

Policy and Sustainability Committee

10.00 am, Thursday 6 October 2020

Present

Councillors McVey (Convener), Day (Vice-Convener), Aldridge, Jim Campbell (substituting for Councillor Cook, item 19 onwards), Kate Campbell, Cook (items 1 – 18), Dickie (substituting for Councillor Gardiner, items 1 – 9), Gardiner (item 10 onwards), Gloyer, Hutchison, Macinnes, Main, McLellan (items 1 – 18), Mowat (substituting for Councillor McLellan, item 19 onwards), Munn (substituting for Councillor Rankin), Perry, Rose (substituting for Councillor Webber, items 1 – 14), Staniforth, Webber (item 15 onwards), Whyte and Wilson.

1. Response to Council Motion on Whistleblowing Culture

On 17 September 2020, the City of Edinburgh Council considered an emergency motion by Councillor Whyte on Whistleblowing Culture. This motion was referred onto the Policy and Sustainability Committee of 6 October 2020 to allow any relevant information relating to the process and timeline of investigations to be presented by officers to the contents of the motion and then brought back to Council on 15 October 2020 for a full discussion.

In response to a motion to Councillor Whyte's motion a report was provided which also set out some details in relation to the current confidential ongoing investigation. Recommendations were made in relation to a proposed further review of Council culture and associated processes. The report was considered alongside the referred motion.

Decision

- 1) To note that a fully independent review into certain specific matters was underway and was currently expected to complete its work in the Spring next year.
- 2) Building on the decision made at Council on 17 September 2020, to agree that a further independent assessment of Council culture and relevant processes would be undertaken.
- 3) To refer this report to full Council on 15 October for decision.

(References - Act of Council No. 16 of 17 September 2020; report by the Chief Executive, submitted.)

2. Whistleblowing Culture – Motion by Councillor Whyte

The following motion by Councillor Whyte was referred from the meeting of the City of Edinburgh Council of 17 September 2020 in terms of Standing Order 17:

- “1) Council notes with concern the recent media reports about the sudden death of a Council employee who had been suspended and was under investigation by the Council and Police over serious criminal allegations.
- 2) Council further notes that media reports allege that complaints about the employee’s behaviour date back over a number of years and that this behaviour was raised with the Council in the past. It is not clear to the public whether, or how, these matters were addressed.
- 3) Council notes that, since its introduction in 2014 the current whistleblowing process has improved matters with independent oversight from Safecall and the Governance, Risk and Best Value Committee being key contributors, but that there have been concerns raised historically in relation to pre-2014 whistleblowing and conduct inquiries into matters such as the statutory notices scandal, the matters examined by the Edinburgh Tram Inquiry, various investigations resulting in reports to Council detailing historic maladministration and the circumstances which led to the dismissal of the head teacher at Castlebrae High School. Many of these matters are still subject to Public Inquiry or Court proceedings.
- 4) Council expresses concern that current circumstances are potentially an indication of a negative culture which it was hoped was wholly historic in nature.
- 5) Council notes that an investigation has been commissioned by Council officers into the matters relating to the activities of the Council’s former staff member and related activities, working with the Police as appropriate, potentially involving independent input, and that this will report back to the Chief Executive in due course.
- 6) Council recognises the confidentiality and sensitivity of the investigation and requests the Chief Executive to report back to Council on the outcome and any recommendations in due course and in the meantime to keep the Group Leaders updated on progress.
- 7) Council agrees the prime importance of ensuring confidence in its approach to whistleblowing, corruption and criminal wrongdoing, and notes that addressing the culture contributing to any such failings is crucial.
- 8) Council therefore agrees to instruct an independent Inquiry into the culture that developed that allowed this situation to exist within, to determine whether it continues to persist today and to report on any recommendations for change. The Inquiry will be led by a senior person with appropriate experience such as a QC or former senior Police officer.
- 9) The Inquiry should proceed at the earliest appropriate opportunity, taking account of internal processes, legal proceedings and Police investigations and

recognising that some of these may have to conclude before this wider cultural inquiry begins. The remit will be decided independently of the staffing structure of the Council and agreed by Group Leaders in consultation with the independent person identified to lead the Inquiry. It should specifically include the Council's approach to the "avoidance of reputational damage" and whether this or any other aspects of culture within the Council has been a contributory factor in not fully identifying or addressing any potential wrongdoing."

Decision

To note that the motion had been withdrawn by Councillor Whyte as it had been dealt with under Item 8.7, which was referred to Full Council.

(Reference – Act of Council No. 16 of 17 September 2020)

3. Minutes

Decision

To approve the minute of the Policy and Sustainability Committee of 20 August 2020 as a correct record, subject to the following correction: under Item 5 - Annual Performance 2019/20, the words "seconded by Councillor Mary Staniforth" should read "seconded by Councillor Mary Campbell".

4. Policy and Sustainability Committee Work Programme

The Policy and Sustainability Committee Work Programme for 6 October 2020 was presented.

Decision

- 1) To agree to update the lead officer for items 2 to 6.
- 2) To otherwise note the Work Programme.

(Reference – Work Programme 6 October 2020, submitted.)

5. Policy and Sustainability Committee Rolling Actions Log

(a) Deputation – Low Traffic Corstorphine

A written deputation was presented on behalf of the Jack Kane Community Centre in respect of Action 34 – Community Centres and Libraries reopening.

The deputation noted that the Scottish Government had allowed for the resumption of youth work from 31 August 2020 – they argued that, despite this, there appeared to be no evidence of urgency occurring from a community centre perspective. They stated that they felt unfairly disadvantaged to the detriment of their community.

