

Leadership Advisory Panel

10.00am, Thursday 23 April 2020

Present

Councillors McVey (Convener), Aldridge, Day, Main and Whyte.

1. Minutes

Decision

To approve the minute of the Leadership Advisory Panel of 31 March 2020 as a correct record, subject to replacing the reference for item 10: Lothian Pension Fund Administration Strategy with the following wording - "Reference – report by the Executive Director of Resources, submitted)".

2. Leadership Advisory Panel Rolling Actions Log

The Leadership Advisory Panel Rolling Actions Log for April 2020 was presented.

Decision

- 1) To agree to close the following actions:
 - Action 1 - COVID – 19 – Verbal Update
 - Action 4 – Decisions taken under urgency provisions
 - Action 5 – Service Payment to Edinburgh Leisure – 2020/21
- 2) To note that the Executive Director of Place would circulate a briefing note to members on Action 2 – Haulage of Waste to Disposal Outlets.
- 3) To otherwise note the remaining outstanding actions.

(Reference – Rolling Actions Log, submitted.)

3. COVID-19 – Verbal update

The Chief Executive provided a verbal update on the Covid-19 outbreak.

The Panel were advised that the Council had moved to a hub system for the care of school children of essential workers and that this was working well. Service levels were being monitored daily to determine whether any services that had been affected or halted by the Covid-19 outbreak could be reinstated where possible.

An agreement had been established with the Edinburgh Voluntary Organisations' Council (EVOOC) and Volunteer Edinburgh for both volunteering and the distribution of food parcels. The Council was also in contact with the Scottish Council for Voluntary Organisations (SCVO) to ensure that all organisations were in communication and able to access the required aid.

The Chief Executive advised that work on the Government's Shielding Initiative was still progressing. A letter was due to be sent out by the First Minister offering further assistance with this scheme.

Work had been done to consider the Council's recovery plan following the Covid-19 outbreak and how to progress into a recovery phase. The Scottish Government's National Framework was being published on the day of the meeting which would provide guidance and timescales for how to approach this with a draft recovery plan to be submitted to the Policy and Sustainability Committee pending agreement of the Interim Political Management Arrangements.

The Panel were assured that there was now much greater interaction across the city, involving Edinburgh's communities, businesses and organisations to ensure an integrated approach to recovery was being put in place.

The Corporate Incident Management Team were meeting daily in order to make the necessary decisions that were required. Any decisions taken outwith the committee structure were taken by the Chief Executive in consultation with the Leader and Depute Leader of the Council.

Decision

- 1) To note the verbal update.
- 2) To note that the Executive Director of Resources had offered to provide a briefing to members on the advice and guidance provided by the Council to those applicants whose applications for business support grants had been rejected.
- 3) To note that the Executive Director of Resources would provide an update to members on priority access to supermarket delivery slots for shielded individuals.
- 4) To note that the Executive Director of Place had issued a members' briefing on the reinstatement of the kerbside glass recycling collection from 28 April and that a further briefing would be issued to members by 29 April providing information on the wider waste services function.

4. Interim Political Management Arrangements 2020

On 19 March 2020 the Chief Executive, under urgency provisions and in response to the Covid-19 emergency, had extended recess from 20 March 2020 to 27 April 2020. The Council's Leadership Advisory Panel had been established and had met twice in this period.

Since this decision was taken, a partial lockdown had been implemented in the UK and the Council was fully engaged in responding to the emergency. Recess was due to end imminently and new arrangements were required to be agreed.

The interim political management arrangements to carry out Council business for the period 1 May 2020 to 1 September 2020 were set out.

