

Policy and Sustainability Committee

10.00 am, Tuesday 26 November 2019

Present

Councillors McVey (Convener), Day (Vice-Convener), Aldridge, Jim Campbell, Kate Campbell, Doran (substituting for Councillor Perry), Gardiner, Gloyer, Macinnes, McLellan, Main, Mowat (substituting for Councillor Hutchison), Frank Ross (substituting for Councillor Rankin for items 1 to 9), Staniforth, Webber, Whyte, Wilson and Work (substituting for Councillor Rankin for items 17 to 20).

1. Minutes

Decision

- a) To approve the minute of the Policy and Sustainability Committee of 1 October 2019 as a correct record.
- b) To approve the minute of the Policy and Sustainability Committee of 25 October 2019 as a correct record.

2. Policy and Sustainability Committee Work Programme November 2019

The Policy and Sustainability Committee Work Programme for November 2019 was presented.

Decision

To note the work programme.

(Reference – Work Programme November 2019, submitted.)

3. Policy and Sustainability Committee Rolling Actions Log

Details were provided of the outstanding actions arising from decisions taken by the Committee.

Decision

- 1) To agree to close the following actions:
 - Action 4** - Sickness Absence Policy
 - Action 9** - Transient Visitor Levy
 - Action 10** - Gender Pay Gap
 - Action 11** - Motion by Councillor McVey – Support for Council Employees Subject to Domestic Abuse (Full Council Motion)

Action 14 - City of Edinburgh Council Motion by Councillor Burgess – City of Edinburgh Climate Emergency Partnership

Action 15 - Sustainability Approach

Action 16 - Edinburgh and South East Scotland City Region Deal Update

Action 18 - Bike to Work Scheme Revamp - Motion by Councillor Main

Action 20(1) - Business Bulletin (Tourism Strategy)

2) To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

4. Policy and Sustainability Committee Business Bulletin

The Policy and Sustainability Committee Business Bulletin was presented.

Decision

To note the Business Bulletin.

(Reference – Policy and Sustainability Committee Business Bulletin, submitted.)

5. Scottish Fire and Rescue Service – City of Edinburgh Area Update

The Scottish Fire and Rescue Service presented an update on the city-wide plans, policies and performance.

Decision

To note the report by the Chief Executive.

(Reference – report by the Chief Executive, submitted.)

6. Protocol on Elected Member Personal Safety

In response to a motion by Councillor Watt, details were provided on proposals for a protocol for elected members to report incidents of verbal or physical intimidation to ensure appropriate support could be provided.

Decision

- 1) To discharge the motion by Councillor Watt.
- 2) To agree the terms of the protocol as outlined in paragraphs 4.6-4.11 of the report by the Chief Executive.
- 3) To note that the terms of this protocol would be included in a planned refresh of elected member guidance.
- 4) To agree that revised guidance would be circulated to elected members as soon as possible.

(References – Act of Council No 28 of 30 May 2019; report by the Chief Executive, submitted.)

7. Tourism Statement and Strategy Consultation

An update was provided on the Council's tourism statement following the production of the draft Tourism Strategy 2030. A summary of the comments and questions from the briefings for Elected members was included.

Motion

- 1) To approve the updated draft Council tourism policy statement as detailed in Appendix 1 to the report by the Executive Director of Place.
- 2) To note the summary of the discussion at the Elected Member briefings on 15 August 2019 as detailed in Appendix 2 to the report.
- 3) To note the draft tourism strategy as detailed in Appendix 3 to the report which was currently out for consultation and that the consultation closed on 30 November 2019.
- 4) To encourage citizens, community councils and other interested parties to contribute to the consultation.
- 5) To note that the final strategy would be considered at a special meeting of the Policy and Sustainability Committee on 21 January 2020.
- 6) To note that the consultation deadline would be extended for a further 2-3 weeks.

- moved by Councillor McVey, seconded by Councillor Day

Amendment 1

- 1) To approve the updated draft Council tourism policy statement as detailed in Appendix 1 to the report by the Executive Director of Place.
- 2) To note the summary of the discussion at the Elected Member briefings on 15 August 2019 as detailed in Appendix 2 to the report.
- 3) To note the draft tourism strategy as detailed in Appendix 3 to the report which was currently out for consultation and that the consultation closed on 30 November 2019.
- 4) To encourage citizens, community councils and other interested parties to contribute to the consultation.
- 5) To note that the final strategy would be considered at a special meeting of the Policy and Sustainability Committee on 21 January 2020.
- 6) To note the potential "indicators of success" detailed in the draft strategy and that no such measures were outlined in the Council Tourism Policy Statement and therefore agree that SMART measures be developed to track the success of the Strategy and that these should be submitted for scrutiny/approval, along with baseline data when the strategy was considered as outlined in 5) above.
- 7) To note that the consultation deadline would be extended for a further 2-3 weeks.