(b) 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** - Managing Transition to Brexit in Edinburgh
 - **Action 6 (1&2)** – West Edinburgh Progress Update
 - **Action 7** – City of Edinburgh Council – Motion by Councillor Jim Campbell – Edinburgh’s Winter Festivals
 - **Action 9(3)** – Edinburgh Poverty Commission Progress Update
 - **Action 18** – Funding of Temporary Accommodation for Homeless People – motion by Councillor Watt
 - **Action 22** – City of Edinburgh Council – Motion by Councillor Rust – Engagement with Employees
 - **Action 23** – Homelessness Services - Use of Temporary Accommodation
 - **Action 24** - Re-opening of Public Conveniences
 - **Action 27** – Adaptation and Renewal Programme Update
 - **Action 33(2&3)** – Schools Re-opening - Update
 - **Action 35** – Re-opening of public conveniences
 - **Action 38** – Internal Audit Annual Opinion for the year ended 31 March 2020
 - **Action 39(3)** – Adaptation and Renewal Programme Update
 - **Action 40(a)(1)** – Annual Performance 2019/20
 - **Action 40(b)(1&2)** - Referral of report to the City of Edinburgh Council
- 2) To agree to close Action 21 - Rural Roads Speeds Review (Spaces for People) – Motion by Councillor Webber as the briefing note was circulated on 2 October 2020.
- 3) To agree to close Action 25 - Transport Infrastructure Investment – Capital Delivery Priorities for 2019/20 as the briefing note was circulated on 5 October 2020.
- 4) To agree to leave Action 10 open (City of Edinburgh Council – Motion by Councillor Main – Recycling in Schools) until the information requested had been provided.
- 5) To request a briefing note on Item 34 – Community Centres and Libraries Reopening which would provide timescales and answers to the questions raised by the deputation from the Jack Kane Community Centre.
- 6) To otherwise note the Rolling Actions Log.
(Reference – Rolling Actions Log, submitted.)

6. Business Bulletin

The Finance and Resources Committee Business Bulletin for October 2020 was submitted.

Decision

To note the Business Bulletin.

(Reference – Business Bulletin 6 October 2020, submitted.)

7. Local Fire Plan 2020

The Police and Fire Reform (Scotland) Act 2012 required the Scottish Fire and Rescue Service (SFRS) to set out a local plan which should set out the main priorities and objectives for SFRS in the local authority's area. The Local Fire Plan 2020 for Edinburgh was submitted for approval.

Area Commander Kenny Rogers was in attendance to speak to the report and answer questions.

Decision

To approve the Local Fire Plan 2020.

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

8. Police Scotland – City of Edinburgh Division Update

On 30 May 2019 the City of Edinburgh Council agreed that police and fire and rescue service city-wide plans, policies and performance would be considered under the remit of the new Policy and Sustainability Committee

An update was provided for the period of April 2020 to June 2020 from Police Scotland on the City of Edinburgh division.

Chief Superintendent Sean Scott was in attendance to speak to the report and answer questions.

Decision

To note the report.

(References – Act of Council No. 6 of 30 May 2019; report by the Chief Executive, submitted.)

9. Edinburgh Poverty Commission

On 28 June 2018 City of Edinburgh Council agreed to support the launch of a new independent Edinburgh Poverty Commission and agreed that recommendations proposed by the commission would be used to inform the implementation of the Council Change Strategy.

The final report of the Edinburgh Poverty Commission was presented. It was proposed that the City of Edinburgh Council committed, by December 2020, to agree a

comprehensive programme of cross-Council actions in response to the findings of the Commission.

Jim McCormick and Zoe Ferguson from the Edinburgh Poverty Commission were in attendance to speak to the report and answer questions.

Motion

- 1) To note the final report published by the Edinburgh Poverty Commission.
- 2) To express thanks and gratitude to the independent members of the Edinburgh Poverty Commission for leading the most comprehensive inquiry into poverty and its solutions ever conducted in any local authority area in Scotland, and in particular for the more than 600 hours of volunteer time they had committed to the work of the Commission.
- 3) To express thanks also to the over 70 organisations and 1,000 participants who took time to attend meetings, workshops, interviews, focus groups, and to submit the written evidence on which the Commission had based its findings.
- 4) To agree that the Council would commit to working towards the aim of ending poverty in Edinburgh by 2030 as defined by the four targets set by the Commission aiming that by 2030:
 - i) No-one in Edinburgh would need to go without basic essentials they need to eat, keep clean, stay warm and dry
 - ii) Fewer than one in people would be living in relative poverty in Edinburgh at any given time.
 - iii) No-one in Edinburgh would live in persistent poverty.
 - iv) No-one in Edinburgh would experience stigma due to their income.
- 5) To agree that the Council would work with the new End Poverty Edinburgh citizen group to ensure that the voices of people with experience of poverty continued to inform the way the Council planned and delivered services.
- 6) To agree to consider a comprehensive Council response to the final report of the Edinburgh Poverty Commission in December 2020. This response would take the form of a cross-council programme of work with clear commitments to Council action in the short, medium, and long term, and incorporate clear, measurable performance indicators.
- 7) To agree that the development of this response was supported with additional scrutiny by the Council's Adaptation and Renewal All Party Oversight Group.
- 8) To agree that, in doing so, the Adaptation and Renewal All Party Oversight Group would adopt the remit of the Council's Poverty All Party Oversight Group and that, in line with proposed membership of that group, the Convener and/or Vice Convener of the Children and Education Committee would be invited to all group discussions relating to poverty.