Motion

- 1) To resume the Policy and Sustainability Committee with its new terms of reference from 1 May 2020 to 1 September 2020 whereupon the remit of the committee would revert back to its current terms.
- 2) To resume the Development Management Sub-Committee to consider major applications from 1 May 2020.
- 3) To resume the Governance, Risk and Best Value Committee from 9 June 2020.
- 4) To immediately suspend all other committee meetings (with the exception of the Pensions Committee) until 1 September 2020 at the latest with the option of reconvening committees earlier if practicable starting with the Finance and Resources Committee if the Chief Executive in consultation with Leader and Deputy Leader agreed that capacity could allow for this.
- 5) To suspend Procedural Standing Orders until 31 August 2020 and to agree the interim Standing Orders outlined in appendix two of the report, subject to the following adjustments:
 - i) To retain from existing standing orders SO 9 (Order of Business) and SO 26 (Suspension of Standing Orders).
 - ii) To remove SO 20.7 from the Interim Procedural Standing Orders Ringing of Division Bell and to ensure that all meetings, agendas and reports (unless they were ruled private) were open to the public to access and observe.
- 6) To agree that the functions reserved to Council in the Committee Terms of Reference and Delegated Functions would be carried out by the Policy and Sustainability Committee until such time as the Council could meet.
- 7) To agree to delegate authority to the Chief Executive to set meeting dates for the reinstated committees in consultation with their conveners.
- 8) To agree that the political management arrangements should be reviewed by the Policy and Sustainability Committee in August 2020.
- 9) To agree that Conveners of Executive Committees which had been suspended during this interim period were permitted to serve on the membership of the Governance, Risk and Best Value Committee.
- 10) To agree that the arrangements to delegate functions of the Development Management Sub-Committee and the Licensing Sub-Committee as agreed at the Leadership Advisory Panel of 31 March 2020 would be extended until 1 September 2020.

- 11) To request that a report on the operational arrangements for the Governance, Risk and Best Value Committee during this interim period be brought to the first meeting of the Policy and Sustainability Committee in May.
 - 12) To note that the Chief Executive would report to the first meeting of the Policy and Sustainability Committee in May 2020 on potential options for holding meetings of Full Council.
- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To resume the Policy and Sustainability Committee with its new terms of reference from 1 May 2020 to 1 September 2020 whereupon the remit of the committee would revert back to its current terms.
- 2) To resume the Development Management Sub-Committee to consider major applications from 1 May 2020.
- 3) To resume the Governance, Risk and Best Value Committee from 9 June 2020.
- 4) To immediately suspend all other committee meetings until 1 September 2020.
- 5) To suspend Procedural Standing Orders until 31 August 2020 and to agree the interim Standing Orders outlined in appendix two, subject to the following adjustments:
 - i) To retain from existing standing orders SO 9 (Order of Business) and SO 26 (Suspension of Standing Orders).
 - ii) To remove SO 20.7 from the Interim PSO's Ringing of Division Bell and to ensure that all meetings, agendas and reports (unless they were ruled private) were open to the public to access and observe.
- 6) To agree that the functions reserved to Council in the Committee Terms of Reference and Delegated Functions would be carried out by the Policy and Sustainability Committee until such time as the Council can meet.
- 7) To recognise that the interim arrangement would give the power to the Committee to consider all business that would usually be that of Council and thus to alter the composition of the Committee during this period to reflect this by:
 - i) Creating an 18 Member Committee.
 - ii) Adding the Lord Provost as a member of the Committee to act as Convener and to bring greater input on the civic and community aspects of the recovery from the emergency situation.
 - iii) Implementing proportionality of places on the Committee to reflect the make-up of Council in line with Council's agreed democratic and governance principles. For the purposes of proportionality, the Lord Provost would be counted as part of any political Group of which they were a member.

- iv) Noting that this would result in a Committee with the following membership: 5 Conservative, 5 SNP, 3 Labour, 2 Green, 2 Liberal Democrat, 1 Edinburgh Party of Independent Councillors.
 - 8) To agree to delegate authority to the Chief Executive to set meeting dates for the reinstated committees in consultation with their conveners.
 - 9) To agree that the political management arrangements should be reviewed by the Policy and Sustainability Committee in August 2020.
 - 10) To agree that the arrangements to delegate functions of the Development Management Sub-Committee and the Licensing Sub-Committee as agreed at the Leadership Advisory Panel of 31 March 2020 would be extended until 1 September 2020.
 - 11) To request that a report outlining whether the membership of the Governance, Risk and Best Value Committee could be altered to include Conveners of Executive Committees which had been suspended during this interim period would be brought to the first meeting of the Policy and Sustainability Committee in May.
 - 12) To note that the Chief Executive would report to the first meeting of the Policy and Sustainability Committee in May 2020 on potential options for holding meetings of Full Council and that this should include contact with the Houses of Parliament to determine what security and practical considerations they had followed to allow the House of Commons to meet using Zoom and the House of Lords using Microsoft Teams given the potential inclusion of up to 150 MPs at a time in this process and the Council comprising only 63 members.
- moved by Councillor Whyte, seconded by Councillor Aldridge

Voting

For the motion - 3 votes
For the amendment - 2 votes

(For the motion: Councillors Day, Main and McVey.