- moved by Councillor Whyte, seconded by Councillor Webber

Amendment 2

- 1) To delete 1) of the motion by Councillor McVey and replace with:

Approve the updated draft Council tourism policy statement (appendix 1) subject to the following changes:

Delete from 1.9 “Once in place, the TVL must be used to deliver the outcomes set out in key city and Council policy documents, benefitting both the city and helping shape the future growth of the industry.”

2030 should be considered the only deadline for tourism in the city becoming carbon neutral. The reference to a ‘hard deadline’ of 2037 should be removed.

‘Our Place’ section to include at end of recommendations ‘To include consideration of the night-life economy when taking decisions about transport and development in order to ensure that venues in Edinburgh, particularly live music venues, can thrive.’

Remove ‘Funds that are invested from the proposed TVL revenue should be transformative and directly relate to the ambitions set out in this strategy with a view to achieving clear outcomes and visible success for the city that benefit both residents and visitors’ from Partnership Recommendations.

- moved by Councillor Staniforth, seconded by Councillor Main

In accordance with Standing Order 21(11), Amendment 1 and Amendment 2 (para 4) were accepted as addendums to the motion.

Voting

The voting was as follows:

For the motion (as adjusted)	-	15 votes
For Amendment 2	-	2 votes

(For the motion (as adjusted): Councillors McVey (Convener), Aldridge, Jim Campbell, Kate Campbell, Day, Doran, Gardiner, Gloyer, Macinnes, McLellan, Mowat, Frank Ross, Webber, Whyte and Wilson.

For Amendment 2: Councillors Main and Staniforth

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To approve the updated draft Council tourism policy statement as detailed in Appendix 1 to the report by the Executive Director of Place subject to the following change:

‘Our Place’ section to include at end of recommendations ‘To include consideration of the night-life economy when taking decisions about transport and development in order to ensure that venues in Edinburgh, particularly live music venues, can thrive.’.
- 2) To note the summary of the discussion at the Elected Member briefings on 15 August 2019 as detailed in Appendix 2 to the report.

- 3) To note the draft tourism strategy as detailed in Appendix 3 to the report which was currently out for consultation and that the consultation closed on 30 November 2019.
- 4) To encourage citizens, community councils and other interested parties to contribute to the consultation.
- 5) To note that the final strategy would be considered at a special meeting of the Policy and Sustainability Committee on 21 January 2020.
- 6) To note the potential “indicators of success” detailed in the draft strategy and that no such measures were outlined in the Council Tourism Policy Statement and therefore agree that SMART measures be developed to track the success of the Strategy and that these should be submitted for scrutiny/approval, along with baseline data when the strategy was considered as outlined in 5) above.
- 7) To note that the consultation deadline would be extended for a further 2-3 weeks.

(Reference – report by the Executive Director of Place, submitted.)

8. Transient Visitor Levy Bill Scottish Government Consultation

The Scottish Government had launched a consultation on a Transient Visitor Levy to inform the development of legislation. The Council’s proposed response to the consultation was summarised.

Decision

To approve the response to the Scottish Government’s consultation on the Transient Visitor Levy Bill as detailed in the report by the Chief Executive subject to the removal of the first line of the answer to Question 9.

(Reference – report by the Chief Executive, submitted.)

9. Edinburgh Poverty Commission Progress Update

An update was provided on the progress of the Edinburgh Poverty Commission since its formal launch in November 2018 together with the next steps planned during the final stages of the commission’s work programme towards March 2020.

Decision

- 1) To note the work carried out by the Edinburgh Poverty Commission and the emerging findings published by the Commission based on its inquiry progress to date.
- 2) To note the adoption by Council of Poverty and Sustainability as the policy priorities which would provide a focus for the development of the Council’s budget for 2020-23.
- 3) To agree that, in advance of final recommendations from the Commission, officers work with Edinburgh Partnership colleagues and other stakeholders to develop specific joint actions and options on key findings identified in the interim report, including in the first instance:

- a) A more streamlined, accessible, and high impact city-wide advice service for those seeking support on welfare rights, debt, homelessness, and employability.
 - b) A new approach to engaging local private sector leaders in designing a new Fair Work Guarantee for Edinburgh.
 - c) A change in culture among support service providers to tackle stigma and improve understanding of poverty and its impacts.
- 4) To agree the planned process for elected member engagement and consultation on draft final findings following their publication in January 2020.
 - 5) To agree that a further report on full Council responses to the Edinburgh Poverty Commission would be considered by Committee following publication of final findings in March 2020.

