larger organisations whose budgets were in the millions over community-based organisations and that the unique advantages of local organisations provided a compelling choice when seeking to make a meaningful difference at the grassroots level with lower overhead costs and lack of bureaucracy in comparison to large organisations which could make them more cost effective and ensure a higher proportion of funding went directly to service delivery.

They urged the Council to consider retaining the income threshold of a £2million annual turnover cap, and assuring no further delay to the process would act to protect Edinburgh's rich tapestry of community-based provision built up over decades, but so difficult to reinstate if it was to go.

(see item 11 below)

f) Police Scotland
(in relation to item 7.6 on the agenda – Connected Communities
Edinburgh 2024-27 Grants Programme)

The deputation valued the skills, experience and contribution of communities and statutory and non-statutory partners in developing sustainable solutions to address shared challenges and remained committed to working with all those invested in realising our collective ambitions, wherein the locally tailored policing response formed part of a wider integrated approach, ensuring that those in need, including children / young people and their families, had ready access to a suite of services, led and delivered by those best skilled and equipped to do so, whether that be statutory / non-statutory agencies, practitioners and / or communities themselves. They stressed that their overarching purpose was to improve the safety and wellbeing of people, places and communities across Edinburgh and they supported a quick resolution to allow the partnership funding associated with the Connected Communities Grants Programme to be released and utilised to maximum effect.

(see item 11 below)

g) Edinburgh Voluntary Organisations' Council (EVOC)
(in relation to item 7.6 on the agenda – Connected Communities
Edinburgh 2024-27 Grants Programme)

The deputation believed that a community focus fund should be targeting eligibility on small Edinburgh based organisations who, by their nature probably did not have the capacity or the organisation wherewithal to bid for large contracts, tenders, or the frameworks the council puts out for other pieces of work. They further believed that money and finance and resources allocated to the city stays within the city, all buying into the community wealth building approach that's really being promoted nationally at the moment.

The deputation were pleased that the fund was addressing some of the previous weaknesses that had been seen in previous iterations and the way that this had been designed would hopefully sort out some of those structural problems that they felt developed more inequality. They felt that that the council should be working towards working with bigger organisations to put them on framework contracts and mainstream contracts to deliver statutory and also structural equality services that fell within the Council's duties to deliver.

The deputation believed that charities were the gold standard of regulation of voluntary organisations, that other legal models had weaknesses around

governance, remuneration for trustees or directors, reporting duties and also some paid tax which they felt a discretionary fund shouldn't be paying.

(see item 11 below)

**h) NHS Lothian
(in relation to item 7.6 on the agenda – Connected Communities
Edinburgh 2024-27 Grants Programme)**

The deputation indicated that they had currently committed to allocate funding from their Health Improvement Fund to the Connected Communities Grants Programme, the aim of which was to create a partnership fund that could provide a joint source of grant funding for local organisations to bid for. They stressed that this would enable local organisations to support children, young people and their families, in line with the priorities of the Edinburgh Children's Partnership.

The deputation had made this commitment based on the eligibility criteria of the Grants Programme set out in the paper presented to the Education, Children and Families Committee on 5th September 2023, the aim of which was to target support to local, community-based organisations.

The deputation expressed concern that the removal of this eligibility criteria would open up applications to large, national organisations and ultimately decrease the amount of funding available to local community-based organisations and that any further delay to the grant-giving process would delay the point at which children, young people and families could benefit from the opportunities and services that were intended to be funded through these grants.

(see item 11 below)

**i) Portobello Community Council
(in relation to item 8.10 on the agenda – Motion by Councillor Jones –
More Public Toilets for Portobello)**

The deputation expressed their support for the motion by Councillor Jones and believed that it was crucial to address the lack of toilet provision in the Portobello ward. They stressed that the issue of inadequate toilet facilities had consistently been a recurring agenda item at their monthly meetings, particularly after periods of good weather when the population of Portobello, already thriving, was further augmented by upwards of 3,000 visitors.

The deputation indicated that they were more than willing to assist the Council in conducting feasibility studies to determine suitable locations for toilets, the timing of their installation, and the most effective means of keeping them

accessible to the public and believed that collaborative efforts would ensure the successful implementation of this initiative.

(see item 25 below)

**j) Edinburgh School Uniform Bank
(in relation to item 8.13 on the agenda – Motion by Councillor Faccenda –
Edinburgh School Uniform Bank)**

The deputation felt that many young people were staying away from school due to issues around clothing while others were attending but their wellbeing was suffering because of how they looked or smelt. They stressed that attendance was key to closing the attainment gap and believed that issues around clothing needed more attention.

The deputation indicated that they provided new and good-as-new uniform, footwear and other essentials to thousands of children and young people across the whole city every year, working closely with many Council staff and other organisations, and would like their deputation to be the start of further conversations with the Council. They felt that they were uniquely placed to see many of the challenges that families faced in the context of clothing such as damp housing, a lack of washing facilities, problems accessing the school clothing grant and other issues like mental health problems, domestic abuse and in-work poverty.

The deputation supported the motion by Councillor Faccenda for the clothing grant to be re-examined, and to broaden the conversation to include other issues such as branded clothing (both in terms of cost and in the context of the climate emergency), the impact of the state of social housing on pupils' attendance, and other challenges that we observe as part of their work.

(see item 28 below)

**k) Comman nam Pàrant (Dùn Èideann & Lodainn)
(in relation to item 8.14 on the agenda – Motion by Councillor O'Neill –
Gaelic Medium Education Secondary School – Potential Use of Police
Scotland Site)**

The deputation indicated that they were keen to see a continuous commitment to the development of GME, including a stand-alone secondary school and felt that the potential addition of Fettes as a possible future GME secondary school should certainly be explored, not least given its location.

The deputation urged the Council to explore every viable opportunity which arises in order to build on the success to date and support greater levels of growth in Gaelic in Edinburgh and remained committed to working with

partners at local and national level in the development of GME for Edinburgh and the Lothians.

(see item 29 below)

**I) Comhairle nam Pàrant Taobh na Pairce
(in relation to item 8.14 on the agenda – Motion by Councillor O’Neill – Gaelic Medium Education Secondary School – Potential Use of Police Scotland Site)**

The deputation indicated that they understood that the Fettes site had been previously discounted from consideration as there had been no timescale for the site being vacated, however as this had changed they felt that the site should be considered. They stressed that the development of a GME secondary in Edinburgh would be of great benefit to the children studying at TnP, allowing them to continue their education in a fully immersive Gaelic environment to the same standard as their English medium counterparts which was not currently available to them at the GME unit within an English medium school where only a small percentage of the curriculum was delivered in Gaelic.

The deputation indicated that they were looking forward to working closely with the Council in securing a permanent home for GME at secondary level and an expanded provision at primary and early years.

(see item 29 below)

2 Minutes

Decision

To approve the minute of the Council of 31 August 2023 as a correct record.

3 Leader’s Report

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

- Tram inquiry
- Pay dispute - strikes in schools
- Hogmanay and Winter Festivals
- Black History month
- Hugh Dunn, valedictory and thanks for 37 years of dedication to public service

The following questions/comments were made:

- | | | |
|-----------------------------|---|---|
| Councillor Nols-McVey | - | Hugh Dunn – tribute |
| | - | Leader’s referral to Standards Commission - Code of Conduct |
| Councillor Lang | - | Hugh Dunnn – tribute |
| | - | Strikes in schools |
| Councillor Mumford | - | Hugh Dunn – tribute |
| | - | Workplace parking levy - consultation |
| Councillor Whyte | - | Hugh Dunn – tribute |
| | - | Tram Inquiry |
| Councillor McKenzie | - | Council owned homes provision |
| Councillor Dalglish | - | Active short-term let policy - applications |
| Councillor McFarlane | - | Removal of the interpretation plaque on the Nelson Monument |
| Councillor Osler | - | Proposals for the future of Council owned buildings where RAAC has been discovered |
| Councillor Parker | - | Affordable housing – policy on city plan – attendance at meeting |
| Councillor Doggart | - | Congratulations to Lothian Pensions Fund on winning Local Pensions Scheme of the Year – Leadership of Project Forth |
| | - | |
| Councillor Campbell | - | Underspend from last year – Finance and Resources Committee – delay of redundancy process |
| Councillor Dijkstra- Downie | - | Homeless accommodation |
| Councillor Staniforth | - | Edinburgh College - redundancies |
| Councillor Jones | - | Closure of Brunstane Road |
| Councillor Macinnes | - | Devolution of employment law to the Scottish Government |
| Councillor Younie | - | McGills West Lothian bus services |
| Councillor Booth | - | Labour Campaign Event - apology |

Councillor Mitchell	-	Cut to Creative Scotland's budget
Councillor Dobbin	-	Proposed Scottish Human Rights Bill – Council response
Councillor Aston	-	Residents of North East Edinburgh – void Council properties - apology
Councillor Gardiner	-	Costs for re-running the hearing for Centrum House

4 Hugh Dunn Valedictory

The Lord Provost paid tribute to Hugh Dunn who was retiring after 37 years of service to the Council. He indicated that Hugh had been kind, helpful, humorous, always professional, always acting with integrity and constantly looking for solutions rather than simply identifying problems. He indicated that Hugh had been an excellent advert for the very best in public service and was a very gifted human.

He thanked Hugh for all of his support and enormous contribution to the Council and the City and wished him well in his retirement.

5 Appointment to Committees etc

Decision

To appoint Councillor Key to the Homelessness Task Force in place of Councillor Kate Campbell.

6 Governance Documentation

Details were provided on proposed improvements to committee business processes and minor changes to Standing Orders to improve committee meetings and the information provided to elected members together with additional training to ensure that as much of a private item could be held in public as possible. The Member/Officer Protocol was also presented for its annual review.

Motion

- 1) To agree the changes to committee processes included in paragraphs 4.1 to 4.5 of the report by the Executive Director of Corporate Service.
- 2) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve in their place appendix one to the report, such repeal and approval to take effect from 3 November 2023 and to delegate authority to

the Chief Executive to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.

- 3) To agree the Member/Officer Protocol at appendix four to the report.
- 4) To note the changes to process for the usage of urgency powers under the Committee Terms of Reference and Delegated Functions.
- 5) Notes at 4.6 of the report that it is proposed that the deadline for Council Questions is moved from being seven working days to two calendar weeks before the agenda to allow more time to deal with the complexity of some questions.
- 6) Agrees that the Head of Governance, Democracy and Resilience engage with Group Leaders for further discussion on the submissions deadlines.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) Notes the proposed changes to business processes at 4.1-4.5 of the report by the Executive Director of Corporate Services but only agrees to the changes as below:
 - Agrees that 4.2 does not prevent any motions being submitted to committees which are often reactive to events within the city and cannot be planned one year in advance.
 - Agrees that the best practice guidance on council questions should be agreed at December Council once it is produced.
 - Agrees that questions to officers, on the record, at committee meetings is a vital function of democracy which cannot be replaced by ten minute private briefings; therefore agrees that all verbal briefings as detailed at 4.4 will be optional with a written note circulated to relevant committee members and no expectation that questioning will be limited at committee meetings.
- 2) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve in their place appendix one to the report, such repeal and approval to take effect from 3 November 2023 and to delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.
- 3) To agree the Member/Officer Protocol at appendix four to the report.
- 4) To note the changes to process for the usage of urgency powers under the Committee Terms of Reference and Delegated Functions requesting a further

report in 2 cycles examining how the use of Group Leaders as a consultation forum can be minimised.

- moved by Councillor Nols-McVey, seconded by Councillor Campbell

Amendment 2

- 1) To agree the changes to committee processes included in paragraphs 4.1 to 4.5 of the report by the Executive Director of Corporate Service.
- 2) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve in their place appendix one to the report, such repeal and approval to take effect from 3 November 2023 and to delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.
- 3) To agree the Member/Officer Protocol at appendix four to the report.
- 4) To note the changes to process for the usage of urgency powers under the Committee Terms of Reference and Delegated Functions.
- 5) Welcomes the opportunity at the review of the Council Diary to take a more radical look at Standing Orders / Business Processes, including timelines for motion / amendment submission
- 6) Notes that a longer lead in time for motions and amendments would have multiple benefits, including:
 - a) being more inclusive for members who might struggle with current short turnarounds owing to additional responsibilities such as childcare, other caring responsibilities or additional employment;
 - b) being more inclusive for members with a learning disability, or other support needs;
 - c) leading to better quality decisions as members have more time to discuss ideas with officers and find consensus between themselves
 - d) increasing the opportunity for external groups / stakeholders to be consulted and to offer views on issues;
 - e) being more manageable for Committee Services staff.

- 7) Additionally, believes that further changes are required to increase transparency of, and further democratise, Council decision making, including:
 - a) improving the public notice of agenda items and deputations process to give groups more time to prepare for deputations, and to offer views on amendments / addendums;
 - b) publishing the minutes of each meeting on the same webpage as the original meeting to make it easier for the public to follow what decisions were made at each meeting
- 8) Requests that officers take all of the above into consideration as proposals are brought forward alongside the Council Diary for 2024/2025.

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 3

- 1) To agree the changes to committee processes included in paragraphs 4.1 to 4.5 of the report by the Executive Director of Corporate Service.
- 2) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve in their place appendix one to the report, such repeal and approval to take effect from 3 November 2023 and to delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.
- 3) To agree the Member/Officer Protocol at appendix four to the report.
- 4) To note the changes to process for the usage of urgency powers under the Committee Terms of Reference and Delegated Functions.
- 5) Given that no resolution is proposed to the outstanding issue of ceasing to debate items when the guillotine falls on debate at 5pm remits the following proposal to a meeting of Group Leaders for discussion:
 - a) That the guillotine for debate falls at 4pm and from this point each motion and amendment is moved and seconded with a time limit of one minute for speeches, thus ensuring greater openness, transparency and accountability in the Council's decision making by allowing councillors to briefly explain their motion and to improve the understanding of what decision is being made by allowing time for acceptance and rejection of any amendments and addendums.

- b) The outcome of this discussion to be reported back to the Council meeting of 2nd November 2023.

- moved by Councillor Mowat, seconded by Councillor Wyte

In accordance with Standing Order 22(!2), Amendments 1, 2 and 3 were accepted as addendums to the motion.

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To agree the changes to committee processes included in paragraphs 4.1 to 4.5 of the report by the Executive Director of Corporate Service but subject to the following:
 - Agrees that 4.2 does not prevent any motions being submitted to committees which are often reactive to events within the city and cannot be planned one year in advance.
 - Agrees that the best practice guidance on council questions should be agreed at December Council once it is produced.
 - Agrees that questions to officers, on the record, at committee meetings is a vital function of democracy which cannot be replaced by ten minute private briefings; therefore agrees that all verbal briefings as detailed at 4.4 will be optional with a written note circulated to relevant committee members and no expectation that questioning will be limited at committee meetings.
- 2) To repeal the existing Procedural Standing Orders for Council and Committee Meetings and approve in their place appendix one to the report, such repeal and approval to take effect from 3 November 2023 and to delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.
- 3) To agree the Member/Officer Protocol at appendix four to the report.
- 4) To note the changes to process for the usage of urgency powers under the Committee Terms of Reference and Delegated Functions, requesting a further report in 2 cycles examining how the use of Group Leaders as a consultation forum can be minimised.
- 5) To note at 4.6 of the report that it was proposed that the deadline for Council Questions be moved from being seven working days to two calendar weeks

before the agenda to allow more time to deal with the complexity of some questions.

- 6) To agree that the Head of Governance, Democracy and Resilience engage with Group Leaders for further discussion on the submissions deadlines.
- 7) To welcome the opportunity at the review of the Council Diary to take a more radical look at Standing Orders / Business Processes, including timelines for motion / amendment submission
- 8) To note that a longer lead in time for motions and amendments would have multiple benefits, including:
 - a) being more inclusive for members who might struggle with current short turnarounds owing to additional responsibilities such as childcare, other caring responsibilities or additional employment;
 - b) being more inclusive for members with a learning disability, or other support needs;
 - c) leading to better quality decisions as members have more time to discuss ideas with officers and find consensus between themselves
 - d) increasing the opportunity for external groups / stakeholders to be consulted and to offer views on issues;
 - e) being more manageable for Committee Services staff.
- 8) Additionally, to believe that further changes were required to increase transparency of, and further democratise, Council decision making, including:
 - a) improving the public notice of agenda items and deputations process to give groups more time to prepare for deputations, and to offer views on amendments / addendums;
 - b) publishing the minutes of each meeting on the same webpage as the original meeting to make it easier for the public to follow what decisions were made at each meeting
- 9) To request that officers take all of the above into consideration as proposals were brought forward alongside the Council Diary for 2024/2025.
- 10) Given that no resolution was proposed to the outstanding issue of ceasing to debate items when the guillotine fell on debate at 5pm, to remit the following proposal to a meeting of Group Leaders for discussion:
 - a) That the guillotine for debate falls at 4pm and from this point each motion and amendment is moved and seconded with a time limit of one

minute for speeches, thus ensuring greater openness, transparency and accountability in the Council's decision making by allowing councillors to briefly explain their motion and to improve the understanding of what decision is being made by allowing time for acceptance and rejection of any amendments and addendums.

- b) The outcome of this discussion to be reported back to the Council meeting of 2nd November 2023.