For the amendment: Councillors Aldridge and Whyte.)

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To resume the Policy and Sustainability Committee with its new terms of reference from 1 May 2020 to 1 September 2020 whereupon the remit of the committee would revert back to its current terms.
- 2) To resume the Development Management Sub-Committee to consider major applications from 1 May 2020.
- 3) To resume the Governance, Risk and Best Value Committee from 9 June 2020.

- 4) To immediately suspend all other committee meetings until 1 September 2020 at the latest with the option of reconvening committees earlier if practicable starting with the Finance and Resources Committee if the Chief Executive in consultation with Leader and Deputy Leader agreed that capacity could allow for this with the exception of the Pensions Committee.
- 5) To suspend Procedural Standing Orders until 31 August 2020 and to agree the interim Standing Orders outlined in appendix two, subject to the following adjustments:
 - i) To retain from existing standing orders SO 9 (Order of Business) and SO 26 (Suspension of Standing Orders).
 - ii) To remove SO 20.7 from the Interim PSO's Ringing of Division Bell and to ensure that all meetings, agendas and reports (unless they were ruled private) were open to the public to access and observe.
- 6) To agree that the functions reserved to Council in the Committee Terms of Reference and Delegated Functions would be carried out by the Policy and Sustainability Committee until such time as the Council could meet.
- 7) To agree to delegate authority to the Chief Executive to set meeting dates for the reinstated committees in consultation with their conveners.
- 8) To agree that the political management arrangements should be reviewed by the Policy and Sustainability Committee in August 2020.
- 9) To agree that Conveners of Executive Committees which had been suspended during this interim period were permitted to serve on the membership of the Governance, Risk and Best Value Committee.
- 10) To agree that the arrangements to delegate functions of the Development Management Sub-Committee and the Licensing Sub-Committee as agreed at the Leadership Advisory Panel of 31 March 2020 would be extended until 1 September 2020.
- 11) To request that a report on the operational arrangements for the Governance, Risk and Best Value Committee during this interim period be brought to the first meeting of the Policy and Sustainability Committee in May.
- 12) To note that the Chief Executive would report to the first meeting of the Policy and Sustainability Committee in May 2020 on potential options for holding meetings of Full Council.

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

5. Consultation Planning Report

Details were provided of all open and planned consultations and surveys and processes were proposed to manage consultation and engagement activity. The public and most key stakeholders were focused on dealing with and responding to the current circumstances surrounding Covid-19. Any consultation and engagement activity taking place would be required to be sensitive to the crisis context.

In addition, any consultation currently happening or taken forward in this context would have to be aware that this would risk the consultation being more vulnerable to challenge. This was because it would be difficult to demonstrate that all people had had an equal opportunity to take part in a consultation during a national emergency consisting of a lockdown and social isolation policy. As such, it was proposed that the Council extend the deadline for all consultations currently live by two months.

It was also proposed to suspend all planned consultation and engagement activity, except:

- Those required by Statute.
- Those which were related to COVID-19.
- Following recent guidance and emergency legislation for Planning, a review was currently underway on how these changes could be implemented to allow Planning consultations to be continued. This guidance could also apply to Transport. The Council's proposed approach to these was outlined in Appendix 2 of the report.

Decision

- 1) To agree that all current and planned consultation deadlines were extended by at least two months, where that had not already happened, unless otherwise agreed.
- 2) To pause all new consultation and engagement exercises that did not have statutory or COVID related requirements until further notice.
- 3) To agree to follow recent Scottish Government guidance and emergency legislation for determining the progress of both Planning and Transport consultations and processes as outlined in appendix 2 of the report.
- 4) To note the new planning guidance, however to agree to continue the Halmyre consultation and to extend the period by a further month instead of suspending.
- 5) To note that a further report would be provided setting out the forward plan for consultations in due course.
- 6) To note the significant fall in consultation responses during the current COVID-19 restrictions and to recognise the need for as many voices to be heard as possible on the future shape of winter festivals.
- 7) To further note the Festival and Events All Party Oversight Group (APOG) had not yet met as meetings were cancelled due to the current restrictions. Therefore, to agree to engage with elected members through the APOG as soon as practicable to allow the consultation to proceed at the earliest opportunity. This would be brought back to the appropriate committee for approval before being published.
- 8) To agree that the consultation should go ahead in a timescale that allowed feedback to be taken into account in the future programme.
- 9) To further agree that the next Policy and Sustainability Committee would receive an update on process and timeline of the consultation.