(Reference – report by the Chief Executive, submitted.)

10. City Strategic Investment Fund – Powderhall Stables

Details were provided on a proposal to allocate up to £700,000 funding from the City Strategic Investment Fund to the Powderhall Stables Project from 1 April 202 subject to it securing a grant of £1.21 million from the Scottish Government’s Regeneration Capital Grant Fund.

Decision

To continue consideration of the matter to January 2020 to allow for further detail and clarity about funding.

(Reference - report by the Executive Director of Place, submitted.)

11. Public Bodies Climate Change Duties Report 2018/19

Approval was sought for the Council’s statutory report for 2018/1`9 on compliance with the Climate Change (Scotland) Act 2009 Public Bodies Climate Change Duties to be submitted to the Scottish Government on 30 November 2019.

Decision

- 1) To approve the City of Edinburgh Council Public Bodies Climate Change Duties Report 2018/19, for submission to Scottish Government on 30 November 2019.
- 2) To note that as part of the Council’s new approach to sustainability agreed on 14 May 2019, an ambitious new target for the city and Council to be carbon neutral by 2030 was set. This new target would be reflected in future reporting on the Council’s public bodies duties from 2019/2020 year onwards.
- 3) To provide a briefing note to members detailing the reasons for the increase in the Council’s transport footprint, including work undertaken to analyse staff mileage claims, the projected impact of population growth over the next few years, and the projected impact of the opening of Millerhill on landfill (waste) emissions.

(Reference – report by the Chief Executive, submitted.)

12 Edinburgh Climate Commission and Council Engagement Update

A draft outline for the Climate Commission's terms of reference was provided together with the Council's approach to engaging citizens and other stakeholders in discussions about how the Council and wider city could meaningfully act and support behavioural changes necessary to address climate change.

Decision

- 1) To endorse the draft terms of reference for the Edinburgh Climate Commission.
- 2) To note the first phase of engagement which was underway with the launch of a consultation into citizen behaviour and attitudes on 15 November 2019.
- 3) To note that some of the programme of events planned as part of the sustainability programme had been pushed into early next year because of the impact of the national election but that planning for these events was underway.
- 4) To agree to a report assessing the options for formal processes for citizen engagement such as the citizens assembly and the citizens jury in the Spring.

(References – Policy and Sustainability Committee 25 October 2019 (item 2); report by the Chief Executive, submitted.)

13 The Role of Public Sector Bodies in Tackling Climate Change – Response to Consultation

Details were provided on the Council's proposed response to the Scottish Government's consultations on 'The Role of Public Sector Bodies in Tackling Climate Change'.

Decision

To approve the proposed Council submission to the Scottish Government consultation on 'The Role of Public Sector Bodies in Tackling Climate Change'.

(Reference – report by the Chief Executive, submitted.)

14. Gaelic Language Plan 2018-20 – Monitoring Report

An overview was provided of the Council's statutory annual monitoring report which summarised progress with the implementation of its Gaelic Language Plan 2018-22 which was due to be submitted to Bòrd na Gàidhlig by 6 December 2019.

Decision

To approve the first statutory annual progress report on the Council's Gaelic Language Plan 2018-22, as required by Bòrd na Gàidhlig, to be submitted to the Bòrd by 6 December 2019 subject to the following corrections:

- Clarification that the Gaelic Development Officer post was part funded by the Council; and

- The GME secondary school was planned for 2024, rather than 2025.

(Reference – report by the Executive Director of Resources, submitted.)

15. Full Cost Charges in Care Homes for Older People Managed by the Council

The former Corporate Policy and Strategy Committee had agreed to standardise the method and timescales for setting full cost charges for all residents of care homes for older people managed by the Council and to an update being provided on the impact of the charging policy.

An update was provided on the implementation of the new approach to charging.

Decision

To note that the recommendations of the report on this subject to the Corporate Policy and Strategy Committee in February 2018 had been implemented.

(References – Corporate Policy and Strategy Committee, 27 February 2018 (item 6); report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

16. Edinburgh's Christmas

In response to a motion by Councillor Mowat, details were provided on the decision making process surrounding the Christmas Market in East Princes Street Gardens.