(References – Act of Council No 15 of 4 May 2023; report by the Executive Director of Corporate Service, submitted)

7 Independent Inquiry and Whistleblowing Culture Review Update

An update was provided on the implementation of the recommendations from the Independent Inquiry and the Whistleblowing Culture Review agreed by Council together with recommendations across five themes – Policy, Investigations, Learning, Systems and Processes, and the Redress Scheme.

Decision

- 1) To note the progress of implementation of the recommendations agreed at Council in respect of both the Independent Inquiry and the Whistleblowing Culture Review.
- 2) To note the criticality of considering the implementation of the recommendations in the context of delivering the Council's People Strategy ('Our Future Council' 2021-2024) to support enduring cultural transformation.

(Reference: Act of Council No 2 of 28 October 2021; Act of Council No 3 of 16 December 2021; report by the Chief Executive, submitted)

8 Resource to Appoint Interim Service Director Operations

An update was provided on the recruitment of an Interim Service Director Operations for the Edinburgh Health and Social Care Partnership (EHSCP) which appointment had been discussed with the Lord Provost and Group Leaders under urgency procedures.

Decision

- 1) To note the requirement for additional temporary resource to backfill the position of Service Director Operations in the EHSCP on an interim basis for four months.

- 2) To note that additional resource was required to support the delivery of operational activity within the EHSCP.
- 3) To note that the Interim Chief Officer, in consultation with the Lord Provost and Group Leaders, under urgency provisions approved the recruitment of additional resource through a waiver to provide specific capacity to lead the operations directorate of the EHSCP.
- 4) To note the appointment of an Interim Service Director Operations, EHSCP, for a period of four months.

(References: report by the Interim Chief Officer, Edinburgh Health and Social Care Partnership, submitted)

9 Proposed Cancellation of the City of Edinburgh Council Meeting of 23 November 2023

Details were provided on the currently scheduled meetings of Full Council on 2 November, 23 November and 14 December 2023 and given the short time between these meetings, it was proposed that the meeting scheduled for 23 November be cancelled.

Motion

To agree to cancel the Full Council meeting of 23 November 2023.

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

Amendment

- 1) To agree to cancel the Full Council meeting of 23 November 2023.
- 2) To add to the 'Next Steps 4.2' in the report by the Executive Director of Corporate Services:

"Notes that this is the second full council meeting being cancelled in the current schedule, after the 4th August 2023.

Asks that Council recess periods are correlated more effectively with future Full Council meeting dates to avoid the cancellation of further meetings moving forward."

- moved by Councillor Graham, seconded by Councillor Jenkinson

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

Decision

To approve the following adjusted motion by Councillor Day

- 1) To agree to cancel the Full Council meeting of 23 November 2023.
- 2) To add to the 'Next Steps 4.2' in the report by the Executive Director of Corporate Services:

"Notes that this is the second full council meeting being cancelled in the current schedule, after the 4th August 2023.

Asks that Council recess periods are correlated more effectively with future Full Council meeting dates to avoid the cancellation of further meetings moving forward."

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

10 Annual Performance Report 2022/23 - referral from the Policy and Sustainability Committee

The Policy and Sustainability Committee had referred a report on council performance in 2022/23 against the three priorities and fifteen outcomes in the Council's previous Business Plan: Our Future Council, Our Future City (2021 – 24). to the Council for consideration.

Motion

To note the Annual Performance Report (Appendix A to the report by the Executive Director of Corporate Services) for the 2022/23 financial year.

- moved by Councillor Day, seconded by Councillor Meagher

Amendment 1

- 1) To note the Annual Performance Report 2022/23.
- 2) Agrees to retain the initial affordable home building targets of 1,186 approved and 1,290 completed and that the annual performance report should be republished on the council website with these corrections.
- 3) Notes with concern there has been a 41.3% fall in approvals (indicative of the affordable homes pipeline) to just 734 homes in the first year of this administration
- 4) Notes the failure on affordable homes outlined at 1.2 is compounded by the administration removing £1.3bn from the Council house building programme in the budget. Council agrees both of these actions together will have a

devastating impact on Edinburgh's ability to house our residents and reduce poverty in the medium and long term. Further recognises the damage done through this failure could take years to undo.

- 5) Notes failure to meaningfully support residents experiencing financial crisis during a cost of living crisis. Council notes there has been a 58% year-on-year reduction in residents receiving welfare support through the Advice Shop, showing a historic low at a time when need within communities is greatest.
- 6) Council therefore requests an urgent report in 2 cycles with comprehensive analysis of the reasons behind the fall to only 734 homes being approved in 22/23 alongside actions and mitigations which can be put in place to ensure that number is increased in future years.
- 7) Council also requests an urgent report in two cycles which sets out the details behind the significant fall in the number of residents supported through the Advice Shop, and the actions that have been taken, particularly around recruitment and retention of staff, to improve performance, including benchmarking of staff pay in the contact centre.

- moved by Councillor Nols-McVey, seconded by Councillor Campbell

Amendment 2

- 1) Council agrees to retain the agreed initial targets of 1,186 approved and 1,290 completed affordable homes.
- 2) Council otherwise notes the Annual Performance Report, 2022/23.

- moved by Councillor Lang, seconded by Councillor Beal

Amendment 3

- 1) To note the Annual Performance Report, 2022/23.
- 2) Agrees that the initial target for the number of affordable homes approved and completed should be used for the report.
- 3) Further notes with concern that, despite showing a green status in the Annual Performance report, it was confirmed at Policy & Sustainability committee that latest data made available after the report was written confirms that the Council is in fact overshooting its carbon emissions, and the RAG status against this key climate metric will be RAGGED as behind target in future reporting.

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 4

- 1) Council notes the Annual Performance Report 2022/23 and the Annual Complaints Report 2022/23.
- 2) Council also notes the work being undertaken on the Planning and Performance Framework 2023-27 which is likely to have a more meaningful impact in the future and should provide a better tool through which Councillors and officers can instil a culture of continuous improvement and citizens can review the performance of the Council.
- 3) Council considers that, as properly determined SMART targets require to have realism as one of their facets, the amended targets for Affordable Homes of 800 approved and 1,286 completed should be used going forward as they are derived from a realistic assessment of a number of issues several of which are outwith the Council's control. This is particularly the case for the housebuilding proposals of partner bodies such as Registered Social Landlords and is heavily impacted by the relatively low level of grant funding Edinburgh is allocated for Affordable Housing by the Scottish Government.
- 4) On specific performance issues Council expresses concern that:
 - within the priority of "Ending Poverty by 2030" the performance in supporting residents with welfare advice has fallen away dramatically during a period of an international costs of living crisis. And while projects to deliver a new city-wide approach to commissioned advice services with partners and a new long-term plan for a prevention-based Council service model remain on track the delivery timescales remain lengthy when these are the key actions to improve services;
 - performance in reducing the poverty related attainment gap remains poor as results overall dipped in 2021/22, including for looked after children and those from the deprived areas, and that low school attendance remains an issue. The figures also provide no specific assessment of the "gap";
 - the new Council apprenticeships are only half the target;
 - within the "Wellbeing and Equalities" section Litter Monitoring scores remain a major issue falling well below target, domestic waste recycling remains below target and delivery plans to "reimagine at least two town centres" are a year behind schedule.
- 5) Council also notes that the priority of "becoming a net zero city by 2030" is largely unmeasured within the data presented as it is some years old or still awaited.
- 6) Council therefore agrees that:

- the projects reviewing commissioned advice services and prevention-based services should be subject to an interim project review to determine whether delivery can be accelerated, and resource and management focus should be diverted to ensuring the Council's Advice Service can meet customer need;
- the Planning and Performance Framework 2023-27 should include a specific measure of the poverty related attainment gap with targets for reduction that can be assessed over time by Committee to determine whether actions for improvement are successful;
- a review is undertaken of the Council apprenticeship scheme with actions being taken to meet or exceed target being reported to the Housing, Homelessness and Fair Work Committee within two cycles;
- quarterly reporting of Litter Monitoring scores and Domestic Waste Recycling should be reported to Committee to ensure that additional revenue spend in this vital core service area is having the desired impact and methods are investigated to increase recycling given the increased spend on Bin Hubs and the reduction in recycling at Household Waste Recycling Centres since the appointment system was introduced.

- moved by Councillor Whyte, seconded by Councillor Doggart

In accordance with Standing Order 22(12) Amendment 1 was adjusted and approved as an Amendment to the Motion, Amendment 2 was approved as an amendment to the Motion, Amendment 3 was approved as an addendum to the Motion and Amendment 4 was adjusted and approved as an addendum to the Motion.

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

Voting

The voting was as follows:

For the Motion (as adjusted)	-	34 votes
For Amendment 1 (as adjusted)	-	28 votes

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

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

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the Annual Performance Report (Appendix A to the report by the Executive Director of Corporate Services) for the 2022/23 financial year.
- 2) To agree to retain the agreed initial targets of 1,186 approved and 1,290 completed affordable homes.
- 3) To further note with concern that, despite showing a green status in the Annual Performance report, it had been confirmed at Policy and Sustainability Committee that latest data made available after the report was written confirmed that the Council was in fact overshooting its carbon emissions, and the RAG status against this key climate metric would be RAGGED as behind target in future reporting.
- 4) To request an urgent report in 2 cycles with comprehensive analysis of the reasons behind the fall to only 734 homes being approved in 22/23 alongside actions and mitigations which could be put in place to ensure that number was increased in future years.
- 5) To also request an urgent report to the Policy and Sustainability Committee in two cycles which set out the details behind the significant fall in the number of residents supported through the Advice Shop, and the actions that had been taken, particularly around recruitment and retention of staff, to improve performance, including benchmarking of staff pay in the contact centre.
- 6) To therefore agree that:
 - the projects reviewing commissioned advice services and prevention-based services should be subject to an interim project review to determine whether delivery could be accelerated, and resource and management focus should be diverted to ensuring the Council's Advice Service could meet customer need;
 - the Planning and Performance Framework 2023-27 should include a specific measure of the poverty related attainment gap with targets for reduction that could be assessed over time by Committee to determine whether actions for improvement were successful;
 - a review be undertaken of the Council apprenticeship scheme with actions being taken to meet or exceed target being reported to the Housing, Homelessness and Fair Work Committee within two cycles;
 - quarterly reporting of Litter Monitoring scores and Domestic Waste Recycling should be reported to Committee to ensure that additional revenue spend in this vital core service area was having the desired impact and methods were investigated to increase recycling given the increased spend on Bin Hubs and the reduction in recycling at

Household Waste Recycling Centres since the appointment system was introduced.

(References: Policy and Sustainability Committee of 22 August 2023 (item 13); referral from the Policy and Sustainability Committee, submitted.)

11 Connected Communities Edinburgh 2024-27 Grants Programme - referral from the Education, Children and Families Committee

The Education, Children and Families Committee had referred a report on Connected Communities Edinburgh 2023-27 Grants Programme to council for consideration. Details were provided on proposals for the forthcoming round of Connected Communities Edinburgh 2024-27 Grant funding.

The Council had heard several deputations on this issue (see items 1(a) – 1 (h) above).

Motion

- 1) To note the work done to date, including the Briefing Sessions delivered to Elected Members and the Community and Voluntary Sector, in partnership with LAYC (Lothian Association of Youth Clubs) and EVOC (Edinburgh Voluntary Organisations' Council).
- 2) To note the cross-party support and approval granted by Elected Members on 22 August 2023.
- 3) To note a special meeting of Education Children and Families Committee would be scheduled for award recommendations at the beginning of December.
- 4) To approve the refinements made to the 2024-27 Grants Programme.
- 5) To approve the process to determine successful grant applicants.
- 6) To note that organisations that do not have charitable status can submit a grant application for over £25,000. Following assessment, funding may be awarded conditional on gaining charitable status. If they are not scored highly enough to be awarded a conditional grant, they could still be awarded £25k over 3 years.
- 7) To note that for Community organisations that do not have charitable status, can apply for a grant up to £25,000 over three years.
- 8) To note that for Community organisation for whom registration as a charity is not possible, the Council may be able to consider other ways to evidence

sound financial performances in order to be able to apply for grant funding as long as they meet grant standing orders that state that for all grant recipients financial accounting practices will meet as a minimum the essential elements and requirements of the Office of the Scottish Charity Regulator.

- moved by Councillor Griffiths, seconded by Councillor Graham

Amendment 1

- 1) To note the work done to date, including the Briefing Sessions delivered to Elected Members and the Community and Voluntary Sector, in partnership with LAYC (Lothian Association of Youth Clubs) and EVOC (Edinburgh Voluntary Organisations' Council).
- 2) Notes that three elected members attended a briefing on 22 August 2023 with LAYC, EVOC, and council officers.
- 3) To note a special meeting of Education Children and Families Committee would be scheduled for award recommendations at the beginning of December.
- 4) To approve the refinements made to the 2024-27 Grants Programme.
- 5) To approve the process to determine successful grant applicants.
- 6) Notes that existing recipients of the fund were not informed that they would no longer be eligible, including some who have been meeting or exceeding KPIs.
- 7) Agrees to amend Eligibility Criteria to organisations where the annual income is under £2.5 million.
- 8) Approves detailed guidance on Pre-Application Checklist that non-eligible organisations can continue to apply for a grant of up to £25,000 over the three-year period.
- 9) Approves to include additional advice and support for CICs to apply for charity status and that funding (in addition to £25,000 per year) should be contingent on gaining full accreditation in subsequent years.
- 10) Agrees to produce a SIMD heat map to be used as a tool to ensure spread of funding across different localities with a focused effort to increase support in SIMD 1 and 2 areas.

- moved by Councillor Kumar, seconded by Councillor Hyslop

Amendment 2

- 1) To note the work done to date, including the Briefing Sessions delivered to Elected Members and the Community and Voluntary Sector, in partnership with LAYC (Lothian Association of Youth Clubs) and EVOC (Edinburgh Voluntary Organisations' Council).
- 2) To note the cross-party support and approval granted by Elected Members on 22 August 2023.
- 3) To note a special meeting of Education Children and Families Committee would be scheduled for award recommendations at the beginning of December.
- 4) To approve the refinements made to the 2024-27 Grants Programme.
- 5) To approve the process to determine successful grant applicants.
- 6) Requests that officers make contact with unsuccessful applicants to provide feedback and to help ensure that service users with ongoing need are supported.

- moved by Councillor Davidson, seconded by Councillor Young

Amendment 3

- 1) In paragraph 4.6 of the report by the Executive Director of Children, Education and Justice Services deletes:

“and if their organisation’s annual income is under £2 million.’
- 2) In paragraph 4.7 of the report, to add:

“Considers the introduction of a ring-fenced fund in a separate pot for charities of up to £200k which will be more effective in ensuring money flows to those without the resources to compete.”
- 3) In paragraph 7.4 of the report, to add:

“An impact assessment is undertaken, taking account of
 - a) equalities issues and
 - b) children’s welfare rights assessment needs so that decisions are informed of the full impact of the closure or change to any affected services.

4) In paragraph 9.4 of the report, to add:

“If there are concerns that changes would create delays in funding, an extension of existing arrangements should be made available to current grantees for three months (from 1st April-30th June) to ensure existing funded services continue.”

- moved by Councillor Jones, seconded by Councillor Cowdy

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

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

Voting

The voting was as follows:

For the Motion (as adjusted)	-	34 votes
For Amendment 1 (as adjusted)	-	15 votes
For Amendment 2 (as adjusted)	-	9 votes

(For the Motion (as adjusted): Lord Provost, Councillors Arthur, Bandel, Beal, Bennett, Booth, Burgess, Lezley Marion Cameron, Dalgleish, Davidson, Day, Dijkstra-Downie, Faccenda, Flannery, Graham, Griffiths, Heap, Jenkinson, Lang, McKenzie, Meagher, Mumford, O'Neill, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Young and Younie.

For Amendment 1 (as adjusted): Councillors Aston, Biagi, Campbell, Dobbin, Fullerton, Gardiner, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, Nicolson, and Work.

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

Decision

To approve the following adjusted motion by Councillor Griffiths:

- 1) To note the work done to date, including the Briefing Sessions delivered to Elected Members and the Community and Voluntary Sector, in partnership with LAYC (Lothian Association of Youth Clubs) and EVOC (Edinburgh Voluntary Organisations' Council).

- 2) To note that three elected members attended a briefing on 22 August 2023 with LAYC, EVOC, and council officers.
- 3) To note a special meeting of Education Children and Families Committee would be scheduled for award recommendations at the beginning of December.
- 4) To approve the refinements made to the 2024-27 Grants Programme.
- 5) To approve the process to determine successful grant applicants.
- 6) To note that organisations that did not have charitable status could submit a grant application for over £25,000. Following assessment, funding might be awarded conditional on gaining charitable status. If they were not scored highly enough to be awarded a conditional grant, they could still be awarded £25k over 3 years.
- 7) To note that for Community organisations that did not have charitable status, could apply for a grant up to £25,000 over three years.
- 8) To note that for Community organisation for whom registration as a charity was not possible, the Council might be able to consider other ways to evidence sound financial performances in order to be able to apply for grant funding as long as they met grant standing orders that stated that for all grant recipients financial accounting practices would meet as a minimum the essential elements and requirements of the Office of the Scottish Charity Regulator.
- 9) To request that officers make contact with unsuccessful applicants to provide feedback and to help ensure that service users with ongoing need were supported.
- 10) To note that existing recipients of the fund were not informed that they would no longer be eligible, including some who had been meeting or exceeding KPIs.
- 11) To approve detailed guidance on Pre-Application Checklist that non-eligible organisations could continue to apply for a grant of up to £25,000 over the three-year period.
- 12) To approve to include additional advice and support for CICs to apply for charity status and that funding (in addition to £25,000 per year) should be contingent on gaining full accreditation in subsequent years.