- 9) To agree that it was unacceptable that over 77,000 people, including one in five of all children, lived in poverty in Scotland's capital city.
 - 10) To understand that this had been the most extensive process of inquiry into poverty, its causes, consequences and solutions ever undertaken in a Scottish local authority area.
 - 11) To agree the significance of this work and the timely need for the Council to respond in an expedient way to meet the laudable and ambitious target set by the Commission to end poverty in the city by 2030.
 - 12) To recommend that a SMART (Specific, Measurable, Achievable, Relevant, Time) approach was taken to map out definite aims until 2030 to ensure that the target to end poverty in the city could be realised; and to further call for this work to be underpinned with robust data and evidence throughout to enable a 'quadruple lock' on attaining this most ambitious of targets.
 - 13) To agree that as an immediate first action following the publication, The Council Leader would write to the appropriate Scottish and UK Government Cabinet Secretaries to raise issues of relevance for UK and Scottish Government Policies to take forward the Poverty commissions call to action recommendations.
- moved by Councillor McVey, seconded by Councillor Day

Amendment 1

- 1) To note the final report published by the Edinburgh Poverty Commission.
 - 2) To express thanks and gratitude to the independent members of the Edinburgh Poverty Commission for leading the most comprehensive inquiry into poverty and its solutions ever conducted in any local authority area in Scotland, and in particular for the more than 600 hours of volunteer time they had committed to the work of the Commission.
 - 3) To express thanks also to the over 70 organisations and 1,000 participants who took time to attend meetings, workshops, interviews, focus groups, and to submit the written evidence on which the Commission had based its findings.
 - 4) To express regret that, given the work had been undertaken alongside the Council, it would take until December 2020 to produce a comprehensive response to the Commission's report and to note with concern that no initial response was available at this stage to even suggest immediate early actions that could be taken to improve Council services for those most in need.
 - 5) To therefore agree to instruct the comprehensive report detailed at paragraph 1.6 of the report and that this would include the cost and operational implications of committing to paragraph 1.4 and 1.5. The report should also outline how future scrutiny could be focused in public at a Council Committee.
- moved by Councillor Whyte, seconded by Councillor McLellan

Amendment 2

- 1) To note the final report published by the Edinburgh Poverty Commission.
- 2) To express thanks and gratitude to the independent members of the Edinburgh Poverty Commission for leading the most comprehensive inquiry into poverty and its solutions ever conducted in any local authority area in Scotland, and in particular for the more than 600 hours of volunteer time they had committed to the work of the Commission.
- 3) To express thanks also to the over 70 organisations and 1,000 participants who took time to attend meetings, workshops, interviews, focus groups, and to submit the written evidence on which the Commission had based its findings.
- 4) To agree that the Council would commit to working towards the aim of ending poverty in Edinburgh by 2030 as defined by the four targets set by the Commission aiming that by 2030:
 - i) No-one in Edinburgh would need to go without basic essentials they need to eat, keep clean, stay warm and dry
 - ii) Fewer than one in people would be living in relative poverty in Edinburgh at any given time.
 - iii) No-one in Edinburgh would live in persistent poverty.
 - iv) No-one in Edinburgh would experience stigma due to their income.
- 5) To agree that the Council would work with the new End Poverty Edinburgh citizen group to ensure that the voices of people with experience of poverty continued to inform the way the Council planned and delivered services.
- 6) To agree to consider a comprehensive Council response to the final report of the Edinburgh Poverty Commission in December 2020. This response would take the form of a cross-council programme of work with clear commitments to Council action in the short, medium, and long term, and incorporate clear, measurable performance indicators.
- 7) To agree that the development of this response was supported with additional scrutiny by the Council's Adaptation and Renewal All Party Oversight Group.
- 8) To agree that, in doing so, the Adaptation and Renewal All Party Oversight Group would adopt the remit of the Council's Poverty All Party Oversight Group and that, in line with proposed membership of that group, the Convener and/or Vice Convener of the Children and Education Committee would be invited to all group discussions relating to poverty.
- 9) To note the synergy in some of the actions required to meet the outcomes of the poverty Commission and the Climate Commission and to request that this was addressed in the council response and plans going forward.
- moved by Councillor Main, seconded by Councillor Staniforth

In accordance with Standing Order 22.12, Amendment 2 was accepted as an addendum to the motion.

Voting

For the motion (as adjusted)	-	12 votes
For the amendment	-	5 votes

(For the motion (as adjusted): Councillors Aldridge, Kate Campbell, Day, Dickie, Gloyer, Macinnes, Main, McVey, Munn, Perry, Staniforth and Wilson.

For the amendment: Councillors Cook, Hutchison, McLellan, Rose and Whyte.)

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the final report published by the Edinburgh Poverty Commission.
- 2) To express thanks and gratitude to the independent members of the Edinburgh Poverty Commission for leading the most comprehensive inquiry into poverty and its solutions ever conducted in any local authority area in Scotland, and in particular for the more than 600 hours of volunteer time they had committed to the work of the Commission.
- 3) To express thanks also to the over 70 organisations and 1,000 participants who took time to attend meetings, workshops, interviews, focus groups, and to submit the written evidence on which the Commission had based its findings.
- 4) To agree that the Council would commit to working towards the aim of ending poverty in Edinburgh by 2030 as defined by the four targets set by the Commission aiming that by 2030:
 - i) No-one in Edinburgh would need to go without basic essentials they need to eat, keep clean, stay warm and dry
 - i) Fewer than one in people would be living in relative poverty in Edinburgh at any given time.
 - iii) No-one in Edinburgh would live in persistent poverty.
 - iv) No-one in Edinburgh would experience stigma due to their income.
- 5) To agree that the Council would work with the new End Poverty Edinburgh citizen group to ensure that the voices of people with experience of poverty continued to inform the way the Council planned and delivered services.
- 6) To agree to consider a comprehensive Council response to the final report of the Edinburgh Poverty Commission in December 2020. This response would take the form of a cross-council programme of work with clear commitments to Council action in the short, medium, and long term, and incorporate clear, measurable performance indicators.
- 7) To agree that the development of this response was supported with additional scrutiny by the Council's Adaptation and Renewal All Party Oversight Group.