Motion

- 1) To note the report by the Chief Executive.
- 2) To note that the Chief Executive would report to the Policy and Sustainability Committee on 25 February 2020 outlining revised governance arrangements for event planning.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To note the report by the Chief Executive.
- 2) To correct recommendation 1.2 to read 25 February 2020 along with all other references within the report but otherwise agrees this recommendation.
- 3) To instruct the Chief Executive to produce a further report outlining:
 - a) What actions could be taken regarding the failure to comply with the Scheme of Delegation outlined in paragraph 4.16 and his recommendations regarding any such actions;
 - b) steps to alter the Scheme of Delegation so that politically controversial decisions are required to be taken by Committee;
 - c) any failures by the Council in regard to statutory, or other requirements of not ensuring all terms of legislation were complied with in regard to Planning and Building Control; how the timescales for decision on these matters regarding the Christmas Market vary from normal processes; why

any exceptions are considered acceptable and whether any other such exceptions are made;

- d) why briefings are given to one political Group within the Council and information is retained in private, limiting the ability of other Councillors to scrutinise issues, particularly when all Councillors have equal entitlement to information and equal responsibility as part of the decision-making body corporate that is the Council.
- 4) To refer the report to the Governance, Risk and Best Value Committee for consideration

- moved by Councillor Whyte, seconded by Councillor Mowat

In accordance with Standing Order 21(11), the amendment was adjusted and accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the report by the Chief Executive.
- 2) To note that the Chief Executive would report to the Policy and Sustainability Committee on 25 February 2020 outlining revised governance arrangements for event planning.
- 3) To ask that the Chief Executive's February report also cover:
 - a) What actions could be taken regarding the failure to comply with the Scheme of Delegation outlined in paragraph 4.16 and his recommendations regarding any such actions;
 - b) If any failures by the Council in regard to statutory, or other requirements of not ensuring all terms of legislation were complied with in regard to Planning and Building Control; how the timescales for decision on these matters regarding the Christmas Market varied from normal processes; why any exceptions were considered acceptable and whether any other such exceptions were made;

And requests that the 2020 review of the scheme of delegation cover:

- a) steps to alter the Scheme of Delegation so that politically controversial decisions were required to be taken by Committee;
 - b) The process of members briefings.
- 4) To refer the report to the Governance, Risk and Best Value Committee for consideration.

(References – Governance, Risk and Best Value Committee, 29 October 2019 (item 11); report by the Chief Executive, submitted.)

17. Developing the Council's Approach to Smart Cities

Details were provided on a proposal for the Council to commence work to develop a Smart City Strategy for Edinburgh to enable greater collaboration with other

organisations to deliver better outcomes for the people that lived, worked, learned in or visited the City.

Decision

- 1) To endorse the proposal to develop a Smart City Strategy for Edinburgh, in collaboration with relevant partner organisations.
- 2) To approve the Deputy Leader of the Council attending the Smart Cities Development Conference on 5 February 2020 to inform this work being developed.

(Reference – report by the Executive Director of Resources, submitted.)

18. Welfare Reform Update

An update was provided on the Council's ongoing welfare reform activities which included the implementation of Universal Credit.

Decision

- 1) To note the work that was ongoing to support Universal Credit and Welfare Reform in Edinburgh.
- 2) To note the current spend projections for Discretionary Housing Payments, Council Tax Reduction Scheme and the Scottish Welfare Fund.
- 3) To ask the Council Leader to write to the Department of Work and Pensions (DWP) to seek a resolution to the issue of Universal Credit not being backdated, where citizens had failed to notify the DWP of their yearly rent increase.
- 4) To ask the Leader to write to the Scottish Social Security Agency to encourage close working with the Council to assist with effective signposting.

(Reference – report by the Executive Director of Resources, submitted.)

19. Contact Centre Performance: July-September 2019

The Contact Centre performance for the period July to September 2019 was presented together with information on associated service improvement activities.

Decision

- 1) To note current performance trends within the Contact Centre.
- 2) To note ongoing improvement activities to ensure that Council services were easy to access, and citizen queries and complaints were dealt with effectively.

(Reference – report by the Executive Director of Resources, submitted.)

20. Additional Measure Being Introduced to the Equality, Diversity and Rights Framework

Details were provided on a proposed additional measure to be added to the Equality, Diversity and Rights Framework to measure and reduce the number of children with additional support needs who experienced school exclusions.

Decision

To note the amendment to the Equality, Diversity and Rights Framework 2017-21 on page 8 – outcome 1.2.

(Reference – report by the Executive Director for Communities and Families, submitted.)