- 13) To agree to produce a SIMD heat map to be used as a tool to ensure spread of funding across different localities with a focused effort to increase support in SIMD 1 and 2 areas.

(References: Education, Children and Families Committee of 5 September 2023 (item 19); referral from the Education, Children and Families Committee, submitted.)

Declaration of Interests

Councillor Nols-McVey declared a non-financial interest as a member of the management Committee of the Citadel Leith Centre and left the meeting during consideration of the above item.

Councillor Glasgow made a transparency statement as a family member led a charity affected by this and left the meeting during consideration of the above item.

Councillor Caldwell declared a non-financial interest as an ex-officio office bearer of Pilmeny Development Project and left the meeting during consideration of the above item.

12 2022-23 Capital Outturn, Month 3 Capital Monitoring and Revised 2023-33 Capital Budget Strategy– referral from the Finance and Resources Committee

The Finance and Resources Committee had a referred a report on the capital expenditure and funding outturns for 2022-23, which provided explanations for key variances, together with the revised capital budget strategy for 2023-33 after factoring in slippage from 2022-23, additional funding and updated cash flow projections from month 3 monitoring to the Council for approval of the Revised Capital Budget Strategy.

Decision

To agree the Revised Capital Budget Strategy as detailed in the report by the Executive Director of Corporate Services.

(References: Finance and Resources Committee of 21 September 2023 (item 13); referral from the Finance and Resources Committee, submitted.)

13 City of Edinburgh Council – 2022/23 Annual Accounts Audit – referral from the Finance and Resources Committee

The Finance and Resources Committee had a referred a report on the principal findings arising from the external audit of the Council's 2022/23 financial statements to the Council to the for information.

Decision

To note the report by the Executive Director of Corporate Services.

(References: Finance and Resources Committee of 21 September 2023 (item 8; referral from the Finance and Resources Committee, submitted.).)

14 Treasury Management Annual Report 2022/23 - referral from the Finance and Resources Committee

The Finance and Resources Committee had referred the Treasury Management: Annual Report 2022/23 to the City of Edinburgh Council for approval.

Decision

To approve the report by the Finance and Resources Committee.

(References: Finance and Resources Committee of 21 September 2023 (item 14); referral from the Finance and Resources Committee, submitted.).)

15 Edinburgh Living – Acquisition of Homes 2023/2024 – referral from the Finance and Resources Committee

The Finance and Resources Committee had referred a report on the transfer of 220 new build homes from the Housing Revenue Account (HRA) to the Council's midmarket Rent LLP, Edinburgh Living to the Council for approval.

Decision

- 1) To agree to lend to the mid-market rent LLP to enable the purchase of all 220 homes.
- 2) To agree to provide corresponding capital advances from the Loans Fund based on a repayment profile using the funding/ income method, as set out in Appendix 1 to the report by the Executive Director of Corporate Services.

(References: Finance and Resources Committee of 21 September 2023 (item 18); referral from the Finance and Resources Committee, submitted.).)

16 RAAC in the Council Estate – Motion by Councillor Day

The following motion by Councillor Day was submitted in terms of Standing Order 17 and verbally adjusted in terms of Standing Order 22(5):

“Recognises the swift response from Council officers to investigate the risks to the council estate and where appropriate initiate action.

Notes that the Council Leader has already written to the Scottish and UK Governments and to COSLA, for additional funding as the RAAC issue is likely to affect not just housing stock but schools, community centres and other buildings across the Council estate and our ALEOs.

Further notes the use of RAAC in local authority buildings across the whole UK.

Agrees to a report back to the Finance and Resources Committee in 2 cycles on the timescale for any remedial work, and in the interim to provide any updates in the Business Bulletin and/or Member's Briefing where appropriate."

Motion

To approve the motion by Councillor Day

- moved by Councillor Day, seconded by Councillor Meagher

Amendment 1

To add at the end of paragraph 4 of the motion by Councillor Day:

"Agrees it important to maintain the continuity of service delivery wherever possible, and that relevant executive committees and ward members should be kept informed as to how this is being achieved in cases where the use of existing buildings is restricted."

- moved by Councillor Lang, seconded by Councillor Ross

Amendment 2

To replaces the last paragraph in the motion by Councillor Day with:

"Instructs a report back to the Finance and Resources Committee in two cycles that details:

- (a) each building that has a RAAC problem;
- (b) the scope of the problem for that building;
- (c) the estimated costs to resolve the RAAC issue for that building;
- (d) the timescales for each building to be made safe.

Also, in the interim, to provide any updates in the Business Bulletin and/or Member's Briefing where appropriate."

- moved by Councillor Bruce, seconded by Councillor Doggart

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

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To recognise the swift response from Council officers to investigate the risks to the council estate and where appropriate initiate action.
- 2) To note that the Council Leader had already written to the Scottish and UK Governments and to COSLA, for additional funding as the RAAC issue was likely to affect not just housing stock but schools, community centres and other buildings across the Council estate and our ALEOs.
- 3) To further note the use of RAAC in local authority buildings across the whole UK.
- 4) To instruct a report back to the Finance and Resources Committee in two cycles that detailed:
 - (a) each building that has a RAAC problem;
 - (b) the scope of the problem for that building;
 - (c) the estimated costs to resolve the RAAC issue for that building;
 - (d) the timescales for each building to be made safe.
- 5) To also, in the interim, provide any updates in the Business Bulletin and/or Member's Briefing where appropriate.
- 6) To agree it important to maintain the continuity of service delivery wherever possible, and that relevant executive committees and ward members should be kept informed as to how this was being achieved in cases where the use of existing buildings was restricted

17 Labour Campaign Event – Motion by Councillor Campbell

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

- “1) Council notes an electoral campaign event for the Edinburgh East and Edinburgh North and Leith Labour election campaigns took place in City Chambers on September 7th 2023.

- 2) Council notes the use of Council facilities in this way is likely to be contrary to the Councillors' Code of Conduct as set out by the Chief Executive on September 11th 2023 in writing stating that Councillors should not use Council resources "for any party political or campaigning activities or matters relating to these". Further notes this could be a potential breach of the Local Government Act 1986.
- 3) Further recognises this also could constitute an impermissible donation to the respective campaigns of the candidates present under the Political Parties, Elections and Referendums Act 2000.
- 4) Council agrees this brings the council into disrepute and therefore requests that the Chief Executive refers all councillors present to the Commissioner for Ethical Standards on behalf of the Council in order for this to be investigated fully.
- 5) Council further agrees the Chief Executive refer all evidence held by the Council (including diary records and emails) to the Commissioner for Ethical Standards.
- 6) The Chief Executive should also refer evidence to the Electoral Commission and the Police in order that they may investigate further, as appropriate, whether electoral law has been breached in relation to the two parliamentary campaigns."

Motion

To approve the motion by Councillor Campbell.

- moved by Councillor Campbell, seconded by Councillor Dobbin

Amendment

Council:

- 1) Notes that the Councillor Code of Conduct makes clear that council resources must not be used 'for any party political or campaigning activities or matters relating to these'.
- 2) Notes the deep concerns which have been expressed regarding an event in the Labour Group room of the City Chambers on 7 September 2023.
- 3) Notes that the Leader of the Council, as well as all Labour Councillors present, have now referred themselves to the Ethical Standards Commissioner with respect to the 7 September event and agrees that the Labour group will provide the Commissioner with all evidence including invitations and e-mails related to this event.

- 4) Recognises that, in light of these referrals, an independent statutory process is now underway and should be allowed to run its course.
- 5) Notes that any findings of contraventions of the code of conduct will be reported automatically to the Council by way of an officer report, along with the details of any sanctions imposed.
- 6) Agrees that if the Council Leader has evidence of a breach of the law he should report this directly to the police, and that allegations of improper political finances of any party can be made by way of a referral to the Electoral Commission to investigate.

- moved by Councillor Lang, seconded by Councillor Young

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

Decision

To approve the following adjusted motion by Councillor Campbell:

- 1) To note an electoral campaign event for the Edinburgh East and Edinburgh North and Leith Labour election campaigns took place in City Chambers on September 7th 2023.
- 2) To note the use of Council facilities in this way was likely to be contrary to the Councillors' Code of Conduct as set out by the Chief Executive on September 11th 2023 in writing stating that Councillors should not use Council resources "for any party political or campaigning activities or matters relating to these". To further note this could be a potential breach of the Local Government Act 1986.
- 3) To further recognise this also could constitute an impermissible donation to the respective campaigns of the candidates present under the Political Parties, Elections and Referendums Act 2000.
- 4) To agree this brought the council into disrepute and therefore request that the Chief Executive refer all councillors present to the Commissioner for Ethical Standards on behalf of the Council in order for this to be investigated fully.
- 5) To further agree the Chief Executive refer all evidence held by the Council (including diary records and emails) to the Commissioner for Ethical Standards.
- 6) To agree the Chief Executive should also refer evidence to the Electoral Commission and the Police in order that they may investigate further, as appropriate, whether electoral law had been breached in relation to the two parliamentary campaigns.

- 7) To note that the Councillor Code of Conduct made clear that council resources must not be used 'for any party political or campaigning activities or matters relating to these'.
- 8) To note the deep concerns which had been expressed regarding an event in the Labour Group room of the City Chambers on 7 September 2023.
- 9) To note that the Leader of the Council, as well as all Labour Councillors present, had now referred themselves to the Ethical Standards Commissioner with respect to the 7 September event and agree that the Labour group would provide the Commissioner with all evidence including invitations and e-mails related to this event.
- 10) To recognise that, in light of these referrals, an independent statutory process was now underway and should be allowed to run its course.
- 11) To note that any findings of contraventions of the code of conduct would be reported automatically to the Council by way of an officer report, along with the details of any sanctions imposed.
- 12) To agree that if the Council Leader had evidence of a breach of the law he should report this directly to the police, and that allegations of improper political finances of any party could be made by way of a referral to the Electoral Commission to investigate.

Declaration of Interests

Councillors Arthur, Dalglish, Day, Faccenda, Pogson and Walker declared a non-financial interest as they had referred themselves to the Standards Commission for Scotland in respect of this matter and left the meeting during consideration of the above item.

18 Edinburgh Safe Consumption Room – Motion by Councillor Davidson

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

“Council,

Recognises the critical importance of addressing the ongoing public health crisis of drug deaths in light of recent figures showing increased deaths in Edinburgh. At the same time, Scotland overall had seen a decrease in fatalities.

Welcomes the recent advice published by the Lord Advocate regarding the legal status of Safe Consumption Rooms, wherein she stated she 'would be prepared to publish a prosecution policy that it would not be in the public interest to prosecute

drug users for simple possession offences committed within a pilot safer drugs consumption facility.’

Notes the guarantee given by the Secretary of State for Scotland, Alister Jack, who stated ‘if the Scottish Government and the Lord Advocate decide to proceed with a pilot and on DCRs, drugs consumption rooms, the UK Government will not intervene.’

Therefore, this council:

- 1) Reaffirms its commitment in June 2022 to support the principle of a safe consumption room for Edinburgh.
- 2) Commits to support rapid action on the feasibility study that is due to the next Policy and Sustainability Committee.
- 3) Commits to working with the Alcohol and Drugs Partnership and IJB to ensure that any such facility has a sound financial footing.
- 4) Requests the council leader to write to the Scottish Government requesting their support for an Edinburgh Safe Consumption Room.”

Motion

To approve the motion by Councillor Davidson.

- moved by Councillor Davidson, seconded by Councillor Younie

Amendment 1

- 1) To add to the motion by Councillor Davidson:

“Notes that a report is being prepared for the Policy and Sustainability Committee exploring the feasibility of an Edinburgh safe consumption room.

Further notes that this report is taking slightly longer than anticipated to prepare given the extended time taken to obtain the correct ethical approvals for research interviews, including with those with living experience, and that the report will be complete within the next couple of months and able to be reported to the January meeting of the Policy and Sustainability Committee.

- 2) To add to the motion, after the words, “Requests the Council leader write to the Scottish Government requesting their support for an Edinburgh Safe Consumption Room”:

“Following consideration of the feasibility report at the January P & S in order that a more specific request for the most appropriate model identified through the feasibility report can be sought.”

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

Amendment 2

- 1) On Bullet Point 1 in the motion by Councillor Davidson, after “safe consumption room” insert “and community drug checking facilities”.
- 2) On Bullet Point 4 in the motion, after “safe consumption room” insert “and community drug checking facilities”.
- 3) To add at the end of the motion:
 - “5) Notes that on 7th September 2023 Glasgow City Council approved a motion to adopt a formal position in favour of decriminalisation of all drugs for personal use in line with the Scottish Government’s public health approach which passed with the support of SNP, Scottish Green Party and Conservative Councillors. This position reflects that much of Scotland’s drug use is hidden and illegality contributes to the stigma and discrimination that people face. Council therefore agrees to join Glasgow City Council in formally adopting this position in Edinburgh and agrees that the Council Leader should write to the UK and Scottish Governments outlining our cities support.”

- moved by Councillor McFarlane, seconded by Councillor Nicolson

Amendment 3

To replace points 1) to 4) in the motion by Councillor Davidson with:

- “1) notes its commitment in June 2022 to support the principle of a safe consumption room for Edinburgh;
- 2) notes that a report on a feasibility study is due to the next Policy and Sustainability Committee which will help determine whether and how policy can be developed in this area taking account of Scottish Government pilot proposals;
- 3) commits to working with the Alcohol and Drugs Partnership and IJB to ensure that any such facility has a sound financial footing and that addiction recovery facilities are also available and properly funded to give immediate access to those who seek such help;
- 4) requests that the Council Leader write to the Scottish Government indicating that any support for an Edinburgh Safe Consumption Room should include facilities to provide recovery services to the same standards as proposed in the Right to Recovery Bill;
- 5) agrees that both a public health and a criminal justice approach continue to be required to target the serious and organised crime gangs that target Scotland’s most vulnerable communities, whilst also ensuring support for people with

substance dependency is on a par with other health conditions, removing unnecessary stigma and discrimination.”

- moved by Councillor Whyte, seconded by Councillor Mitchell

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

Voting

The voting was as follows:

For the Motion (as adjusted)	-	53 votes
For Amendment 3	-	9 votes

(For the Motion (as adjusted): Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Bennett, Biagi, Booth, Burgess, Caldwell, Lezley Marion Cameron, Campbell, Dalglish, Davidson, Day, Dijkstra-Downie, Dobbin, Faccenda, Flannery, Fullerton, Gardiner, Glasgow, Graham, Griffiths, Heap, Hyslop, Jenkinson, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Meagher, Miller, Mumford, Nicolson, Nols-McVey, O'Neill, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie

For Amendment 3: Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

Decision

To approve the following adjusted motion by Councillor Davidson:

- 1) To recognise the critical importance of addressing the ongoing public health crisis of drug deaths in light of recent figures showing increased deaths in Edinburgh. At the same time, Scotland overall had seen a decrease in fatalities.
- 2) To welcome the recent advice published by the Lord Advocate regarding the legal status of Safe Consumption Rooms, wherein she stated she 'would be prepared to publish a prosecution policy that it would not be in the public interest to prosecute drug users for simple possession offences committed within a pilot safer drugs consumption facility.'
- 3) To note the guarantee given by the Secretary of State for Scotland, Alister Jack, who stated 'if the Scottish Government and the Lord Advocate decide to proceed with a pilot and on DCRs, drugs consumption rooms, the UK Government will not intervene.'

- 4) To reaffirm the Council's commitment in June 2022 to support the principle of a safe consumption room and community drug checking facilities for Edinburgh.
- 5) To commit to support rapid action on the feasibility study that was due to the next Policy and Sustainability Committee
- 6) To commit to working with the Alcohol and Drugs Partnership and IJB to ensure that any such facility had a sound financial footing.
- 7) To note that a report was being prepared for the Policy and Sustainability Committee exploring the feasibility of an Edinburgh safe consumption room.
- 8) To further note that this report was taking slightly longer than anticipated to prepare given the extended time taken to obtain the correct ethical approvals for research interviews, including with those with living experience, and that the report would be complete within the next couple of months and able to be reported to the January meeting of the Policy and Sustainability Committee
- 9) To request the council leader to write to the Scottish Government requesting their support for an Edinburgh Safe Consumption Room and community drug checking facilities following consideration of the feasibility report at the January Policy and Sustainability Committee in order that a more specific request for the most appropriate model identified through the feasibility report could be sought.
- 10) To note that on 7th September 2023 Glasgow City Council approved a motion to adopt a formal position in favour of decriminalisation of all drugs for personal use in line with the Scottish Governments public health approach which passed with the support of SNP, Scottish Green Party and Conservative Councillors. This position reflected that much of Scotland's drug use was hidden and illegality contributed to the stigma and discrimination that people faced. To therefore agree to join Glasgow City Council in formally adopting this position in Edinburgh and agree that the Council Leader should write to the UK and Scottish Governments outlining the cities support.