- 8) To agree that, in doing so, the Adaptation and Renewal All Party Oversight Group would adopt the remit of the Council's Poverty All Party Oversight Group and that, in line with proposed membership of that group, the Convener and/or Vice Convener of the Children and Education Committee would be invited to all group discussions relating to poverty.
- 9) To agree that it was unacceptable that over 77,000 people, including one in five of all children, lived in poverty in Scotland's capital city.
- 10) To understand that this had been the most extensive process of inquiry into poverty, its causes, consequences and solutions ever undertaken in a Scottish local authority area.
- 11) To agree the significance of this work and the timely need for the Council to respond in an expedient way to meet the laudable and ambitious target set by the Commission to end poverty in the city by 2030.
- 12) To recommend that a SMART (Specific, Measurable, Achievable, Relevant, Time) approach was taken to map out definite aims until 2030 to ensure that the target to end poverty in the city could be realised; and to further call for this work to be underpinned with robust data and evidence throughout to enable a 'quadruple lock' on attaining this most ambitious of targets.
- 13) To agree that as an immediate first action following the publication, The Council Leader would write to the appropriate Scottish and UK Government Cabinet Secretaries to raise issues of relevance for UK and Scottish Government Policies to take forward the Poverty commissions call to action recommendations.
- 14) To note the synergy in some of the actions required to meet the outcomes of the poverty Commission and the Climate Commission and to request that this was addressed in the council response and plans going forward.

(References – Act of Council No. 13 of 28 June 2018; report by the Chief Executive, submitted.)

10. Adaptation and Renewal Programme Update

The fifth iteration of regular updates on the Adaptation and Renewal Programme was provided, as was agreed at the meeting of 28 May 2020. This progress update covered decisions taken in period 14 August to 13 September 2020, the latest COVID-19 Dashboard and a wider programme update. An update on the planning that was underway for the 21/22 Budget process was also included.

Decision

- 1) To note the latest position with regards to the latest guidance from Government following the announcement on the 22 September.
- 2) To note the decisions taken to date under urgency provisions from 14 August 2020 to 13 September 2020 outlined at Appendix 1 of the report by the Chief Executive.

- 3) To note the COVID-19 Response Dashboard outlined at Appendix 2 of the report.
- 4) To note the progress updates for the Adaptation and Renewal Programme and the milestone chart at Appendix 3 of the report.
- 5) To note that a report would be going to Finance and Resources Committee on 29 October with further proposals to deliver a sustainable budget for 2020/21.
- 6) To note the four longer term change programmes, which would evolve from the existing Adaptation and Renewal programme, and the proposal to launch a VERA exercise.
- 7) To note the intention to publish a Business Plan and Workforce Plan at the time of completing the three-year revenue budget and 10-year capital budget in February 2021. A new Council Performance Framework would accompany this.
- 8) To refer this report to Council for approval of the use of earmarked reserves up to £14.8m from the Workforce Transformation Fund.
- 9) To agree that a briefing note would be provided to members on how officers undertake traffic modelling.
- 10) To agree that concerns regarding planning for the end of term would be raised at a meeting with the Universities Group and then a briefing would be provided to members on the outcome of this discussion.

(Reference – Policy and Sustainability Committee of 28 May 2020 (item 4); report by the Chief Executive, submitted.)

11. Edinburgh and South East Scotland City Region Deal Annual Report

The key findings from the appended City Region Deal Annual Report for 2019/20 were summarised. The report was published on 31 August 2020 and approved by the City Region Deal Joint Committee on 4 September 2020.

The City Region Deal continued to be operating successfully and the governance arrangements facilitated a positive response to challenges associated with Covid-19.

Motion

- 1) To note the summary findings of the second annual report for the Edinburgh and South East Scotland City Region Deal.
 - 2) To note that targets on how the City Region Deal would integrate delivery on net zero carbon aims would be incorporated within the Council's commitment to become a resilient, carbon-neutral city by 2030.
- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To note the summary findings of the second annual report for the Edinburgh and South East Scotland City Region Deal.

- 2) To note that targets on how the City Region Deal would integrate delivery on net zero carbon aims would be incorporated within the Council's commitment to become a resilient, carbon-neutral city by 2030.
 - 3) To note reference in paragraph 4.3.6 to the Benefits Realisation Plan for the Deal and to agree that a further report would be provided within two cycles detailing the Plan and how its indicators would be presented to Council to allow elected members to scrutinise the Plan and ensure it would provide a robust process for reporting and monitoring delivery of the Deal.
- moved by Councillor Whyte, seconded by Councillor McLellan

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 McVey:

- 1) To note the summary findings of the second annual report for the Edinburgh and South East Scotland City Region Deal.
- 2) To note that targets on how the City Region Deal would integrate delivery on net zero carbon aims would be incorporated within the Council's commitment to become a resilient, carbon-neutral city by 2030.
- 3) To note reference in paragraph 4.3.6 to the Benefits Realisation Plan for the Deal and to agree that a further report would be provided after the City Region Deal Joint Committee had considered the report detailing the Plan and how its indicators would be presented to the Policy and Sustainability Committee to allow elected members to scrutinise the Plan and ensure it would provide a robust process for reporting and monitoring delivery of the Deal.

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

12. Response to Internal Audit Opinion 2020

The approach that the Chief Executive was taking to resolve the weaknesses identified in the Chief Internal Auditor's 2020 Internal Audit Opinion was set out. This would be a comprehensive approach covering the implementation of agreed management actions to address open Internal Audit findings. Details were provided on governance and risk management frameworks, operational processes and controls and expected timelines were identified.

Decision

- 1) To note the actions being taken to resolve the weaknesses identified in the Chief Internal Auditor's 2020 Internal Audit Opinion.
- 2) To note that additional capacity would be provided immediately to bolster assurance with initial focus on addressing open Internal Audit findings within the Council.