- 10) To agree that the APOG on Festivals and Events should meet remotely in advance of the Policy and Sustainability Committee in order that Party Spokespersons could discuss the matter and influence the report.
- 11) To recognise that COVID-19 was likely to have lasting impacts on the use of the City Centre and to request that the APOG consider how to invite contributions from residents, businesses and stakeholders to inform a wider consultation on events and use of public spaces in the City Centre and beyond with an early outline being given in the report to Policy and Sustainability Committee.

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

6. Decisions Taken Under Emergency Powers

Decisions taken by the Chief Executive, in consultation with the Leader and Depute Leader, under emergency provisions in response to the Covid-19 emergency were detailed.

Decision

- 1) To note the report.
- 2) To note that the Executive Director of Place would circulate a briefing to members on the closure of Nicolson Square and St Patrick's Square gardens.

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

7. Waiver report for Edinburgh and Midlothian Offender Recovery Service (EMORS)

Approval was sought for a waiver of Contract Standing Orders to allow the direct award of a contract to CGL to deliver the Edinburgh and Midlothian Offender Recovery Service (EMORS). The contract would enable the service, which supported people in the justice system, to continue uninterrupted from 1 October 2020 to 31 March 2021, pending the finalising of tendering arrangements for a new contract commencing on 1 April 2021.

Decision

- 1) To approve the direct award of a six-month contract to Change Grow Live (CGL) for the continued delivery of the EMORS for the period 1 October 2020 to 31 March 2021.
- 2) To note that the Executive Director for Communities and Families would brief political groups at the redesign stage to enable elected member input to the process.

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

8. Resolution to Consider in Private

The Panel, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, were requested to exclude the public from the meeting during consideration of the following item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraph 6 and 9 of Part 1 of Schedule 7(A) of the Act.

Motion

- 1) To note that item 11.1 'Revenue Budget 2020-21 Update listed on the publicly available agenda for the meeting was recommended to be held in private, excluding the public from the meeting and that the related papers had not been published.
 - 2) To note that in these very difficult times during the Covid-19 Pandemic, it was crucial that Edinburgh Council was as transparent in its discussions and decision making as possible, and that public discussion of the financial implications was in the public interest.
 - 3) To therefore resolve to take this item in public in as far as it related to discussion of Council financial information, and thereafter to discuss in private, confidential information relating to other organisations.
 - 4) To request that the Chief Executive publish a version of the report excluding any private and confidential information relating to other organisations, and any other exempt information as committee agreed, under the under Section 50(A)(4) of the Local Government (Scotland) Act 1973.
- moved by Councillor Main, seconded by Councillor Aldridge

Decision

To approve the motion.

9. Revenue Budget 2020/21 Update

Following approval by Council on 20 February 2020 of the revenue budget for 2020/21, progress and further actions were outlined in respect of management of service pressures and development of savings implementation plans for the approved proposals comprising the budget framework.

Decision

- 1) To note the progress to date in delivery of the approved savings and assumed management of residual pressures underpinning the 2020/21 budget.
- 2) To note the significant estimated expenditure and income impacts of the Covid-19 pandemic on the Council and its Arms Length External Organisations' (ALEOs) activities and the potential sources of offsetting funding identified to date.
- 3) To note that the Council would submit regular updates to COSLA on these expenditure and income estimates with a view to informing negotiations with both the UK and Scottish Governments.

- 4) To note that further regular updates would be provided to elected members as greater certainty was obtained in these areas.
- 5) To note that the content of the revenue and capital budget frameworks could be subject to change as part of a wider review of relative Council priorities once the on-going impacts of current disruption became clearer.
- 6) To approve the payment of an uplift of 3.3% to contract hourly rates to allow all voluntary and independent social care providers to ensure that all social care support workers would have their pay increased to at least the Living Wage Foundation rate of £9.30 an hour from 1 April 2020.
- 7) To thank the Council Leader for writing to the Cabinet Secretary for Finance and to call for his original ask of the Cabinet Secretary and the outcome of this dialogue to be shared with members of the Leadership Advisory Panel.
- 8) To note that the Executive Director of Resources would continue to keep political group finance spokespersons updated on the evolving financial position.

(References – Act of Council No 2. of 20 February 2020; joint report by the Chief Executive and the Executive Director of Resources, submitted.)