19 Sexual Health Services in Edinburgh – Motion by Councillor Davidson

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

“Council

Notes:

- 1) In response to Question 25 at the meeting of the Council on 31 August 2023 it was confirmed that only 11-13% of online requests for sexual health testing kits were met by Lothian Sexual & Reproductive Health Services (LSRHS).
- 2) LSRHS have resumed face to face testing for those without symptoms in response to these concerning figures.
- 3) That the online ordering was part of a national pilot which ended in August.

Agrees

- 4) Access to sexual health testing should be available and accessible to everyone that wants it within a short period of time.
- 5) That ideally online ordering of tests will continue but this option should only be pursued if it is properly resourced and available.

Requests:

- 6) That in light of the review following the end of the national pilot a briefing note should be provided to council IJB representatives and members of policy and sustainability within the next three months on the availability of tests and appointments within Lothian Sexual & Reproductive Health Services (LSRHS).”

Decision

To continue consideration of the motion to the next meeting of the Council on 2 November 2023.

20 Retail, Trades and Business Parking Permits – Places of Worship – Motion by Councillor McKenzie

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

“Council -

Notes:

- 1) The vital role that places of worship play in our communities, not just for their own members, but frequently in the provision of space and support for the wider community.
- 2) The challenges experienced by places of worship in the face of ongoing reductions in regular attendance, and the consequent requirement for those who manage places of worship to travel between multiple venues as part of their working day.
- 3) That the Strategic Parking Review is introducing Controlled Parking Zones into areas of the city where places of worship are among the only community spaces available.
- 4) The Retail, Trades and Business Parking Permits policy excludes places of worship from access to parking permits.
- 5) This means, for example, that Tobacconists, Letting Agents and Clairvoyants qualify for parking permits, but Church Ministers do not.

Agrees:

- 6) That a report be presented to the Transport and Environment Committee on 16th November 2023 on amending the Retail, Trades and Business Parking Permits policy for all Peripheral and Extended Zones to include places of worship.”

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

Decision

To approve the motion by Councillor McKenzie.

21 Early Years – Motion by Councillor McKenzie

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

“Council –

Notes:

- 1) The Business Bulletin presented to the Education, Children and Families Committee on 5th September 2023 contains an item titled ‘Early Years Change Programme’ which states, in full:

“In order to achieve best value and the highest quality of service delivery, the model for provision of early learning and childcare is due to be submitted to the council’s change programme to be included as one of the key portfolios for change.”

- 2) The ‘Revenue Monitoring 2023/24 – month three report’, presented to the same committee meeting states:

“A further reduction of £6.0m in ringfenced Scottish Government funding for Early Years following the transition to a fully needs-based allocation methodology has contributed to in-year pressure of £3.5m”.

- 3) That no further details of either the proposed changes to delivery of early learning and childcare, or the reduction in funding to Early Years have been provided to Committee.

Agrees:

- 4) That the development of the changes to the delivery of early learning and childcare alongside substantial cuts to the budget of the service requires close scrutiny from elected members.
- 5) That a report will be presented to the Education, Children and Families Committee of 7th November 2023 which will include:
 - a) Details of changes to the model for provision of early learning and childcare being submitted to the Council’s ‘change programme’, along with an outline of the engagement that led to the proposals and a schedule for the process of assessing the potential impacts of these changes.
 - b) Further information on the reduction in ringfenced Scottish Government funding for Early Years, including details of when and how this

reduction was communicated to the Council, and an outline of the specific steps being proposed to bridge the resulting funding gap.

- c) Further information on changes to the allocation of discretionary early years places, including on how the decision was made to change the allocation process and how the impacts of the change are being assessed.”

- moved by Councillor McKenzie, seconded by Councillor Kumar

Decision

To approve the motion by Councillor McKenzie.

22 Tram Inquiry – Motion by Councillor Day

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

“Council:

Notes Lord Hardie has published his Tram Inquiry findings.

Notes its extensive nature, cost and lengthy timescale.

Requests a report on these findings and implications to the November Transport and Environment Committee, then to the December Full Council meeting as a matter of urgency.”

Motion

To approve the motion by Councillor Day.

- moved by Councillor Day, seconded by Councillor Arthur

Amendment

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

“Council agrees that the Chief Executive’s report should include, but not be limited to, implications for future project management practices, and information and/or proposed actions on the following topics:

- a) A briefing on why the final cost of the initial tram project was reported to councillors at a far lower sum than evidenced by Lord Hardie and who is responsible for this inaccurate information being reported to councillors;
- b) A copy of the Council’s Corporate response to the Maxwellisation process for Lord Hardie’s draft report be provided to all councillors;

- c) An update on the possibility of recourse for the Council to recoup public funds through legal action, either through currently sisted actions or otherwise, against corporations or individuals (including through individuals' professional indemnity insurance);
- d) The outcome of any action to be taken regarding any individuals still in the employ of the Council as a result of the findings;
- e) Given recommendations 20-24 inclusive regarding officer candour (notwithstanding any future resulting statutory process by the Scottish Government and regardless of whether this is likely to happen in other Councils) the Chief Executive should outline the steps necessary to swiftly make this duty a contractual requirement for Council officers, ALEO staff, and contractors, backed up by robust disciplinary or contractual penalties such that a failure in this regard would be considered gross misconduct or a breach of contract.

Council notes that the subsequent report may contain confidential information about individuals or be subject to legal privilege and recognises that the report may have to be addressed in private. However, for the sake of public transparency, a public report should be provided with any necessary private material published for councillors in a confidential annex."

- moved by Councillor Whyte, seconded by Councillor Munro

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

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note Lord Hardie had published his Tram Inquiry findings.
- 2) To note its extensive nature, cost and lengthy timescale.
- 3) To request a report on these findings and implications to the November Transport and Environment Committee, then to the December Full Council meeting as a matter of urgency.
- 4) To agree that the Chief Executive's report should include, but not be limited to, implications for future project management practices, and information and/or proposed actions on the following topics:
 - a) A briefing on why the final cost of the initial tram project was reported to councillors at a far lower sum than evidenced by Lord Hardie and who is responsible for this inaccurate information being reported to councillors;

- b) A copy of the Council's Corporate response to the Maxwellisation process for Lord Hardie's draft report be provided to all councillors;
 - c) An update on the possibility of recourse for the Council to recoup public funds through legal action, either through currently sisted actions or otherwise, against corporations or individuals (including through individuals' professional indemnity insurance);
 - d) The outcome of any action to be taken regarding any individuals still in the employ of the Council as a result of the findings;
 - e) Given recommendations 20-24 inclusive regarding officer candour (notwithstanding any future resulting statutory process by the Scottish Government and regardless of whether this was likely to happen in other Councils to ask the Chief Executive to provide assurance that there were robust arrangements in place to deal with allegations of breaches of the Employee Code of Conduct. In addition, the Chief Executive should provide assurance of any arrangements in place for ALEOs and contractors.
- 5) To note that the subsequent report might contain confidential information about individuals or be subject to legal privilege and recognise that the report may have to be addressed in private. However, for the sake of public transparency, a public report should be provided with any necessary private material published for councillors in a confidential annex.

23 Devolution of Workers Rights – Motion by Councillor Macinnes

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

“Council welcomes the Unite motion at the recent Trades Union Congress which supported the devolution of employment law to the Scottish Parliament.

Council notes the TUC General Council has agreed to campaign for devolution of employment law as well as repealing all Tory anti-trade union laws including the Strikes Bill and the Trade Union Act 2016.

Council further notes comments of the STUC General Secretary, Roz Foyer: 'It's clear, especially to any incoming UK Labour government, that the voices of workers across the country now support the Scottish Parliament having full autonomy over labour and employment rights.'

Therefore, requests that the Council Leader writes to the leaders of all parties at Holyrood and the four main parties in Westminster expressing Edinburgh council's support for the STUC position, explicitly supporting the devolution of employment law

to the Scottish Parliament. This would allow the Scottish Government to make further progress, in collaboration with the trade unions, in overcoming the current lack of current powers in these areas.”

Motion

To approve the motion by Councillor Macinnes.

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

Amendment 1

To delete all of the motion by Councillor Macinnes and insert:

“Council believes all British workers, irrespective of which part of the United Kingdom they live and work in, are deserving of fair and robust employment rights and for those rights to be enshrined in law.”

- moved by Councillor Lang, seconded by Councillor Beal

Amendment 2

To take no action on the motion by Councillor Macinnes.

- moved by Councillor Doggart, seconded by Councillor Bruce

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

In accordance with Standing Order 24(4), the Lord Provost ruled that a first vote be taken for or against Amendment 2 for no action.

Voting

First Vote

The voting was as follows:

For Amendment 2	-	9 votes
Against Amendment 2	-	53 votes

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

Against the Amendment 2; Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Bennett, Biagi, Booth, Burgess, Caldwell, Lezley Marion Cameron, Campbell, Dalgleish, Davidson, Day, Dijkstra-Downie, Dobbin, Faccenda, Flannery, Fullerton, Gardiner, Glasgow, Graham, Griffiths, Heap, Hyslop, Jenkinson, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Meagher,

Miller, Mumford, Nicolson, Nols-McVey, O'Neill, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie.)

As the vote for no action was lost, a second vote was then taken between the Motion by Councillor Macinnes (as adjusted) and Amendment 1 by Councillor Lang.

Second Vote

The voting was as follows:

Voting

For the Motion (as adjusted)	-	40 votes
For Amendment 1	-	22 votes

(For the Motion (as adjusted) – Councillors Arthur, Aston, Bandel, Biagi, Booth, Burgess, Campbell, Lezley Marion Cameron, Dalgleish, Day, Dobbin, Faccenda, Fullerton, Gardiner, Glasgow, Graham, Griffiths, Jenkinson, Heap, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Meagher, Miller, Mumford, Nicolson, Nols-McVey, O'Neill, Parker, Pogson, Rae, Staniforth, Walker, Watt and Work.

For Amendment 1 – Lord Provost, Councillors Beal, Bennett, Bruce, Caldwell, Cowdy, Davidson, Dijkstra-Downie, Daggart, Flannery, Jones, Lang, Mitchell, Mowat, Munro, Osler, Ross, Rust, Thornley, Whyte, Young and Younie.)

Decision

To approve the following adjusted motion by Councillor Macinnes:

- 1) To welcome the Unite motion at the recent Trades Union Congress which supported the devolution of employment law to the Scottish Parliament.
- 2) To note the TUC General Council had agreed to campaign for devolution of employment law as well as repealing all Tory anti-trade union laws including the Strikes Bill and the Trade Union Act 2016.
- 3) To further note comments of the STUC General Secretary, Roz Foyer: 'It's clear, especially to any incoming UK Labour government, that the voices of workers across the country now support the Scottish Parliament having full autonomy over labour and employment rights.'
- 4) To therefore, request that the Council Leader write to the leaders of all parties at Holyrood and the four main parties in Westminster expressing Edinburgh council's support for the STUC position, explicitly supporting the devolution of employment law to the Scottish Parliament. This would allow the Scottish Government to make further progress, in collaboration with the trade unions, in overcoming the current lack of current powers in these areas.

- 5) To believe all British workers, irrespective of which part of the United Kingdom they lived and worked in, were deserving of fair and robust employment rights and for those rights to be enshrined in law

24 Digital Connectivity Old Town – Motion by Councillor Mowat

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

“Council notes that certain areas of the Old Town do not have access to fibre broadband from any provider (Openreach, City Fibre, Virgin Media and Hyperoptic) and are left to rely on single digit standard broadband that requires a phone line and is below the USO*:

(*"Universal Service Obligation: A Universal Service Obligation for broadband was launched in 2020. Regulated by Ofcom, everyone in the UK has a legal right to request a broadband connection of at least 10Mbps.")

That We Link was providing broadband services until they withdrew in August 2023 leaving large areas to rely on single digit broadband and inadequate mobile data coverage which struggles to provide a service when the Old Town is busy;

That reliable and affordable broadband or fibre is a necessary utility for residents and businesses who struggle to serve customers during busy peaks and that there was very poor data coverage during the Festival which impacts negatively on residents, businesses and visitors despite data boosters being put in place;

Requests a report in two cycles to the Governance, Risk and Best Value Committee on:

- 1) the withdrawal of We Link;
- 2) information on provision of broadband/fibre given UK and Scottish Government commitments to provide full fibre coverage and the governance on delivering this; and
- 3) Information on whether there is a role for the Council to work with fibre and broadband providers and telecoms companies to improve coverage.”

Motion

To approve the motion by Councillor Mowat.

- moved by Councillor Mowat, seconded by Councillor Doggart

Amendment

- 1) In the first paragraph of the motion by Councillor Mowat, delete “Old Town” and insert “World Heritage Site”.

2) Insert after paragraph three in the motion:

“Understands that whilst Starlink is significantly more expensive than other providers at £75 per month it does provide a viable interim option to provide high speed low latency internet for residents or businesses.

Notes that the rollout of R100 is delivered by contract, which was awarded to BT Openreach in 2019 but due to the impact of the COVID-19 pandemic initial targets have moved. The Scottish Government now says that it expects to be able to complete the original R100 Contracts scheme during 2028.

Understands that The Scottish Government announced a supplementary scheme, the R100 Scottish Broadband Voucher Scheme in August 2020 to help mitigate this. This scheme provides funding of up to £5000 to help homes and businesses not in scope of either Reaching 100% (R100) contracts or planned commercial investment to obtain superfast broadband where providers may not ordinarily go. Part of the SBVS includes targeting additional support towards those areas and premises which were due to get superfast broadband later in the R100 rollout which included an interim £400 voucher and in harder to reach areas an additional £250 voucher. Residents may be able to make use of this scheme and can find more details on the [Digital Scotland Superfast Broadband](#) website “

- moved by Councillor McFarlane, seconded by Councillor Aston

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

Decision

To approve the following adjusted motion by Councillor Mowat:

1) To note that certain areas of the World Heritage Site did not have access to fibre broadband from any provider (Openreach, City Fibre, Virgin Media and Hyperoptic) and were left to rely on single digit standard broadband that required a phone line and was below the USO*:

(*"Universal Service Obligation: A Universal Service Obligation for broadband was launched in 2020. Regulated by Ofcom, everyone in the UK has a legal right to request a broadband connection of at least 10Mbps.").

2) To note that We Link was providing broadband services until they withdrew in August 2023 leaving large areas to rely on single digit broadband and inadequate mobile data coverage which struggled to provide a service when the Old Town is busy.

- 3) To note that reliable and affordable broadband or fibre was a necessary utility for residents and businesses who struggled to serve customers during busy peaks and that there was very poor data coverage during the Festival which impacted negatively on residents, businesses and visitors despite data boosters being put in place.
- 4) To understand that whilst Starlink was significantly more expensive than other providers at £75 per month it did provide a viable interim option to provide high speed low latency internet for residents or businesses.
- 5) To note that the rollout of R100 was delivered by contract, which had been awarded to BT Openreach in 2019 but due to the impact of the COVID-19 pandemic initial targets had moved. The Scottish Government now said that it expected to be able to complete the original R100 Contracts scheme during 2028.
- 6) To understand that The Scottish Government announced a supplementary scheme, the R100 Scottish Broadband Voucher Scheme in August 2020 to help mitigate this. This scheme provided funding of up to £5000 to help homes and businesses not in scope of either Reaching 100% (R100) contracts or planned commercial investment to obtain superfast broadband where providers might not ordinarily go. Part of the SBVS included targeting additional support towards those areas and premises which were due to get superfast broadband later in the R100 rollout which included an interim £400 voucher and in harder to reach areas an additional £250 voucher. Residents might be able to make use of this scheme and could find more details on the [Digital Scotland Superfast Broadband](#) website.
- 7) To request a report in two cycles to the Governance, Risk and Best Value Committee on:
 - a) the withdrawal of We Link;
 - b) information on provision of broadband/fibre given UK and Scottish Government commitments to provide full fibre coverage and the governance on delivering this; and
 - c) Information on whether there is a role for the Council to work with fibre and broadband providers and telecoms companies to improve coverage

25 More Public Toilets for Portobello – Motion by Councillor Jones

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

“Council

Notes that Portobello is one of the most popular destinations for the city of Edinburgh residents and for tourists and attracts large numbers of visitors each year, especially in the summer months. In very good weather the beach and the Promenade are extremely crowded, and it is estimated that on any given day there could be many thousands of visitors.

Notes that there are only two sets of public toilets, one in Bath Street, which is not on the Promenade and visitors have to travel the full length of the street to access them. The other is at the far end of the Promenade past the Tower Amusements.

Notes that the public toilet facilities in Bath Street, which are in need of upgrading, fall far short of the facilities required to cope with such large numbers of visitors.

Notes that owners of cafes and restaurants on the Promenade are usually full to capacity during the summer months and that for visitors to ask to use their facilities puts an impossible strain on these businesses.

Notes that businesses have refused entry to visitors who are not customers, and this has sometimes resulted in anti-social behaviour and some members of the public urinating in public spaces.

Council, therefore, requests that a report be submitted in one cycle to examine the feasibility and cost of building new public toilets and shower facilities in a location which is situated in a central position on the Promenade and close to the beach.”