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

13. Appointments to Working Groups 2020/2021

The Policy and Sustainability Committee was required to appoint the membership of its Working Groups for 2020/21. The proposed membership, structures and remits of each were detailed in Appendices 1 to 8 of the report by the Chief Executive.

Motion

- 1) To agree the re-appointment of members to Working Groups as set out in Appendices 1 to 8 of the report by the Chief Executive.
 - 2) To agree the dissolution of the Redford Barracks Working Group and the Poverty All Party Oversight Group.
 - 3) To note that Councillor Staniforth had replaced Councillor Miller on the Brexit Working Group.
- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To agree the re-appointment of members to Working Groups as set out in Appendices 1 to 8 of the report by the Chief Executive.
 - 2) To agree the dissolution of the Redford Barracks Working Group and the Poverty All Party Oversight Group.
 - 3) To review the membership of the West Edinburgh All Party Oversight Group to reflect the dissolution of Locality Committees and as such that the Convenor / Vice Convenor of South West and North West Locality positions no longer existed and that the membership and political balance of the APOG was representative of the combined Wards covered by the work.
 - 4) To further agree that the work of the Equalities Working Group, the Sustainability and Climate Emergency All Party Oversight Group and the Welfare Reform Working Group had all been subsumed within the cross cutting remit of the Adaptation and Renewal All Party Oversight Group and that these be dissolved. Consequently, the remit of the Adaptation and Renewal All Party Oversight Group should be reviewed to include any necessary additional elements of the remits of these Groups and the Poverty all Party Oversight Group that were not covered within the Adaptation and Renewal Programme.
 - 5) To note that Councillor Staniforth had replaced Councillor Miller on the Brexit Working Group.
- moved by Councillor Hutchison, seconded by Councillor Whyte

In accordance with Standing Order 22.12, the amendment was adjusted and accepted as an addendum to the motion.

Voting

For the motion (as adjusted)	-	10 votes
For the amendment	-	7 votes

(For the motion (as adjusted): Councillors Kate Campbell, Day, Gardiner, Macinnes, Main, McVey, Munn, Perry, Staniforth and Wilson.

For the amendment: Councillors Aldridge, Cook, Gloyer, Hutchison, McLellan, Rose and Whyte.)

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To agree the re-appointment of members to Working Groups as set out in Appendices 1 to 8 of the report by the Chief Executive.
- 2) To agree the dissolution of the Redford Barracks Working Group and the Poverty All Party Oversight Group.
- 3) To review the membership of the West Edinburgh All Party Oversight Group to reflect the dissolution of Locality Committees and as such that the Convenor / Vice Convenor of South West and North West Locality positions no longer existed.
- 4) To note that Councillor Staniforth had replaced Councillor Miller on the Brexit Working Group.

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

14. Re-opening of Public Conveniences

An update was provided on how the public conveniences which had been reopened in July 2020 were operating. Information was also provided as requested in recent decisions taken at committee and the next steps were set out for developing a public conveniences strategy for Edinburgh.

Motion

- 1) To note that the measures put in place were generally working well and that they were operating effectively.
- 2) To note the measures and costs associated with retaining the opening of seven public conveniences in the city over the winter months (in line with current COVID-19 guidance).
- 3) To refer this report to Full Council for approval of the measures and investment required to continue with opening seven public conveniences to the end of the financial year.
- 4) To note the approach to developing a public convenience strategy and to approve commencement of assessment of possible locations for new public convenience facilities.
- 5) To agree that officers would work with Parking officers and ward councillors on wayfinding signage for public toilets.
- 6) To agree to provide a review of facilities within the Community Toilet Scheme.

- 7) To note that the Executive Director of Place was meeting with the director of Edinburgh World Heritage and would raise timescales for the Hunter Square toilets being potentially incorporated into the heritage building at Tron Kirk and update members on this discussion.
- moved by Councillor McVey, seconded by Councillor Day

Amendment 1

- 1) To note that the measures put in place were generally working well and that they were operating effectively.
- 2) To note the measures and costs associated with retaining the opening of seven public conveniences in the city over the winter months (in line with current COVID-19 guidance).
- 3) To refer this report to Full Council for approval of the measures and investment required to continue with opening seven public conveniences to the end of the financial year.
- 4) To note the important extended role of libraries in the community toilet scheme and to regret that to date only 6 libraries were open, further exacerbating the city-wide issues of having only a limited number of public toilets open and to request that this was considered in the plans to assess and re-open additional libraries.
- 5) To note the important extended role of leisure centres in the community toilet scheme and to regret that the phased approach to their re-opening would further exacerbate the city-wide issues of having only a limited number of public toilets open and to request that this was considered in the plans to assess and re-open leisure centres.
- 6) To note the important extended role of community centres in the community toilet scheme and to regret that the phased approach to their re-opening would further exacerbate the city-wide issues of having only a limited number of public toilets open and to request that this was considered in the plans to assess and re-open additional community centres.
- 7) To recognise and thank the five private business across the city that had signed up to the community toilet scheme that were open.
- 8) To agree that officers would work with Parking officers and ward councillors on wayfinding signage for public toilets.
- 9) To agree to provide a review of facilities within the Community Toilet Scheme.
- 10) To note that the Executive Director of Place was meeting with the director of Edinburgh World Heritage and would raise timescales for the Hunter Square toilets being potentially incorporated into the heritage building at Tron Kirk and update members on this discussion.
- moved by Councillor Cook, seconded by Councillor Hutchison

In accordance with Standing Order 22.12, Amendment 1 was adjusted and accepted as an addendum to the motion.

Amendment 2

- 1) To note that the measures put in place were generally working well and that they were operating effectively.
- 2) To note the measures and costs associated with retaining the opening of seven public conveniences in the city over the winter months (in line with current COVID-19 guidance).
- 3) To refer this report to Full Council for approval of the measures and investment required to continue with opening seven public conveniences to the end of the financial year.
- 4) To note the approach to developing a public convenience strategy and to approve commencement of assessment of possible locations for new public convenience facilities to be reported in three cycles to committee.
- 5) To note that signage to public toilets had not been fully implemented as requested in the agreed motion and to request that this was discussed with appropriate ward Councillors and implemented within 3 months.
- 6) To note that communication of community facilities to the public was key to the success of any community scheme and that many of the venues taking part were unable to do so during a pandemic. Therefore to agree that a revised Community Scheme, including communications and signage campaign, was included in the Public Convenience Strategy.
- 7) To agree that officers would work with Parking officers and ward councillors on wayfinding signage for public toilets.
- 8) To agree to provide a review of facilities within the Community Toilet Scheme.
- 9) To note that the Executive Director of Place was meeting with the director of Edinburgh World Heritage and would raise timescales for the Hunter Square toilets being potentially incorporated into the heritage building at Tron Kirk and update members on this discussion.

- moved by Councillor Main, seconded by Councillor Staniforth

In accordance with Standing Order 22.12, Amendment 2 was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note that the measures put in place were generally working well and that they were operating effectively.
- 2) To note the measures and costs associated with retaining the opening of seven public conveniences in the city over the winter months (in line with current COVID-19 guidance).

- 3) To refer this report to Full Council for approval of the measures and investment required to continue with opening seven public conveniences to the end of the financial year.
- 4) To note the approach to developing a public convenience strategy and to approve commencement of assessment of possible locations for new public convenience facilities to be reported in three cycles to committee.
- 5) To note the important extended role of libraries in the community toilet scheme and that to date only 6 libraries were open, further exacerbating the city-wide issues of having only a limited number of public toilets open and to request that this was considered in the plans to assess and re-open additional libraries.
- 6) To note the important extended role of leisure centres in the community toilet scheme and that the phased approach to their re-opening would further exacerbate the city-wide issues of having only a limited number of public toilets open and to request that this was considered in the plans to assess and re-open leisure centres.
- 7) To note the important extended role of community centres in the community toilet scheme and that the phased approach to their re-opening would further exacerbate the city-wide issues of having only a limited number of public toilets open and to request that this was considered in the plans to assess and re-open additional community centres.
- 8) To recognise and thank the five private business across the city that had signed up to the community toilet scheme that were open.
- 9) To note that signage to public toilets had not been fully implemented as requested in the agree motion and to request that this was discussed with appropriate ward Councillors and implemented within 3 months.
- 10) To note that communication of community facilities to the public was key to the success of any community scheme and that many of the venues taking part were unable to do so during a pandemic. Therefore to agree that a revised Community Scheme, including communications and signage campaign, was included in the Public Convenience Strategy.
- 11) To agree that officers would work with Parking officers and ward councillors on wayfinding signage for public toilets.
- 12) To agree to provide a review of facilities within the Community Toilet Scheme.
- 13) To note that the Executive Director of Place was meeting with the director of Edinburgh World Heritage and would raise timescales for the Hunter Square toilets being potentially incorporated into the heritage building at Tron Kirk and update members on this discussion.

(Reference – Policy and Sustainability Committee of 9 July 2020 (item 11); report by the Executive Director of Place, submitted.)

15. Digital and Smart City Strategy

The Digital and Smart City Strategy set out the City of Edinburgh Council's approach to the sustainable development and delivery of technology to support the Council and enable Edinburgh to become a Smart City, covering the period 2020- 2023.

The Digital and Smart City Strategy was submitted for approval.

Decision

- 1) To approve the Council's Digital and Smart City Strategy
- 2) To endorse the governance approach and operational reporting of the implementation plan to the Corporate Leadership Team on a quarterly basis.
- 3) To agree to provide an annual report on the Digital and Smart City Strategy.

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

16. Employee Exit Arrangements

The Council's current exit arrangements were considered with reference to the Scottish Government's recent reforms on exit payments in the public sector, including the introduction of an exit cap of £95,000 for certain devolved public sector organisations. Whilst there was no obligation on Local Authorities to introduce an exit cap, it would be consistent with current best practice in the public sector in Scotland and reflected best value for money.

The Council's employee exit arrangements, which would be subject to the cap, included lump sum payments for Voluntary Redundancy (VR), Voluntary Early Release Arrangement (VERA), capped at £30,000 discretionary payments made by the Council to any local government pension schemes, Payment in Lieu of Notice (PILON) and any payments due for accrued but untaken annual leave.

This cap would be introduced for all Council employees (including Local Government employees, craft employees, Chief Officials and Teachers).

Decision

- 1) To approve the introduction of an exit cap of £95,000 for all City of Edinburgh Council employees leaving the organisation, noting this to be in accordance with best value principles that the Scottish Government had put in place.
- 2) To agree that the following elements would be included in the £95,000 exit cap:
 - Lump sum payments due under VR exits.
 - Lump sum payments due under VERA exits which remained capped at £30,000.
 - Discretionary payments made by the Council to the pension scheme to either top up pension, or underwrite actuarial reduction, to allow early access to pension benefits.
 - Any PILON.
 - Payments for accrued but untaken annual leave.

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

17. Enterprise Risk Management Policy

The Enterprise Risk Management Policy described the Council's overarching risk management approach and was supported by a more granular operational risk management framework that described how the policy would be applied by all Council directorates and divisions to ensure that the Council was adequately protected, where possible, from the adverse impacts of unexpected events.

The Policy had been refreshed to reflect the outcomes of the 2019/20 Risk Management internal audit performed by External Audit that was scrutinised by the Governance, Risk, and Best Value Committee in August 2020, and was also fully aligned with the proposed operational risk management arrangements that would be presented to the Governance, Risk and Best Value Committee at their meeting on 3 November 2020. This Policy superseded the existing policy dated August 2018.