Motion

To approve the motion by Councillor Jones.

- moved by Councillor Jones, seconded by Councillor Rust

Amendment 1

To add to the end of the motion by Councillor Jones:

“Council further requests that a more wide-ranging report be prepared to look at

public toilet provision in areas of high demand – where temporary provision has been made.”

- moved by Councillor Arthur, seconded by Councilor Lezley Marion Cameron

Amendment 2

To add to the end of the motion by Councillor Jones:

“Council notes that on Thursday 25th August 2022 a motion passed which stated:

- “6) To agree, as shareholder, that toilets in Edinburgh Leisure buildings before any barriers should be open to the public

And further notes that on Tuesday 17th January 2023 a Business Bulletin item at Policy and Sustainability committee stated that:

“Edinburgh Leisure have confirmed that the majority of their toilets are beyond access control arrangements or in customer changing areas. The only exception to this is at the new Meadowbank, where there are toilets in the café area in the foyer and are therefore accessible to the public (in advance of any access control arrangements).”

Agrees that ‘beyond access control arrangements’ is not the same as ‘before any barriers’, and notes there are no barriers in place at the Portobello Swim Centre and the toilets are not in a changing area.

Therefore agrees that the toilets at Portobello Swim Centre should be opened up to the public as soon as practically possible in order to help address the issues detailed in the above motion and therefore instructs the Chief Executive to request this action is carried out.

Further, recognising a review of public convenience signage at the promenade is underway, agrees that council officers will ensure signage is installed to signpost that the toilets at Joppa Rocks are open to the public by the end of year.

- moved by Councillor Campbell, seconded by Councillor Mumford

Amendment 3

Council

- 1) Inserts “permanent” into line 1 of the second paragraph of the motion by Councillor Jones before “public toilets”.

2) Inserts a new third paragraph into the motion as follows:

“Notes temporary toilet facilities were installed this summer in Straiton Place Park and shall remain there until the end of October 2023”.

3) Removes final paragraph of the motion and replaces with:

“Council agrees the importance of providing suitable and accessible toilet and washing facilities near a beach and therefore requests a note be included in the Business Bulletin for the December meeting of Culture and Communities Committee on the cost of providing temporary washing facilities within the vicinity of the Promenade.”

4) Inserts at the end of the motion:

“Council further requests a report, to Culture and Communities Committee within two cycles on the current condition of the two permanent toilet facilities in the Portobello/Craigmillar ward, at Bath Street and Pipe Lane, and on the feasibility and cost of building new public toilets and shower facilities located in a central position on the Promenade and close to the beach.”.

- moved by Councillor Osler, seconded by Councillor Thornley

In accordance with Standing Order 22(12), Amendment 1 was accepted as an addendum to the Motion and Amendment 3 was accepted as an amendment to the Motion.

In accordance with Standing Order 22(12), Amendment 2 was accepted as an addendum to Amendment 1 and Amendment 3 was accepted as an amendment to Amendment 1.

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

Voting

The voting was as follows:

First Vote

For the Motion (as adjusted)	-	22 votes
For Amendment 1 (as adjusted)	-	12 votes
For Amendment 2 (as adjusted)	-	28 votes

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

For Amendment 1 (as adjusted): Councillors Arthur, Lezley Marion Cameron, Dalgleish, Day, Faccenda, Graham, Griffiths, Jenkinson, Meagher, Pogson, Walker and Watt.

For Amendment 2 (as adjusted): Councillors Aston, Bandel, Biagi, Booth, Burgess, Campbell, Dobbin, Fullerton, Gardiner, Glasgow, Heap, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Miller, Mumford, Nicolson, Nols-McVey, O'Neill, Parker, Rae, Staniforth and Work.)

There being no overall majority, Amendment 1 fell, and a second vote was taken between the Motion (as adjusted) and Amendment 2 (as adjusted).

Second Vote

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

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

For Amendment 2 (as adjusted): Councillors Aston, Bandel, Biagi, Booth, Burgess, Campbell, Dobbin, Fullerton, Gardiner, Glasgow, Heap, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Miller, Mumford, Nicolson, Nols-McVey, O'Neill, Parker, Rae, Staniforth and Work.)

Decision

To approve the following adjusted Motion by Councillor Jones:

- 1) To note that Portobello was one of the most popular destinations for the city of Edinburgh residents and for tourists and attracts large numbers of visitors each year, especially in the summer months. In very good weather the beach and the Promenade were extremely crowded, and it was estimated that on any given day there could be many thousands of visitors.
- 2) To note that there were only two sets of permanent public toilets, one in Bath Street, which was not on the Promenade and visitors had to travel the full length of the street to access them. The other was at the far end of the Promenade past the Tower Amusements.
- 3) To note that the public toilet facilities in Bath Street, which were in need of upgrading, fell far short of the facilities required to cope with such large numbers of visitors.

- 4) To note temporary toilet facilities were installed this summer in Straiton Place Park and would remain there until the end of October 2023.
- 5) To note that owners of cafes and restaurants on the Promenade were usually full to capacity during the summer months and that for visitors to ask to use their facilities put an impossible strain on these businesses.
- 6) To note that businesses had refused entry to visitors who were not customers, and this had sometimes resulted in anti-social behaviour and some members of the public urinating in public spaces.
- 7) To agree the importance of providing suitable and accessible toilet and washing facilities near a beach and therefore request a note be included in the Business Bulletin for the December meeting of the Culture and Communities Committee on the cost of providing temporary washing facilities within the vicinity of the Promenade.
- 8) To further request that a more wide-ranging report be prepared to look at public toilet provision in areas of high demand – where temporary provision had been made.
- 9) To further request a report, to the Culture and Communities Committee within two cycles on the current condition of the two permanent toilet facilities in the Portobello/Craigmillar ward, at Bath Street and Pipe Lane, and on the feasibility and cost of building new public toilets and shower facilities located in a central position on the Promenade and close to the beach.

26 Pancreatic Cancer Awareness Month – Motion by Councillor Munro

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

“Council Notes that November is Pancreatic Cancer Awareness Month.

Pancreatic cancer is often discovered at an advanced stage, making it one of the deadliest cancers. While survival rates have improved enormously for most cancers. Sadly, for pancreatic cancer, this is not the case. Currently, more than half of people diagnosed with pancreatic cancer die within three months.

Council notes that Pancreatic cancer can be difficult to diagnose because it doesn't usually cause many specific symptoms in the early stages, and [symptoms](#) can be quite vague.

Council agrees there is a need to improve survival rates of pancreatic cancer by ensuring more people are diagnosed early and that everyone has access to effective treatments, support, information, and care.

Council further agrees to highlight Pancreatic Cancer Awareness Month throughout our public buildings through signage, leaflets, and information. The aim being to improve survival rates from pancreatic cancer by ensuring more people are diagnosed early and that everyone has access to effective treatments, support, information, and care.”

- moved by Councillor Munro, seconded by Councillor Jones

Decision

To approve the motion by Councillor Munro.

27 City Chambers Quadrangle Operations – Motion by Councillor Arthur

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

“Council:

Notes and welcomes the increased use of the City Chambers Quadrangle for public events, not least weddings.

Agrees, however, that this adds to the risk of injury due to the number of drivers entering the Quadrangle.

Reminds Councillors & Staff that City Chambers car parking is for essential users only, and that taxis should normally be called to the High Street unless the user has a mobility problem.

Notes that the City Chambers bike racks are often full and do not accommodate non-standard bikes.

Notes the lack of changing facilities in the City Chambers.

Agrees that options to improve pedestrian safety & cycling parking at the City Chambers, and the surrounding area, including appropriate facilities, should be reported to the Finance and Revenue Committee by March 2024

Agrees that any options should not result in the loss of pedestrian space and must respect the civic use of the City Chambers and heritage value of the area.”

Motion

To approve the motion by Councillor Arthur.

- moved by Councillor Arthur, seconded by Councillor Faccenda

Amendment

“Numbers paragraphs accordingly.

- 1) Insert new paragraph (now 4) after “[...] has a mobility problem, in the motion by Councillor Arthur”:
 - 4) Is also reminded of previous discussions and Council questions, motions and reports brought in 2016, 2019 and 2020 respectively that looked at the need to reduce thoroughfare traffic, time that drivers were spent waiting in the quadrangle and noted the lack of a clear policy on what is ‘legitimate and reasonable use’
- 2) Insert the word “accessible” before “changing facilities”, and insert the words “for all genders” after the words “changing facilities” in the motion.
- 3) Insert new paragraphs (now 7 and 8) after “[...] changing facilities in the City Chambers” in the motion:
 - “7) Further notes the Council’s goals to lower the number of kilometres travelled by car in the city by 30% under the City Mobility Plan and change street layouts to allocate space in a way that is fair for all users as there remains increasing levels of private car use which is not sustainable, according to the Council’s Future Streets approach.
 - 8) Believes that the Council should lead by example by restricting access of motor vehicles to the City Chambers quadrangle, including the Lord Provost’s car or civic cars waiting to collect the Lord Provost or elected members.”
- 4) *Deletes final paragraph (now 9) of the motion and replaces with:*
 - 9) Requests that the report includes consideration of how a fully pedestrianised Quadrangle will:
 - a) Improve the experience of people walking, wheeling and cycling through the area
 - b) Improve and respect the heritage value of the area
 - c) Maintain access for emergency services, emergency maintenance and those with accessibility requirements under the Equality Act (2010)”

- moved by Councillor O’Neill, seconded by Councillor Booth

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

Decision

To approve the following adjusted motion by Councillor Arthur:

- 1) To note and welcome the increased use of the City Chambers Quadrangle for public events, not least weddings.
- 2) To agree, however, that this added to the risk of injury due to the number of drivers entering the Quadrangle.
- 3) To remind Councillors and Staff that City Chambers car parking was for essential users only, and that taxis should normally be called to the High Street unless the user has a mobility problem.
- 4) To also be reminded of previous discussions and Council questions, motions and reports brought in 2016, 2019 and 2020 respectively that looked at the need to reduce thoroughfare traffic, time that drivers spent waiting in the quadrangle and noted the lack of a clear policy on what was 'legitimate and reasonable use'
- 5) To note that the City Chambers bike racks were often full and did not accommodate non-standard bikes.
- 6) To note the lack of accessible changing facilities for all genders in the City Chambers.
- 7) To further note the Council's goals to lower the number of kilometres travelled by car in the city by 30% under the City Mobility Plan and change street layouts to allocate space in a way that was fair for all users as there remained increasing levels of private car use which was not sustainable, according to the Council's Future Streets approach.
- 8) To believe that the Council should lead by example by restricting access of motor vehicles to the City Chambers quadrangle, including the Lord Provost's car or civic cars waiting to collect the Lord Provost or elected members.
- 9) To agree that options to improve pedestrian safety and cycling parking at the City Chambers, and the surrounding area, including appropriate facilities, should be reported to the Finance and Resources Committee by March 2024.

- 10) To request that the report include consideration of how a fully pedestrianised Quadrangle would:
- a) Improve the experience of people walking, wheeling and cycling through the area;
 - b) Improve and respect the heritage value of the area;
 - c) Maintain access for emergency services, emergency maintenance and those with accessibility requirements under the Equality Act (2010).

28 Edinburgh School Uniform Bank – Motion by Councillor Faccenda

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

“Council notes and congratulates the invaluable work being carried out by the Edinburgh School uniform Bank which was established in 2015 as the Edinburgh Back to School Bank.

Council recognises the essential role the Edinburgh School Uniform Bank serves in ensuring that all Edinburgh school pupils have access to new and good as new school clothes and the uniform packs they provide help give children the dignity to attend school without being self-conscious and that this makes an enormous difference to their inclusion in school life and that in providing this help the ESUB are collecting essential data on families in Edinburgh and the impact of the cost of living crisis.

Council recognises that although some families qualify for the School Clothing Grant the application process is complicated and some families remain unaware of its existence and of their eligibility to both this and holiday payments and that many families are failing to qualify for School Clothing Grants by as little as £20 and that although we welcome the provision of free school meals for all P1-5 and would like to see this extended to all school children, there are some families who do not realise they still have to apply so they will receive their clothing grant and holiday payments.

Council requests that a report should be brought to Education, Children and Families Committee in two cycles detailing:

- How many families in P1-5 are eligible but are not receiving their clothing grant and/or holiday payments.
- How earlier opening of the application process can help families get everything ready for the new school term.

- How we can ensure families with NRPF are aware of the ESUB and that they can use its services.
- How the application for the School clothing Grant can be simplified and made more accessible including running sessions in schools prior to the end of term.
- Where schools already have uniform banks and how those can work in partnership with ESUB and have access to more stock.”

Motion

To approve the motion by Councillor Faccenda.

- moved by Councillor Faccenda, seconded by Councillor Graham

Amendment

Council

After “more stock” in the motion by Councillor Faccenda insert additional bullet points stating:

- Capacity for a promotional campaign encouraging uptake of the school uniform grant
- Steps being taken to ensure that uniform policies in council schools are not resulting in excessive financial pressures on families.”

- moved by Councillor Davidson, seconded by Councillor Young

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

Decision

To approve the following adjusted motion by Councillor Faccenda:

- 1) To note and congratulate the invaluable work being carried out by the Edinburgh School uniform Bank which was established in 2015 as the Edinburgh Back to School Bank.
- 2) To recognise the essential role the Edinburgh School Uniform Bank served in ensuring that all Edinburgh school pupils had access to new and good as new school clothes and the uniform packs they provided helped give children the dignity to attend school without being self-conscious and that this makes an enormous difference to their inclusion in school life and that in providing this help the ESUB were collecting essential data on families in Edinburgh and the impact of the cost of living crisis.

- 3) To recognise that although some families qualified for the School Clothing Grant the application process was complicated and some families remained unaware of its existence and of their eligibility to both this and holiday payments and that many families were failing to qualify for School Clothing Grants by as little as £20 and that although we welcomed the provision of free school meals for all P1-5 and would like to see this extended to all school children, there were some families who did not realise they still had to apply so they would receive their clothing grant and holiday payments.
- 4) To request that a report should be brought to Education, Children and Families Committee in two cycles detailing:
 - How many families in P1-5 were eligible but were not receiving their clothing grant and/or holiday payments.
 - How earlier opening of the application process could help families get everything ready for the new school term.
 - How we could ensure families with NRPF were aware of the ESUB and that they could use its services.
 - How the application for the School clothing Grant could be simplified and made more accessible including running sessions in schools prior to the end of term.
 - Where schools already had uniform banks and how those could work in partnership with ESUB and have access to more stock.
 - Capacity for a promotional campaign encouraging uptake of the school uniform grant.
 - Steps being taken to ensure that uniform policies in council schools were not resulting in excessive financial pressures on families.

29 Gaelic Medium Education Secondary School – Potential Use of Police Scotland Site – Motion by Councillor Booth

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

“Council:

- 1) notes that in a report to Education, Children and Families Committee on 20 September 2022, the potential to use the Police Scotland headquarters at Fettes for a possible future Gaelic Medium Education (GME) high school was ruled out, on the basis that Police Scotland were still using the site;

- 2) notes comments by James Gray, Police Scotland's Chief Financial Officer, in evidence to the Scottish Parliament's Criminal Justice Committee on 13 September 2023 stating that reinforced autoclaved aerated concrete (RAAC) had been found in the Police Headquarters building at Fettes, and that Police Scotland were therefore looking to start a consultation on "exiting" Fettes;
- 3) believes that, while it is likely Police Scotland will be expecting a capital receipt for the site, nonetheless the potential for assistance from the Scottish Government in exploring the feasibility of transferring part of the Police Scotland HQ to the council to be used as a future GME secondary should be further explored;
- 4) therefore agrees that the council leader will write to the Cabinet Secretary for Education and the Chief Constable of Police Scotland seeking an urgent discussion on the feasibility of using part of the Fettes site for a future GME High School for the capital."

Motion.

To approve the motion by Councillor O'Neill.

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

Amendment 1

Council

Deletes all of the motion by Councillor O'Neill after paragraph 2 and inserts:

- 3) Understands that the Fettes Police site is being considered as Place 6 within the City Plan 2030 and includes within it, along with an element of housing, a potential annexe for Flora Stevenson Primary School, and a new open river channel all along the northern boundary to help alleviate potential flooding issues in the wider area.
- 4) Understands that there is already a representation against the above annexe which the Reporter will be considering.
- 5) Understands that it was an SNP pledge to provide a centrally located GME secondary school and much discussion has already been had about where the school may be situated and the funding required to provide it.
- 6) Understands the previous Cabinet Secretary for Education Shirley-Anne Somerville had engaged with Council Officials and the Education Convenor, were unable to offer an alternative viable site, and supported efforts to find a workable solution in a shared campus with the replacement Liberton High School.

- 7) Therefore, agrees that the Council Leader write to the new Cabinet Secretary for Education to see if there is any change from previous discussions which would allow for new consideration of any of the sites previously considered for a dedicated GME Secondary School.

- moved by Councillor Osler, seconded by Councillor Davidson

Amendment 2

To remove point 4 in the motion by Councillor O'Neill and amend Point 3 of the motion to read:

“Notes the designation and principals of site H32 in the proposed City Plan 2023 and awaits the completion of the Scottish Government’s examination.”

- moved by Councillor Mitchell, seconded by Councillor Mowat

Amendment 3

To continue consideration of the motion by Councillor O'Neill until the end of the examination period for the end of the City Plan 2030.

- moved by Councillor Macinnes, seconded by Councillor Nols-McVey

In accordance with Standing Order 24(4), the Lord Provost ruled that a first vote be taken for or against Amendment 3 for continuation.

Voting

First Vote

The voting was as follows:

Voting

For Amendment 3	-	51 votes
Against Amendment 3	-	8 votes

(For Amendment 3 – Councillors Lord Provost, Councillors Arthur, Aston, Beal, Bennett, Biagi, Caldwell, Lezley Marion Cameron, Campbell, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Dixon, Dobbin, Doggart, Faccenda, Flannery, Fullerton, Gardiner, Glasgow, Graham, Griffiths, Hyslop, Jenkinson, Jones, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, Meagher, Mitchell, Mowat, Munro, Nicolson, Nols-McVey, Osler, Pogson, Ross, Rust, Thornley, Walker, Watt, Whyte, Work, Young and Younie.

Against Amendment 3 – Councillors Bandel, Heap, Miller, Mumford, O'Neill, Parker, Rae and Staniforth.)

Decision

To continue consideration of the motion by Councillor O'Neill until the end of the examination period for the end of the City Plan 2030.

Declaration of Interests

Councillors Booth and Burgess made a non-financial of interest as the parent of children who attended Gaelic Medium Education and left the meeting during consideration of the above item.

Councillor Bruce made a financial declaration of interest as an employee of Police Scotland and left the meeting during consideration of the above item.

30 Josh Kerr – Motion by Councillor Cowdy

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

“Council notes:

Britain's Josh Kerr produced a stunning run to take 1,500m gold at the World Championships in Budapest.

Council further notes Josh's early membership of Edinburgh Athletics Club and his proven commitment to promoting athletics in the city through recent visits supporting various local clubs.

In what was an incredible race that replicated the success of another Edinburgh runner at last year's World Championships in Oregon, the 25-year-old produced a brilliant final burst to pass Olympic champion Jakob Ingebrigtsen and clinch the title in 3 minutes 29.38 seconds.

He is now the second Edinburgh man to win the world 1,500m title for Great Britain in as many years and comes on the back of his bronze medal in the Tokyo Olympics in 2021.

Council acknowledges the incredible athletic performance of yet another Edinburgh runner and asks that the Lord Provost celebrates this world champion in an appropriate manner.”

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

Decision

To approve the motion by Councillor Cowdy.

31 Scotland's Best Bus Drivers – Motion by Councillor Arthur

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

“Notes that Gary Black (Lothian Buses) and Thomas Gilhooley (East Coast Buses) finished second and third respectively out of 119 entries at the 55th National Final of the UK Bus Driver of the Year Competition which took place in Blackpool on Sunday 3 September.

Notes that Gary also won prizes for Best Driver from a Scottish Depot and Best Placed Finisher by an Association of Local Bus Company Managers Member.

Notes that this follows Lothian bus driver, Adam Stitt, winning the UK Bus Driver of the Year at the 53rd National Final in 2019.

Congratulates Gary & Thomas for the skill and commitment they have shown to be ranked so highly in such a fiercely contested competition which fundamentally focuses on running a safe and accessible bus service and commends Lothian Buses for running their award winning fleet.

Asks that the Lord Provost finds an appropriate way to congratulate Gary & Thomas for being recognised as Scotland's best bus drivers.”

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

Decision

To approve the motion by Councillor Arthur.

32 International Day of the Girl – Motion by Councillor Lezley Marion Cameron

The following motion by Councillor Lezley Marion Cameron was submitted in terms of Standing Order 17:

“Council:

Notes the 11th anniversary of the United Nations International Day of the Girl takes place on 11th October 2023.

Agrees that achieving gender equality and the empowerment of women and girls is integral to each of the 17 UN Sustainable Development Goals; and only by securing the rights of women and girls across all goals can justice and inclusion, economies which work for all, and the sustaining of our shared environment now and for future generations be achieved.

Supports efforts which highlight and address issues affecting girls such as gender inequality, education, nutrition, and medical care; and the provision of more opportunities for girls to have their voices heard locally, nationally and on the global stage.

Recognises that given the skills and opportunities, girls can drive progress to make communities stronger for everyone, including women, boys, and men.

Commends the work of organisations like SHE Scotland which support girls and young women to become more empowered, supported, aspirational and improve their life chances.

Asks that awareness of the UN International Day of the Girl be promoted and raised through Council channels.”

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

Decision

To approve the motion by Councillor Lezley Marion Cameron.

33 Opening of the Eric Liddell Gym – Motion by Councillor Munro

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

“That Edinburgh City Council congratulates the opening of The Eric Liddell Gym at the University of Edinburgh Pleasance Sports Complex named in honour of Eric Liddell, Paris 1924 Olympic gold medallist and University of Edinburgh alumnus.

Notes the refurbishment coincides with the beginning of a new awareness drive launched by The Eric Liddell Community – a group set up to celebrate the athlete. Called Eric Liddell 100 – and timed to coincide with the 100th anniversary of his medal winning run in Paris – the campaign brings together a programme of events and activities to recognise and celebrate his life and achievements.

Track athlete Liddell, whose life was celebrated in the film Chariots of Fire, set a British sprint record in 1923 that stood for 35 years. A sporting all-rounder, he also played rugby for Scotland.

He became a missionary in China in 1925, following his Olympic success.

The new gym was opened by Liddell's niece, Sue Caton.”

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

Decision

To approve the motion by Councillor Munro.

34 Questions

The questions put by members to this meeting, written answers and supplementary questions and answers are contained in Appendix 1 to this minute.

Appendix 1

(As referred to in Act of Council No 34 of 28 September 2023)

QUESTION NO 1

By Councillor Ross for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023

A concern has been raised by one of my constituents about apparently discretionary application of the parking regulations by a parking attendant, favouring commercial vehicles.

Question (1) What evidence would be regarded as sufficient valid evidence to make a case for appropriate action?

Answer (1) Any evidence submitted to the Council's parking team would be considered and assessed to identify if there is any evidence of wrongdoing. Where wrongdoing is identified, appropriate action would be taken.

For information, details on the different observation periods for liveried goods vehicles is contained within the Council's [Parking Enforcement Protocol](#).

Question (2) How can a member of the public report the issue and present that evidence?

Answer (2) Members of the public can submit comments and complaints online on the Council website – [Comments and complaints – The City of Edinburgh Council](#). Complaints and information can also be submitted directly to the Parking team (parking@edinburgh.gov.uk).

Question (3) What action can the Council take if there is sufficient valid evidence that a parking attendant is not enforcing the parking regulations correctly?

Answer (3) Council officers will work with the Council's enforcement contractor if sufficient evidence is identified. The action taken will depend on the individual circumstances of each case but may include additional training or disciplinary action.

QUESTION NO 2

**By Councillor Ross for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 28 September 2023**

On 28 January 2021, the Council agreed to implement 20mph speed limits on 17 streets across the city, including Cluny Gardens and Greenbank Crescent in Ward 10. An update was provided in March this year confirming delivery for four streets and progress on the remaining 13. Completed designs were to be issued to Roads Operations in March for Cluny Gardens and Greenbank Crescent, amongst others, but there is not yet any evidence of implementation. Please can you provide

Question (1) An explanation for the delay in implementation;

Answer (1) I share your concerns and frustration about this. An update to the Transport & Environment Committee on 2nd March 2023 made clear *“Design complete, to be issued to Roads Operations by March 2023”*.

Since this update, responsibility for Road Safety has transferred to a new team. This led to a review of all of the existing commitments in the road safety team’s programme of work, with an updated schedule due to be presented to Transport and Environment Committee in October 2023. The transfer of responsibilities and review of the existing work programme has led to a delay in implementation of the schemes referred to in this question.

Question (2) An update on progress; and

Answer (2) Implementation of 20mph remains one of the top priorities for the road safety team. Although in March we were told the design was complete, I now understand they are currently actively developing the works package, including finalising the designs and confirming the extent of the necessary works and materials required, with the aim of securing a contractor to execute the project efficiently.

Question (3) A timeline for delivery for all 13 remaining streets?

Answer

- (3)** Frustratingly, an exact timeline for the implementation for the remaining 13 streets is not yet available. Once the work packages have been finalised, all stakeholders (including Ward Councillors) will be updated.

QUESTION NO 3

**By Councillor Lang for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 28 September 2023**

Question (1) What new powers are now available to the council to improve bus services in Edinburgh following the laying of the Transport (Scotland) Act 2019 (Commencement No. 7) Regulations 2023?

Answer (1) The Transport (Scotland) Act 2019 is designed to provide local authorities with a range of powers and options to improve the operation of local bus services in their respective areas. These options include allowing local transport authorities to run their own bus services, franchise bus services and/or enter into Bus Service Improvement Partnerships (BSIPs) with bus operators within their areas.

Question (2) What assessment has been made of when and how the Council should use these new powers?

Answer (2) Edinburgh is extremely fortunate to have an existing, high quality and comprehensive bus network covering most of the CEC area. Therefore, this reduces the need for the Council to utilise the options contained in the Transport Act.

However, initial indications are that the most relevant option for Edinburgh would be the potential to enter into BSIPs.

Officers will explore this in detail and will report back as part of the Public Transport Action Plan.

QUESTION NO 4

By Councillor Young for answer by the Convener of the Culture and Communities Committee at a meeting of the Council on 28 September 2023

Question

To ask the Convener for:

- (a) a list of playparks (by ward) which have one or more broken play equipment items, and what % of equipment at each park is still usable.
- (b) Of the list at (a), which of these are fully closed (assumption that all 100% unusable parks will be closed but others may be unsafe to use due to damaged equipment), and since what date has it been closed?
- (c) Of the list at (a), when are they due to re-open

This can be provided as 3 separate lists or a combined table such as the below:

Name of playpark	Ward	Location	% usable	Is playpark still open?	If closed, since what date?	If closed, due date for re-opening?

Answer

The table below details the play areas by ward where one or more items of play equipment is broken. There are three play areas which are currently closed, two for refurbishment and one where repeated vandalism has led to the play park being closed indefinitely.

Table 1: Play areas where one or more items of play equipment is broken (as at September 2023)

Name of play area	Ward	%age usable	Is play area still open?	If closed since what date?	If closed, due date for re-opening?	Notes/Issues
Allison Park, Toddlers	Almond	67%	Yes	N/A	N/A	Multi-unit damaged
Ratho Station Public Park	Almond	80%	Yes	N/A	N/A	Bucket swing damaged
West Princes Street Gardens	City Centre	90%	Yes	N/A	N/A	Refurbishment planned
Meadowfield Park	Craigtintny/Duddingston	80%	Yes	N/A	N/A	Flying fox and slide damaged
Clermiston Park	Drum Brae/Gyle	86%	Yes	N/A	N/A	Rocker damaged
West Pilton Park	Forth	83%	Yes	N/A	N/A	Flying fox damaged
King George V Park, Toddlers, Eyre Place	Inverleith	75%	Yes	N/A	N/A	Swings damaged
Keddie Gardens	Leith Walk	33%	Yes	N/A	N/A	Helter Skelter and roundabout damaged. Ongoing consultation on refurbishment
Leith Links, Juniors	Leith Walk	93%	Yes	N/A	N/A	Flying fox damaged

Montgomery Street Park	Leith Walk	0%	No	Jun-23	Oct-23	Closed for refurbishment
Burdiehouse Valley Park	Liberton/Gilmerton	88%	Yes	N/A	N/A	Roundabout damaged
Moredun Maze, Juniors, Fernieside Drive	Liberton/Gilmerton	0%	No	Pre 2020	No date planned	Repeated vandalism - closed long term
Calder Park	Pentland Hills	89%	Yes	N/A	N/A	Swings damaged
Jewel Park	Portobello/Craigmillar	50%	Yes	N/A	N/A	Climbing net damaged
Madgelene Glen, Juniors	Portobello/Craigmillar	80%	Yes	N/A	N/A	Flying fox damaged
Peffer Place	Portobello/Craigmillar	50%	Yes	N/A	N/A	Review and maintain
Dalry Community Park	Sighthill/Gorgie	0%	No	May-23	Mar-24	Closed for development of site
Murieston Park	Sighthill/Gorgie	60%	Yes	N/A	N/A	Refurbishment planned no replacement
Saughton Mains Terrace	Sighthill/Gorgie	80%	Yes	N/A	N/A	Swings damaged
Saughton Park	Sighthill/Gorgie	97%	Yes	N/A	N/A	Flying fox damaged
Stenhouse Place East	Sighthill/Gorgie	67%	Yes	N/A	N/A	Springer damaged
Westfield Court	Sighthill/Gorgie	67%	Yes	N/A	N/A	Spinner damaged

QUESTION NO 5

**By Councillor Beal for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 28 September 2023**

Question (1) Will he assure me that the monitoring and results for the Corstorphine LTN will include data from the first week of November 2023 so that it is directly comparable with the baseline data?

Answer (1) Officers have advised me that, whilst it would be their preference to undertake the surveys during the same calendar week as the baseline, they must also consider factors which could influence the data gathering such as road works and local events. Such factors could mean that an alternative week is more appropriate to ensure accurate data gathering. These will be considered closer to the time and the most appropriate gathering data period will be selected.

I do, however, have concerns about the use of November 2021 as a baseline due to the impact of the Covid-19 pandemic on travel patterns.

Question (2) Will he also provide pedestrian and cycle data for analysis from the Corstorphine LTN?

Answer (2) I have committed to placing all data in the public domain, with the exception of comments from the public (due to privacy concerns).

All the pedestrian and cycle data that has so far been gathered has been shared publicly via the project website ([Corstorphine connections baseline data report](#)). The next gathering of pedestrian and cycle data will be at the six-month mark of the project. This will also be shared publicly on the website once analysis is complete.

Once we have all this data available, I hope Officers will then engage with the Community Council, Ward members and local groups regarding the next steps.

QUESTION NO 6

**By Councillor Dijkstra- Downie for
answer by the Convener of the
Transport and Environment
Committee at a meeting of the
Council on 28 September 2023**

Given the issues experienced with defective material associated with the micro-asphalt programme in 2022/23, can the Convener confirm:

Question (1) How many, and which, roads that were treated with substandard micro-asphalt during the 2022/23 programme have since been re-treated?

Answer (1) There were 7 schemes streets that have been re-treated in 2023/24 as a result of failures in 2022/23:

- Lady Road (excluding service road)
- Pleasance
- St Leonard's Street
- Woodhall Road
- Redford Drive
- Blackford Avenue
- South Gyle Broadway

Question (2) How many, and which, roads that were treated with substandard micro-asphalt during the 2022/23 programme were not re-treated?

- Answer** (2) There are 12 streets that have not been re-treated in 2023/24 that were treated with Micro-Asphalt in 2022/23:
- Craigmount Avenue
 - Craigmount Terrace
 - Craigmount Gardens
 - Craigmount View
 - Saughtonhall Drive
 - Cluny Gardens
 - Hawkhill Avenue
 - Dumbryden Road
 - Lady Nairn Grove
 - Drumsheugh Gardens
 - West Shore Road
 - Dalkeith Road

Question (3) Which, if any, defects are still outstanding as a result of the use of the defective material?

Answer (3) There are minor defects that remain outstanding in the 12 streets, as detailed in Q2. I have been assured that these minor defects will be repaired in 2023/24 by a squad laying material by hand.

Supplementary Question It had been my understanding that both Waterfront Avenue and Craighall Road were part of the 2022 faulty micro-asphalt programme and that Waterfront Avenue was in fact re-treated. Could you please clarify the position regarding both of these roads which do not appear in the answer to the question?

Supplementary Answer Both Craighall Road and Waterfront Avenue were Surface Dressing sites (i.e. not micropasphalt). The remedial works (machine laying) on Waterfront Avenue were carried out in June. Minor issues have been identified on Craighall Road and discussions are ongoing with the contractor to agree a suitable date to undertake the remedial works (hand laying).

QUESTION NO 7

**By Councillor Dijkstra- Downie for
answer by the Convener of the
Transport and Environment
Committee at a meeting of the
Council on 28 September 2023**

Question (1) How many, and which, school crossing patrol locations are currently unstaffed because of vacancies?

Answer (1) There are currently 45 locations which are not staffed because of vacancies within the School Crossing Patrol team. The table below shows all of the crossings which are not currently staffed.

Question (2) How many, and which, school crossing patrol locations are currently unstaffed because of reasons other than vacancies? If any, please detail the reasons.

Answer (2) On 22 September 2023, there were 13 locations which are unstaffed due to other reasons (8 due to sickness absence; and 5 due to unpaid leave). It is not possible to provide a list of locations which are not currently staffed for other reasons as this will change daily.

Question (3) What steps are undertaken to ensure these crossings will be restaffed?

Answer (3) There can be difficulties in recruiting School Crossing Patrol Guides. The Council advertises vacancies throughout the year (approximately 5 – 6 times per year). Vacancies are also promoted through local school communication channels (including social media) and existing Guides are encouraged to promote vacancies to family, friends and neighbours to consider applying.