Decision

- 1) To review and approve the Council's updated Enterprise Risk Management Policy as set out in Appendix 1 of the report by the Executive Director of Resources.
- 2) To refer the report to the Governance, Risk and Best Value Committee for consideration.
- 3) To note that training on the Enterprise Risk Management Policy together with the Council's Risk Appetite Statement and the refreshed operational risk management framework would be provided for elected members after the Governance, Risk and Best Value Committee meeting on 3rd November 2020.

(References – Governance, Risk and Best Value Committee of 18 August 2020 (item 7); report by the Executive Director of Resources, submitted.)

18. Council's Risk Appetite Statement

The Council's Risk Appetite Statement was set out for approval.

This document should be read together with the Council's Enterprise Risk Management Policy which was also submitted for approval to the Policy and Sustainability Committee of 6 October 2020.

The risk appetite statement included in the report superseded the Council's existing risk appetite statement dated 7 August 2018.

Motion

- 1) To note that the Council's attitude to taking risk should be set at the top level and cascaded down, and that this 'risk appetite' could be different across different services and types of risks.
- 2) To note that risk appetite was already set and established in many areas through governance arrangements; frameworks; policies, existing controls and schemes of delegation.

- 3) To approve the Council's risk appetite presented within the report as a starting point.
 - 4) To refer the report to the Governance, Risk and Best Value Committee for consideration.
 - 5) To note that training on the Risk Appetite Statement together with the Council's Enterprise Risk Management Policy and the refreshed operational risk management framework would be provided for elected members after the GRBV committee meeting on 3 November 2020.
- moved by Councillor McVey, seconded by Councillor Day

Amendment

To continue consideration of the report to a further meeting of the Policy and Sustainability Committee to allow members of the committee and the Governance, Risk and Best Value Committee to undergo relevant training.

- moved by Councillor Whyte, seconded by Councillor Cook

Voting

For the motion - 10 votes
 For the amendment - 7 votes

(For the motion: Councillors Kate Campbell, Day, Gardiner, Macinnes, Main, McVey, Munn, Perry, Staniforth and Wilson.)

For the amendment: Councillors Aldridge, Cook, Gloyer, Hutchison, McLellan, Webber and Whyte.)

Decision

To approve the motion by Councillor McVey.

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

19. Gender Pay Gap

The Council was currently bound by duties arising from the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, which required the Council to positively eliminate discrimination and publish gender pay gap information every two years.

An update was provided on the current gender pay gap position and the long-term measures and actions previously agreed.

Decision

To review and review and note the gender pay gap report which would be published later in October 2020.

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

20. Diversity and Inclusion Strategy Update

An update was provided on the progress made with the Diversity and Inclusion Strategy and Action Plan approved by the Policy and Sustainability Committee on 1 October 2019.

Decision

To note the progress being made in relation to the Diversity and Inclusion Strategy and Action Plan since it was approved on 1 October 2019.

(References – Policy and Sustainability Committee of 1 October 2019 (item 4); report by the Executive Director of Resources, submitted.)

21. Council Response to the Scottish Parliament’s Call for Views on the Heat Networks (Scotland) Bill

A summary was provided of the proposed Council response to a call for views made by the Scottish Parliament’s Economy, Energy and Fair Work (EEFW) Committee on the Heat Networks (Scotland) Bill.

It was also noted that heating, and the systems and energy used to provide it, were a crucial aspect of the 2030 net zero target. Heat networks, in combination with a range of heat and energy generation models, were a key consideration of the work to develop a 2030 Sustainability Strategy for the city.

Decision

To agree the consultation response.

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

22. Concurrent Risks Resilience Planning

The latest position was outlined with regards to the Council’s approach to resilience planning in response to the current civil contingencies risk landscape, which was being adapted following lessons learned from Covid-19 and the need to plan for a number of concurrent risks. This included the introduction of a number of new resilience documentations and processes that had been developed.

Decision

- 1) To note the latest position with regards to resilience planning.
- 2) To note the update on resilience planning for concurrent risks.
- 3) To refer this report to the Governance, Risk and Best Value Committee.

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

23. West Edinburgh Update

An update was provided on recent progress and developments including the spatial study for West Edinburgh to maximise inclusive and sustainable growth. The output from Phase 1 of the study was now complete and was provided in Appendix 1 of the

report. The report also explained that Phase 2 of the study would be developed alongside the preparation of the proposed City Plan 2030 and provided an update on the infrastructure needed to support planned growth in this area.

Motion

- 1) To note the progress made to date in delivering infrastructure improvements in the West Edinburgh area.
 - 2) To note the progress made in discussions with Edinburgh Airport Ltd and the current position on the new link road.
 - 3) To note the findings of the Phase 1 report of the West Edinburgh study on inclusive and sustainable growth.
 - 4) To agree the approach for Phase 2, to develop a vision for West Edinburgh and recognise the importance of aligning this with the preparation of the proposed City Plan 2030, and to refer the report to Council to authorise the Executive Director of Place to enter into this contract.
- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To note the progress made to date in delivering infrastructure improvements in the West Edinburgh area.
 - 2) To note the progress made in discussions with Edinburgh Airport Ltd and the current position on the new link road.
 - 3) To note the findings of the Phase 1 report of the West Edinburgh study on inclusive and sustainable growth.
 - 4) To note that the minute of the West Edinburgh APOG on 23rd September 2020 had not been circulated to all ward Members and accept this was an unintentional oversight given the membership changes following the abolition of Locality Committees.
 - 5) To agree to continue the deliberations around Phase 2 for one cycle.
- moved by Councillor Hutchison, seconded by Councillor Webber

Voting

For the motion - 10 votes
For the amendment - 7 votes

(For the motion: Councillors Kate Campbell, Day, Gardiner, Macinnes, Main, McVey, Munn, Perry, Staniforth and Wilson.)

For the amendment: Councillors Aldridge, Jim Campbell, Gloyer, Hutchison, Mowat, Webber and Whyte.)

Decision

To approve the motion by Councillor McVey.

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

24. Recycling and Waste Collection in Schools

In response to a motion by Councillor Main to the City of Edinburgh Council on 6 February 2020, a report was provided on recycling and waste collection in schools.

Motion

- 1) To note the changes proposed to improve recycling provision in schools.
 - 2) To note the impact of COVID-19 on the introduction of additional recycling services in schools,
 - 3) To note that any additional FM cost could be contained within budgets for 2020/21 and that any future resource requirement would be considered in the context of wider, COVID related, additional cleaning costs for 2021/22.
 - 4) To agree to consider food waste recycling receptacles in schools as broken down in Appendix 2 and provide an update to members.
- moved by Councillor McVey, seconded by Councillor Day

Amendment 1

- 1) To note the changes proposed to improve recycling provision in schools.
 - 2) To note the impact of COVID-19 on the introduction of additional recycling services in schools,
 - 3) To note that any additional FM cost could be contained within budgets for 2020/21 and that any future resource requirement would be considered in the context of wider, COVID related, additional cleaning costs for 2021/22.
 - 4) To welcome the intention to introduce a more comprehensive recycling service for council schools, including the collection of recycled materials in classrooms
 - 5) To request that the current proposal not to locate any recycling bins in any school corridors was reconsidered and that placing at least one mixed-packaging recycling bin, for example near the entrance to every school, was considered.
 - 6) To note that food and drinks, including school milk, was prepared and/or consumed in classrooms, staffrooms, corridors and outside in areas on a daily basis, and to agree that Appendix 2 service for a typical school would be revised to take account of this.
 - 7) To request that a report on the progress of the introduction of the new service was brought back to committee in six months.
 - 8) To agree to consider food waste recycling receptacles in schools as broken down in Appendix 2 and provide an update to members.
- moved by Councillor Main, seconded by Councillor Staniforth

In accordance with Standing Order 22.12, Amendment 1 was accepted as an addendum to the motion.

Amendment 2

- 1) To note the changes proposed to improve recycling provision in schools.
 - 2) To note the impact of COVID-19 on the introduction of additional recycling services in schools,
 - 3) To note that any additional FM cost could be contained within budgets for 2020/21 and that any future resource requirement would be considered in the context of wider, COVID related, additional cleaning costs for 2021/22.
 - 4) To agree to consider food waste recycling receptacles in schools as broken down in Appendix 2 and provide an update to members.
- moved by Councillor Mowat, seconded by Councillor Webber

Voting

For the motion (as adjusted) - 12 votes
For the amendment - 5 votes

(For the motion (as adjusted): Councillors Aldridge, Kate Campbell, Day, Gardiner, Gloyer, Macinnes, Main, McVey, Munn, Perry, Staniforth and Wilson.

For the amendment: Councillors Jim Campbell, Hutchison, Mowat, Webber and Whyte.)

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the changes proposed to improve recycling provision in schools.
- 2) To note the impact of COVID-19 on the introduction of additional recycling services in schools,
- 3) To note that any additional FM cost could be contained within budgets for 2020/21 and that any future resource requirement would be considered in the context of wider, COVID related, additional cleaning costs for 2021/22.
- 4) To welcome the intention to introduce a more comprehensive recycling service for council schools, including the collection of recycled materials in classrooms
- 5) To request that the current proposal not to locate any recycling bins in any school corridors was reconsidered and that placing at least one mixed-packaging recycling bin, for example near the entrance to every school, was considered.
- 6) To note that food and drinks, including school milk, was prepared and/or consumed in classrooms, staffrooms, corridors and outside in areas on a daily basis, and to agree that Appendix 2 service for a typical school would be revised to take account of this.
- 7) To request that a report on the progress of the introduction of the new service was brought back to committee in six months.

- 8) To agree to consider food waste recycling receptacles in schools as broken down in Appendix 2 and provide an update to members.

(References – Act of Council No. 13 of 6 February 2020; report by the Executive Director of Place and the Executive Director of Resources, submitted.)

25. Policies – Assurance Statement – Legal and Risk

To ensure that Council policies reflected current legislative requirements and best practice, all Council directorates and policy owners were required to review their policies on an annual basis.

A number of policies were presently under review.

Decision

To note the update in relation to the Council policies detailed in the report and that work was ongoing to update some of the policies to ensure that they reflected current legislative requirements and best practice and were fit for purpose.

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

26. Edinburgh’s Christmas and Edinburgh’s Hogmanay – Contract Terms and Open Book Audit

In response to a motion by Councillor Jim Campbell to the City of Edinburgh Council on 21 November 2019 on Edinburgh’s Winter Festivals, the findings of an open book audit were outlined, carried out by Council officers, for Edinburgh’s Christmas and Edinburgh’s Hogmanay. The terms and conditions within the contract and tender specification in relation to permission were highlighted.

Decision

- 1) To note the findings of the open book audit undertaken by officers.
- 2) To note the Terms and Conditions of the contract to deliver Edinburgh’s Christmas and Edinburgh’s Hogmanay that related to bringing the Council into disrepute, and obtaining necessary consents.
- 3) To agree to provide a briefing note for all councillors with a response from Legal on who took the decision that the reputational issue referred to in paragraph 4.10 was not considered to be a material breach nor grounds for termination and how this decision was reached.
- 4) To agree to provide figures from the annual review on the number of attendees at Edinburgh’s Christmas and Hogmanay festivities.

(References – Act of Council No. 14 of 21 November 2019; report by the Executive Director of Place, submitted.)