An advert will shortly go live on the MyJobScotland website for the latest recruitment, I have asked that this is shared with Elected Members.

**Supplementary
Question**

In order to understand what proportion of the school crossing patrol locations are currently unstaffed because of vacancies, how many school patrol locations are there in total?

Answer

School Crossings with current vacancies

Abbeyhill/Beggs Building
Merchiston Avenue/Granville Terrace
Drumbrae North/Barntongate Ave (pel)
Craigentinny Road/Loaning Road (pel)
Ashley Terrace/Cowan Road
Shandon Place (pel)
Pennywell Rd/Muirhouse Ave (zebra)
Queensferry Road at school (pel)
Ravelston Terrace/Queensferry Terrace ATS
Queensferry Terrace at blister point (pel)
Willowbrae Rd/Duddingston Rd ATS
Duddingston Road/Duddingston Avenue at school
Drumbrae N/Duart Cresc (pel)
Comely Bank Rd/Comely Bank Ave ATS
Queensferry Rd/Orchard Brae (pel)
Colinton Road/Ettrick Road (pel)
Colinton Road/Gillsland Road (pel)
Grays Loan/Colinton Road ATS
Gilmerton Road/Moredun Dykes Road (pel)
Howdenhall Road/North of Balmwell Terrace (pel)
Lasswade Road at Liberton Hospital PEL
Station Road at school
Ferry Rd/Craighall Rd (pel)
Whitehouse Loan/Warrender Park Road
Academy Street/Laurie Street
Gilmerton Road/Glenallan Drive
Colinton Mains Drive at school (pel)
The Loan at rear entrance to school
Murrayfield Ave/Murrayfield Gdns
Roseburn Street/Roseburn Terrace ats
Canongate at school (zebra)
Holyrood Road/Dumbiedykes Road pel
Captains Road/Lasswade Road ATS
Garscube Terrace at school
Baileyfield Road/Duddingston Park ATS
East Hermitage Place/Links Gardens (ats)
Restalrig Road/Gladstone Place @ (ats)
Morningside Road/Falcon Avenue (pel)
Morningside Drive/Comiston Road
Brandon St/Eyre Pl ATS
West Tollcross / Ponton Street
Fountainbridge at school (pel)
Bath Street ATS
Ferry Rd/Newhaven Rd ATS
Craighall Rd/Starbank Rd

QUESTION NO 8

By Councillor Kumar for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 28 September 2023

On the full council meeting of the 31st August 2023 your motion on ASN support was passed with an amendment which said:

Agrees:

This is a vital service and makes a commitment to continue to provide this ASN support, both as one to one provision for individual children, and through capacity building for after school clubs and childcare providers for this financial year at the financial level provided in previous financial years.

On the 5th September 2023 the Council wrote to a parent who's child had been a recipient of one-to-one support which said:

(How long is the support now in place for and what is the process of renewal?)

The support is provided directly to out of school care providers each academic year and for the full year. The support is designed to be advice and guidance to up-skill staff to support children with additional support needs. It is the duty of the provider to meet those needs, or to be in contravention of the Disability Discrimination Act.

The motion also stated:

5. All existing support arrangements will be honoured within the existing budget.
6. That the scheme will continue to be open to new applicants within existing budget.

The email to the parent goes on to say:

(Who do parents go to with concerns / queries / changes in days / hours?)

The council has no locus on the individual contracts between parents and providers to provide out of school care. If parents find that they have been refused provision due to additional support needs, they should contact the officer who will record the concern and provide the details of the relevant link officer for the service they are complaining about.

Information for context

The motion approved is being taken forward in full, as per the democratic decision making process. This means that the provision for advice and support, and latterly for budget for additional hours, is now directed by the council rather than through a third party.

The email to the parent from which the comments are taken was in response to specific questions. The parent requested further, follow-up information which was also provided, and reiterates that the position set at Full Council is being taken forward.

It is a fact that the council does not enter into contracts directly with parents for out of school care, rather that, as before, parents contract with providers for out of school care. If the provider cannot offer a place due to an equalities issue, there is legislation (originally the Disability Discrimination Act, now the Equalities Act) which protects parents. Providers can seek support from the council to enable them to offer a place – this support is advice, training, guidance, and additional budget for one to one support.

One of the new services provided in the in-house model is a link officer who can give advice to both parents and out of school providers on all matters related to these issues.

Question

Given that the administration position is that this service was simply being in-housed, and that the amended motion that was agreed at full council stated the provision should continue as it had previously been provided, does the convener:

- a) Agree with the what the Council has set out as the position to parents?
- b) Believe that this is an accurate reflection of what was agreed at full council?
- c) Have any concerns about governance and the implementation of democratic decision making?
- d) Can she give assurances that one to one support will be reinstated, as agreed by this council?
- e) Can she give a timeframe for when that will be in place?
- f) Can she confirm that payments will be made directly to providers in order to facilitate this?

Answer

Payments have been made to providers by the Council throughout this process and will continue within budget, as specified by the motion at FC.

QUESTION NO 9

By Councillor Kumar for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 28 September 2023

Question

Did the Convener ask officers not to bring the Connected Edinburgh Grants Programme report 2024-27 to Committee? The report was discussed as a B-agenda report at the September 5th 2023 Education, Children and Families Committee, after it was available to Councillors just 2 working days before the Committee met.

Answer

On 31st January 2023 Education Children and Families Committee approved a seven-month extension of the current grant awards. The committee requested that the new grants programme comes to Committee for approval *'no later than September 2023, to maximise financial certainty for third sector partners'* (ECF Action Log, item 8).

Grant Standing Orders state that *'the process to determine successful grant applicants shall be determined by the relevant Council Committee'*.

In compliance with Grant Standing Orders, officers submitted a report to September Education Children and Families Committee seeking approval to determine successful grant applicants.

The information redacted from the report related to organisations financial information.

QUESTION NO 10

**By Councillor Campbell for answer
by the Leader of the Council at a
meeting of the Council on 28
September 2023**

Following the approval of my motion on Edinburgh Leisure paying the Real Living Wage on 31st August can the Council Leader please confirm:

Question (1) What discussions have been had between CEC and Edinburgh Leisure?

Answer (1) Council officers are in regular contact with Edinburgh Leisure on operational matters and have been engaged in strategic dialogue with them on a range of financial matters.

In addition, in response to an action agreed by Governance, Risk and Best Value Committee on 1 August 2023, Council officers and Edinburgh Leisure have been working on a requested briefing note on pay and recruitment challenges.

Question (2) Has the council leader been in direct contact with Edinburgh Leisure?

Answer (2) Yes, I have met with the Chief Executive, June Peebles, alongside the Deputy Lord Provost.

Question (3) Has the Chief Executive been in direct contact with Edinburgh Leisure?

Answer (3) Yes, the Chief Executive has been in direct contact with Edinburgh Leisure on this.

Question (4) Have any other council officers been in direct with contact with Edinburgh Leisure? Please detail.

Answer (4) See answer 1 above.

Question (5) When can staff at Edinburgh Leisure expect to receive confirmation that their wages have been increased to the real living wage?

- Answer** (5) The action agreed by the Council on 31 August 2023 was for a proposed route to instruct Edinburgh Leisure to pay the real living wage to all staff, backdated to the start of this financial year while ensuring all venues remain open, to be reported to Policy and Sustainability Committee for ratification in October 2023. This report is currently being drafted.
- Question** (6) When can staff at Edinburgh Leisure expect to receive their backdated pay increase from the start of the financial year?
- Answer** (6) See answer 5 above.

QUESTION NO 11

By Councillor Aston for answer by the Convener of the Housing, Homelessness and Fair Work Committee at a meeting of the Council on 28 September 2023

Question (1) Why is it that almost half of the huge number of empty Council houses are located in North East Edinburgh (638 out of 1456 in total) despite the North East only constituting one quarter of the city?

Answer (1) There have been particular resourcing challenges in the North East locality housing team in recent years (due to turnover and long term absence due to ill health) which have impacted on voids performance.

There is also a higher rate of refusals of tenancy offers in North East, when compared to the rest of the city. Refusals can be for a variety of reasons but can lead to delays in letting times and impacts on officer capacity. Further analysis is being carried out by officers to examine the reasons why and to identify ways in which the refusal rate can be reduced.

Question (2) What actions are being taken by the Housing Convener to address the problem of void Council houses specifically in North East Edinburgh?

Answer (2) I have stressed the absolute priority of reducing the number of void properties across the city and am working closely with the Service Director for Housing and Homelessness and the Head of Housing Operations to monitor progress.

Specifically, in the North East:

- Additional officers have been engaged to support both the repairs and the lettings process. This includes dedicating two Housing Assistants to deal solely with the significant and time-consuming challenge of resolving utility meter debt and meter replacement installations.

- Recent recruitment for an additional Team Leader to support the repairs for void homes in North East was unsuccessful but the role has been re-advertised and interviews are scheduled to take place shortly.
- Overtime has also been approved for Housing Officers to ensure that homes are allocated to new tenants as soon as possible once repairs and safety checks are completed.

There are also a number of Housing Officer vacancies across the city due to turnover. While recruitment takes place regularly, it can sometimes be challenging to fill all vacancies. Further recruitment is due to commence imminently.

**Supplementary
Question**

Can the Convener please provide an approximate timescale by which these voids will have been returned to use as much needed homes?

**Supplementary
Answer**

A report will be presented to the HHFW committee in December outlining a specific pathway for the reduction in void numbers and will include an approximate timescale in which we will see void numbers return to a manageable level.

QUESTION NO 12

By Councillor Aston for answer by the Convener of the Transport and Environment at a meeting of the Council on 28 September 2023

Question (1) What meetings or correspondence has the Transport and Environment Convener had since the February 2023 meeting of the Transport and Environment Committee regarding a proposed hovercraft service between Leith and Kirkcaldy?

Answer (1) This information was contained in response to Freedom of Information request 41852, which is [published](#) on the Council website.

Supplementary Question I thank the Transport and Environment Convener for his answer but he has uncharacteristically misread my question, which refers to the period AFTER the February TEC. The Freedom of Information response to which he directed me (41852) appears to detail the correspondence he had had approximately UP TO that date. Could he please answer for the period from the February TEC until present day?

Supplementary Answer Apologies, I have had no correspondence since the FOI inquiry. Informal face-to-face updates have, however, taken place.

QUESTION NO 13

**By Councillor McFarlane for answer
by the Convener of the Culture and
Communities Committee at a
meeting of the Council on 28
September 2023**

Could the convener confirm:

Question (1) Were they present at the Labour Campaign Event on 7th September 2023?

Answer (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

Question (2) Have they referred themselves to the Commissioner for Ethical Standards?

Answer (2) See above Answer 1.

Question (3) On what date did they do so?

Answer (3) See above Answer 1.

Supplementary Question Taking account of the cross-party comments made at Council condemning the lack of transparency in these answers and the importance of scrutiny of conduct of those in office, will the Convener answer the questions above? These are important for the public record and in no way prejudice the Ethical Standards Commissioner's investigation of the Convener's conduct.

Supplementary Answer As I have previously stated, this matter is not relevant to my remit as Convener of the Culture and Communities Committee.

I, along with all the members present at the event on 7th September, have referred ourselves to the Ethical Standards Commissioner. The Council Leader sought advice on this matter from the Head of Democracy, Governance and Resilience who confirmed it would be inappropriate to discuss staffing matters and details currently under consideration by an external party.

QUESTION NO 14

**By Councillor McNeese-Mechan for
answer by the Depute Convener at a
meeting of the Council on 28
September 2023**

Could the Depute Convener confirm:

Question (1) Were they present at the Labour Campaign Event on 7th September 2023?

Answer (1) No

Question (2) Have they referred themselves to the Commissioner for Ethical Standards?

Answer (2) N/A

Question (3) On what date did they do so?

Answer (3) N/A

QUESTION NO 15

**By Councillor Kumar for answer by
the Convener of the Education,
Children and Families Committee at a
meeting of the Council on 28
September 2023**

Could the convener confirm:

Question (1) Were they present at the Labour Campaign Event on 7th September 2023?

Answer (1) No

Question (2) Have they referred themselves to the Commissioner for Ethical Standards?

Answer (2) N/A

Question (3) On what date did they do so?

Answer (3) N/A

QUESTION NO 16

By Councillor Nicolson for answer by the Vice-Chair of the Edinburgh Integration Joint Board at a meeting of the Council on 28 September 2023

Could the Vice-Chair confirm:

Question (1) Were they present at the Labour Campaign Event on 7th September 2023?

Answer (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

Question (2) Have they referred themselves to the Commissioner for Ethical Standards?

Answer (2) See above Answer 1.

Question (3) On what date did they do so?

Answer (3) See above Answer 1.

Supplementary Question Taking account of the cross-party comments made at Council condemning the lack of transparency in these answers and the importance of scrutiny of conduct of those in office, will the Vice -Chair answer the questions above? These are important for the public record and in no way prejudice the Ethical Standards Commissioner's investigation of the Convenor's conduct

Supplementary Answer As I have previously stated, this matter is not relevant to my remit as Vice-Chair of the Edinburgh Integration Joint Board.

I, along with all the members present at the event on 7th September, have referred ourselves to the Ethical Standards Commissioner. The Council Leader sought advice on this matter from the Head of Democracy, Governance and Resilience who confirmed it would be inappropriate to discuss staffing matters and details currently under consideration by an external party.

QUESTION NO 17

**By Councillor Macinnes for answer
by the Convener of the Finance and
Resources Committee at a meeting
of the Council on 28 September 2023**

Could the convener confirm:

Question (1) Were they present at the Labour Campaign Event on 7th September 2023?

Answer (1) No

Question (2) Have they referred themselves to the Commissioner for Ethical Standards?

Answer (2) N/A

Question (3) On what date did they do so?

Answer (3) N/A

QUESTION NO 18

**By Councillor Key for answer by the
Convener of the Housing,
Homelessness and Fair Work
Committee at a meeting of the
Council on 28 September 2023**

Could the convener confirm:

Question (1) Were they present at the Labour Campaign Event on 7th September 2023?

Answer (1) No

Question (2) Have they referred themselves to the Commissioner for Ethical Standards?

Answer (2) N/A

Question (3) On what date did they do so?

Answer (3) N/A

QUESTION NO 19

By Councillor Aston for answer by the Convener of the Planning Committee at a meeting of the Council on 28 September 2023

Could the convener confirm:

Question (1) Were they present at the Labour Campaign Event on 7th September 2023?

Answer (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

Question (2) Have they referred themselves to the Commissioner for Ethical Standards?

Answer (2) See above Answer 1.

Question (3) On what date did they do so?

Answer (3) See above Answer 1.

Supplementary Question Taking account of the cross-party comments made at Council condemning the lack of transparency in these answers and the importance of scrutiny of conduct of those in office, will the Convener answer the questions above? These are important for the public record and in no way prejudice the Ethical Standards Commissioner's investigation of the Convener's conduct.

Supplementary Answer As I have previously stated, this matter is not relevant to my remit as Vice-Chair of the Edinburgh Integration Joint Board.

I, along with all the members present at the event on 7th September, have referred ourselves to the Ethical Standards Commissioner. The Council Leader sought advice on this matter from the Head of Democracy, Governance and Resilience who confirmed it would be inappropriate to discuss staffing matters and details currently under consideration by an external party.

QUESTION NO 20

By Councillor Aston for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023

Could the convener confirm:

Question (1) Were they present at the Labour Campaign Event on 7th September 2023?

Answer (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

Question (2) Have they referred themselves to the Commissioner for Ethical Standards?

Answer (2) See above Answer 1.

Question (3) On what date did they do so?

Answer (3) See above Answer 1.

Supplementary Question Taking account of the cross-party comments made at Council condemning the lack of transparency in these answers and the importance of scrutiny of conduct of those in office, will the Convener answer the questions above? These are important for the public record and in no way prejudice the Ethical Standards Commissioner's investigation of the Convener's conduct.

Supplementary Answer As I have previously stated, this matter is not relevant to my remit as Convener of the Transport and Environment Committee.

I, along with all the members present at the event on 7th September, have referred ourselves to the Ethical Standards Commissioner. The Council Leader sought advice on this matter from the Head of Democracy, Governance and Resilience who confirmed it would be inappropriate to discuss details currently under consideration by an external party.

QUESTION NO 21

By Councillor Dobbin for answer by the Leader of the Council at a meeting of the Council on 28 September 2023

It has been widely reported that a Labour Party campaign event was held in the Labour group room on the 7th September. Can the Leader confirm:

Question (1) Who booked the room? Was it Council staff, Labour Councillors, other Labour Party members or someone else?

Answer (1) These questions are not relevant to the Convener's portfolio.

As this matter has been referred to the Ethical Standards Commissioner, it would be inappropriate to provide a response.

Question (2) Who sent the email invite? Was it Council staff, Labour Councillors, other Labour Party members or someone else?

Answer (2) See above answer 1.

Question (3) Who liaised with the caterers? Was it Council staff, Labour Councillors, other Labour Party members or someone else?

Answer (3) See above answer 1.

Question (4) Who arranged for the sponsorship? Was it Council staff, Labour Councillors, other Labour Party members or someone else?

Answer (4) See above answer 1.

Supplementary Question Taking account of the cross-party comments made at Council condemning the lack of transparency in these answers and the importance of scrutiny of conduct of those in office, will the Convener answer the questions above? These are important for the public record and in no way prejudice the Ethical Standards Commissioner's investigation of the Convener's conduct

**Supplementary
Answer**

As I have previously stated, this matter is not relevant to my remit as Convener of the Policy and Sustainability Committee, or as Council Leader.

I, along with all the members present at the event on 7th September, have referred ourselves to the Ethical Standards Commissioner. I sought advice on this matter from the Head of Democracy, Governance and Resilience who confirmed it would be inappropriate to discuss staffing matters and details currently under consideration by an external party.

QUESTION NO 22

By Councillor Aston for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023

Question (1) Will Marionville Road be included in the 2023/2024 draft delivery plan for speed reduction measures?

Answer (1) No.

The Road Safety Team is continuously investigating and assessing the suitability of additional speed reduction measures throughout the city. As the demand for traffic surveys has increased, so has the number of projects identified under this initiative.

There are currently 140 locations earmarked for evaluation, for which each location undergoes a thorough investigation to determine the most appropriate speed reduction measures.

The scale of this activity is significant given the limited resources available to Edinburgh from the Scottish Government.

Marionville Road has been identified as requiring additional investigation to identify the most suitable solutions and treatments to ensure road safety and encourage speed limit compliance. Once this investigation is complete and decisions are taken, the road will be included in the delivery programme. It is currently anticipated that Marionville Road will be included in the programme for 2024/25.

As you are aware, the “Road Safety – Service and Delivery Plan Update for 2023/24” will be discussed at the October Transport & Environment Committee.

QUESTION NO 23

**By Councillor Campbell for answer
by the Convener of the Education,
Children and Families Committee at a
meeting of the Council on 28
September 2023**

Question

- (1) a) How many requests have the council received from schools for furniture where there are, for example, not enough tables and chairs to allow all pupils to work on the same task?
- b) How many requests have been met?
- c) How many requests for furniture have not been met?

Answer

- (1) Under Devolved School Management Head Teachers have flexibility over how they use their devolved budgets, they can transfer money between different budget headings to fund prioritised projects. These budget headings include a per capita budget for Educational Supplies – this includes furniture.

In cases where school buildings are being extended beyond their existing agreed capacity due to rising rolls, any additional furniture and fixtures required are funded centrally as part of the building project.

Other requests for furniture are shared amongst colleagues because although schools may have sufficient levels of furniture, school class organisation can change on an annual basis, therefore the level of need for different sizes and types of appropriate furniture and materials can change.

The annual changes can result in a need however the trend recently is that offers of furniture have exceeded requests therefore it is rare for a school not to have the opportunity to obtain the furniture they require.

Schools will email colleagues with requests and offers however we also have a Sustainability system called Warp-it which allows schools to upload surplus items and claim

items from schools and many other partner organisations and email bulletins highlight items available.

The Community Benefits scheme encourages suppliers to donate items they no longer require to schools and there is a regular flow of emails co-ordinated by the Purchasing Team.

- Question** (2) a) How many requests have there been for additional funds for learning materials and equipment?
- b) How many requests have been met?
- c) How many requests for learning materials and equipment have not been met?
- Answer** (2) See answer 1 – resources are shared between schools using the same strategies as needs change.
- Question** (3) How many schools does the convener believe are short of equipment, materials or furniture?
- Answer** (3) There is no information to confirm that, if Business Managers are following the Devolved School Management guidance and making use of Warplt, as well as taking part in trading furniture informally, that there are any shortages.
- Question** (4) Does the convener have confidence that all children at school in Edinburgh have the learning materials, equipment and furniture needed?
- Answer** (4) Headteachers remit the resourcing of schools to Business Managers. Schools should be able to operate effectively within devolved budgets and have been provided with the tools and strategies listed above to allow them to meet the needs of the schools and simultaneously reduce waste across city.

QUESTION NO 24

**By Councillor Dobbin for answer by
the Leader of the Council at a
meeting of the Council on 28
September 2023**

Question

Further to the Council Leader's trip to Taiwan, has the Council incurred any associated costs, for example expenses, officer overtime or any other costs that were not picked up by the Taiwanese Government, including costs contained within departmental budgets but specifically incurred as a result of this trip. And if so, please detail.

Answer

All costs associated with this visit were covered by partners in Taiwan with the exception of out of hours return taxi travel for one officer to/from Edinburgh Airport and the costs of meals on the day prior to the official programme commencing.

QUESTION NO 25

By Councillor Rust for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023

On 17th September, my office was advised:

“Unfortunately, we currently have 1 member of staff in the Road Safety team dealing with everything due to annual leave and sickness.”

- Question**
- (1) How many officers are currently employed in Road Safety
- (a) full time permanent,
 - (b) part time permanent,
 - (c) temporary/secondment?

- Answer**
- (1) The establishment of the Road Safety team is six (two of which are permanently dedicated to educational support and engagement with school communities), and there are currently five full time employees employed:
- 1 Senior Engineer (Full-time, Permanent)
 - 1 Transport Officer (Full-time, Permanent)
 - 3 Technicians (Full-time, Permanent)

Recruitment to the vacant position has been completed and the new Transport Officer is expected to join the team in November 2023.

In addition, there is one member of the team who is absent for health reasons.

I note that your question specifically relates to correspondence on Sunday 17 September 2023. Officers have confirmed that from Wednesday 13 to Friday 15 September, due to absence (both planned and unplanned) there was only one member of the team available. This led the officer to use some of their personal time to catch up with outstanding correspondence, I have raised concerns about this with the Director of Place.

- Question**
- (2) What is the remit of the road safety team?

Answer

- (2) Under the 1988 Road Traffic Act (9), local authorities have a statutory responsibility for the promotion of road safety.

Section 39 of the Act requires local authorities to 'Prepare and carry out a programme of measures designed to promote road safety; conduct studies into accidents on roads, other than trunk roads within their area; take appropriate measures to prevent such accidents including the dissemination of information and advice relating to the use of the roads; the giving of practical training to road users; the construction, improvement, maintenance or repair of roads for which they are the highway authority.'

A report on the remit and service delivery plan for the Road Safety team is due to be considered by Transport and Environment Committee on 12 October 2023.

In addition, consultation on a draft road safety plan has recently concluded and a final plan will be submitted to Transport and Environment Committee on 1 February 2024 for approval. The draft Plan can be [viewed here](#).

Question

- (3) Does the Convener consider that the position outlined above is satisfactory?

Answer

- (3) It has been recognised for some time that there are significant resource pressures and challenges with competing priorities for the current Road Safety team. This has led to delays in successful delivery of agreed programmes of work. I feel the resources available to this team are not sufficient to meet the reasonable expectations set by the public, and that the underlying factor is the underfunding of Edinburgh by the Scottish Government.

This situation has been exacerbated by absences and vacancies within the team.

The report to Committee in October 2023 will set out a plan to address the existing workload pressures experienced.

QUESTION NO 26

By Councillor Bruce for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 28 September 2023

- Question** (1) What was the subsidy given to Lothian Buses when they operated the 20 route?
- Answer** (1) Lothian Buses subsidy for service 20 was in the region of £430,000 per annum. This service was split into 2 different parts - Chesser to Gyle and the Ratho Extension.
- Question** (2) What was the original subsidy given to First Bus when they took over the 20 route from Lothian Buses?
- Answer** (2) When this service was contracted, as reported to Finance and Resources Committee in March 2020, the estimated subsidy was £499,200 per annum. The new route for the Service 20 included the extension to Ingliston Park and Ride, to facilitate interchange with tram.
- Question** (3) What was the total costs of payments withheld by the council for First Bus for cancelled services on the 20 route?
- Answer** (3) Due to officer absence, it has not been possible to provide this information with this answer. The information will be shared with Councillors as soon as it is available.
- Question** (4) What was the subsidy given to McGills when they took over the 20 route?
- Answer** (4) The contract with First Bus was novated to McGill's at the date of the company takeover (see answer 2 above). However, since September 2022, the contract value has reduced to £352,040 per annum to reflect the changes in service frequency. This is a reduction of £147,160 per annum.
- Question** (5) How much money is held back from McGills if a particular timed service on a particular day is cancelled?
- Answer** (5) Payment deductions are based on the average price per timetabled km and vary depending on whether the issue was the fault of the operator.

- Question** (6) What are the total costs of payments withheld by the council so far for McGill buses that have been cancelled on the 20 route?
- Answer** (6) Supported bus service operators are paid in arrears. McGill's have provided a list of cancellations for the year to date in 2023. This will be reviewed in order to finalise payments at the contract end.
- Question** (7) If McGills cut short a route, do they get the same amount of subsidy as when they complete the route?
- Answer** (7) See answer 6.

QUESTION NO 27

**By Councillor Mitchell for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 28 September 2023**

Please could the Convener confirm:

- Question** (1) If mews permit Zone 5 (344) is currently
- a) Operational, and
 - b) Enforceable

Answer (1) Mews 344 is both operational and enforceable.

- Question** (2) Why the enforcement contractor may have indicated to residents with permits for Zone 5 (344) that the mews designation no longer exists.

Answer (2) Officer investigations have indicated that a newly employed Parking Attendant may have incorrectly informed a resident that they were unable to take any enforcement action against other zone 5 permit holders.

This appears to have been an isolated incident, and I have been assured that all staff have been reminded of the mews designation and appropriate enforcement will continue.

- Question** (3) Whether the enforcement of Zone 5 (344) has been suspended at all in the last three months.

Answer (3) The mews has been enforced throughout the last three months, with 16 parking tickets having been issued to incorrectly parked vehicles between 1 June and 31 August 2023.

QUESTION NO 28

By Councillor Mumford for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 28 September 2023

Question (1) When was the decision on eligibility criteria for Third Party Revenue Grants a) taken b) communicated to Councillors c) communicated to current grant holders

Answer (1) a) Eligibility criteria were considered over numerous meetings between council officers, LAYC and EVOC, between May and September. Throughout this period LAYC and EVOC had discussions with their members and networks. Feedback from the sector informed partnership discussions between council officers, LAYC, EVOC and NHS. The decision on eligibility criteria was agreed by these partners based on lessons learned from the previous grants process in 2020, combined with feedback from the sector.

b) That a refined and streamlined process was being collaboratively developed was shared with Councillors at an Elected Member Briefing on 2nd May 2023, with the slide pack circulated immediately after. This predated the outcome of discussions with LAYC and EVOC representing the sector. Once the criteria were agreed, a further Briefing for Elected Members took place on 22nd August, hosted by LAYC. The new slide pack was sent out immediately after.

c) Following agreement at the Elected Member Briefing on 22nd August, LAYC, EVOC, Council Officers and NHS held 3 briefings with the sector. These sessions shared the new criteria and took questions. They were open to all LAYC and EVOC networks and were well received. Prior this, LAYC and EVOC had shared the evolving high-level thinking on the new grants programme. This included reassurance that the partners were keen to address learning and feedback from the previous programme. Council officers were not involved in those discussions.

Question (2) How many organisations currently funded under the scheme are registered charities, how many social enterprises, and how many other organising structures?

Answer (2) There are currently 64 organisations in receipt of a CEC Third Sector Grant. Of those:

- 63 are registered charities,
- 1 is not a registered charity

Question (3) What monitoring has been done of the current funding arrangements and evaluation of the impact on the Council's priorities, and the possible impact of changing the criteria?

Answer (3) Each grant recipient has a Grant Monitoring Officer. End of funding reports will be collated and analysed. Financial information relating to the organisations has been considered throughout.

An Integrated Impact Assessment will be carried out immediately after the application deadline. The pre-eligibility checklist and funding applications are key to the IIA, with proposals to address locally identified need. Current grant holders' final evaluations will also inform this work. Individuals representing people with protected characteristics will be included in the IIA. This will be presented to Committee for approval with the recommendations for the new grant awards.

Woven into the refreshed application and assessment process is the benefit for Edinburgh's citizens. Addressing poverty and equality will be weighted under each strand and links with the council priorities will be clear. The weighted scoring will ensure work is directed to where the need is greatest including for people with protected characteristics.

Of the 65 organisations currently funded, the impact of the £2m cap on annual turnover will affect 10 organisations. Their combined income is £608,303,511.

An 11th organisation could be impacted by the requirement to hold charitable status. They can apply for a grant if they are in the process of applying for charitable status. A grant may be awarded conditional on gaining charitable status. Any not for profit organisation not wishing to have charitable status may still apply for a maximum of £25k over 3 years.

The impact of approving the Connected Communities criteria will be beneficial to the sector. It is however acknowledged that as in any grant programme, there will be winners and losers.

The impact of not approving the new Connected Communities criteria will delay the new programme. Organisations may need to issue redundancy notices on 22nd December. This would be seen as a failure by the council to learn lessons from the last programme. It would impact on the communities benefitting from all current grant funded services as there would be a gap between the current programme ending and the new one opening.

Question

- (4)** What support has been offered to current grant holders to understand the new criteria and – if applicable – help them make changes to fit the new criteria e.g apply for charitable status?

Answer

- (4) The three Briefing sessions for the sector answered questions, heard a range of views, and helped clarify what the new criteria would mean.

Guidance notes and FAQs will accompany the new application form.

Council officers, LAYC and EVOC have offered organisations ongoing dialogue to support their applications. This will continue throughout the assessment process. When the programme opens, an information session will be offered to potential applicants with advice on how to complete the form.

A further session will be offered midway between the programme opening and the deadline. This will also offer support to organisations as they develop their applications.

The new application form will be much shorter and sharper, easier to complete and will only seek essential information.

EVOC and LAYC can support and advise organisations to apply for charitable status.

QUESTION NO 29

**By Councillor O'Neill for answer by
the Convener of the Policy and
Sustainability Committee at a
meeting of the Council on 28
September 2023**

- Question** (1) Since the Council took its current form under the Local Government (Scotland) Act 1994, what has been the gender split in respect of:
- a) Committee membership
 - b) Convener and vice-convener roles
 - c) Party leaders or co-leaders
 - d) Working groups / All party oversight groups
- Answer** (1) Information on this is not available as members are not required to declare their gender.
- Question** (2) Since 2022, what has been the gender split in respect of:
- a) Motions submitted
 - b) Proposers and seconders
 - c) Questions submitted
- Answer** (2) See above answer 1
- Question** (3) What are the Council's current policies for elected members regarding:
- a) Sexual harassment and/or sexual violence
 - b) Lone working
 - c) Family Leave
 - d) Menopause

Answer

(3) With respect to all these issues councillors are office-holders not employees of the council. Any policies in place or guidance is to be adopted and implemented on a voluntary basis by the local authority and confers no contractual, nor worker / employment status. The Councillor handbook available on the Orb covers the key principles for support for elected members across all of these areas

- a) In November 2019 the Policy and Sustainability Committee approved a protocol for elected members to report incidents of verbal or physical intimidation, to ensure appropriate support can be provided. The protocol report can be accessed via the Council's website and is available on the Elected Members resources area of the Orb (the Council Intranet). It explains how to report incidents of verbal or physical intimidation and ensures appropriate support is provided. It does not directly address sexual harassment or sexual violence but both would be treated in the same way as other forms of intimidation or threat dealt with in the protocol. Material on personal safety for councillors provided by the Local Government Information Unit is also available in the same area of the Orb.

The Convention of Scottish Local Authorities (COSLA) have produced guidance for consideration by local authorities on a voluntary basis. This guidance can be accessed via COSLA's website. Other relevant material is held on the Elected Members Hub on the Council intranet (the Orb).

- b) Lone Working Guidance for councillors been provided by COSLA and is available in the same area of the Orb. This is guidance for elected members to adopt as they decide how to perform their duties as councillors.

- c) The Council has adopted the Convention of Scottish Local Authorities (COSLA) guidance on the key principles to be applied to support Elected Members during periods of maternity, paternity, shared parental and adoption leave. In April 2020 the Scottish Government amended the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 to allow local authorities to remunerate councillors covering for those taking periods of family leave who are in receipt of a special responsibility allowance (SRA).

The types of leave covered by the legislation and guidance are:

- maternity leave
- additional leave in cases of premature birth
- paternity leave
- the replication of a shared parental leave arrangement with an employer
- shared leave where both parents are members
- adoption leave.

The amendment to the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 allows the Council to continue to pay the SRA of an elected member on family leave at the same time as paying an SRA amount to an elected member covering their portfolio/responsibilities during their absence.

- d) The Convention of Scottish Local Authorities (COSLA) have produced Menopause Guidance for Councillors for consideration by local authorities on a voluntary basis. This guidance can be accessed via COSLA's website. The guidance was approved by COSLA's Community Wellbeing Board in June 2020.

The objective is to ensure that:

- Council officers understand the difficulties and anxieties of individuals currently going through this change
- Councillors are treated with fairness and dignity whilst undergoing their duties by ensuring where possible, that those experiencing symptoms associated with the menopause receive appropriate support.
- That menopause is not a barrier that prevents individuals from standing or re-standing for elected office.

https://www.cosla.gov.uk/_data/assets/pdf_file/0023/18662/Menopause-Guidance-for-Councillors.pdf/_nocache

The Council also has an HR policy " Menopause – supporting colleagues in the workplace", which aims to raise “awareness of menopause-related issues at work, and to help line managers support colleagues who are experiencing symptoms associated with the menopause.”