

Policy and Sustainability Committee

10.00 am, Tuesday 9 January 2024

Present

Councillors Day (Convener), Beal, Bennett, Biagi, Campbell, Dijkstra-Downie, Doggart, Macinnes, Meagher, Nicolson (substituting for Councillor Aston), Nols-McVey, Lang, Parker, Staniforth (substituting for Councillor Miller), Watt and Whyte.

1. Deputations

Southside Community Centre Association SCIO (written deputation in relation to Item 17 – Venue and Events Booking Policy)

The deputation expressed concern that they had not been informed or consulted with in relation to the policy, despite being one of the independent charities directly impacted. They believed that, in order for Community Centres to continue to thrive, they required the Council to work with them constructively and respectfully on all matters relating to Community Centres. Therefore, they asked Committee to note the deputation, and to provide an undertaking to them, and other Community Centre leaseholders, that Council Officers would always engage with them around proposed planned changes to management arrangements of the buildings we lease, and that such engagement would be taken at early stages.

(See Item 17 below)

2. Minutes

Decision

- 1) To approve the minute of the Policy and Sustainability Committee of 24 October 2023 as a correct record.
- 2) To approve the minute of the Policy and Sustainability Committee of 15 December 2023 as a correct record.

3. Policy and Sustainability Committee Work Programme

The Policy and Sustainability Committee Work Programme for 9 January 2024 was presented.

Decision

- 1) To note the Work Programme.
- 2) To note that it had been agreed that Items 7 and 22 should be quarterly, rather than bi-annual updates.

- 3) To request that update reports on the feasibility assessment on Drug Consumption Rooms be added to the Work Programme.

(Reference – Work Programme 09 January 2024, submitted.)

4. 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 1** – City 2023 Net Zero Target Annual Report
 - **Action 2(1)** – 2030 Climate Strategy - Environmental Assessment Consultation and Review
 - **Action 3** – Climate Change Adaptation Update – Response to Motions by Councillors Macinnes and Parker
 - **Action 5** – City of Edinburgh Council: Social Security Take-Up Strategy - Motion by Councillor Heap
 - **Action 7** - Endorsement of Plant-based Treaty – Response to Motion by Councillor Burgess
 - **Action 16** – Response to motion by Councillor Staniforth – Night Time Coordinator
 - **Action 17** – Driving for the Council – Telematics Policy
 - **Action 23(2)** – Work Programme
 - **Action 27** – Corporate Property Strategy
 - **Action 42** – Public Bodies Climate Change Duties Report 2022/23
 - **Action 44(3)** – Forth Green Freeport – Outline Business Case
 - **Action 47** – Edinburgh Leisure – Real Living Wage
- 2) To note the remaining outstanding actions.
- (Reference – Rolling Actions Log, submitted.)

4. Business Bulletin

The Business Bulletin was presented.

Decision

To note the business bulletin

(Reference – Business Bulletin 09 January 2024, submitted.)

5. Best Value Review Update

An update was provided on the current status of Best Value recommendations made by the Accounts Commission in November 2020. The Best Value Assurance Audit Report

(BVAR) was published by the Accounts Commission on 26 November 2020, and focused on five key areas: the Council's vision and strategic direction; performance and outcomes including public performance reporting; effective use of resources; partnership working and community engagement, and continuous improvement.

Motion

To note the update.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) Regrets that more than 3 years on there are still a number of recommendations significantly behind, with still no medium to long-term financial plan being produced this council term, despite previous assurances given on timelines.
- 2) On section 4.7 in the report: Committee notes that instead of improving community consultation it has for the second year in a row abandoned any form of consultation with residents, staff and stakeholders on the budget, excluding the voice of communities from decisions on how their money is spent and raised.
- 3) Committee agrees this is unacceptable and instructs the Council Leader to apologise for this failure and instructs the Chief Executive to ensure next year's budget setting process includes community consultation.
- 4) Refers this report to the Governance Risk and Best Value Committee.

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

Amendment 2

- 1) To note the update.
- 2) Requests that the next report in 6 months time would set out a high-level action plan including target completion dates for future actions which would address each Best Value Assurance Audit Review recommendation.

- moved by Councillor Mumford, seconded by Councillor Parker

Amendment 3

- 1) To note the update.
- 2) Notes with regret that over three years since the report was published, and despite the interim monitoring process, the Council:
 - a) still does not have a Workforce Plan that sets out the number and types of posts and skills necessary in different roles to meet its service delivery objectives within budget alongside a transition plan to achieve this.
 - b) has not yet implemented a strategic approach to self-evaluation.
 - c) has not provided members with training on delivering strategic change to meet Best Value objectives.

- d) has closed actions on Community Engagement without delivering any actions to improve communication of the results and responses to consultations.
 - e) has not yet ensured the Edinburgh Partnership has a clear performance and progress reporting system working to clear targets.
- 3) Agrees that these issues should now be considered for urgent resolution with an accelerated delivery programme, and work showing achievement of delivery of the recommendations should be reported to Committee prior to the end of June 2024.

- moved by Councillor Whyte, seconded by Councillor Doggart

In accordance with Standing Order 22(13), Amendments 2 and 3 were accepted as addendums to the motion, and Amendments 2 and 3 were accepted as addendums to Amendment 1.

Voting

The voting was as follows:

For the motion (as adjusted) – 9 votes

For Amendment 1 (as adjusted) – 8 votes

(For the motion (as adjusted): Councillors Beal, Bennett, Day, Dijkstra-Downie, Doggart, Lang, Meagher, Watt and Whyte.

For Amendment 1: Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey, Parker and Staniforth.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the update.
- 2) To request that the next report in 6 months' time would set out a high-level action plan including target completion dates for future actions which would address each Best Value Assurance Audit Review recommendation.
- 3) To note with regret that over three years since the report was published, and despite the interim monitoring process, the Council:
 - a) still did not have a Workforce Plan that set out the number and types of posts and skills necessary in different roles to meet its service delivery objectives within budget alongside a transition plan to achieve this.
 - b) had not yet implemented a strategic approach to self-evaluation.
 - c) had not provided members with training on delivering strategic change to meet Best Value objectives.
 - d) had closed actions on Community Engagement without delivering any actions to improve communication of the results and responses to consultations.

- e) had not yet ensured the Edinburgh Partnership had a clear performance and progress reporting system working to clear targets.
- 4) To agree that these issues should now be considered for urgent resolution with an accelerated delivery programme, and work showing achievement of delivery of the recommendations should be reported to Committee prior to the end of June 2024.

(References – Act of Council No. 9 of 10 December 2020; Policy and Sustainability Committee of 21 March 2023 (item 27); report by the Executive Director of Place, submitted.)

6. Plant Based Treaty Plan

The Policy and Sustainability Committee agreed to endorse the call for a Plant-Based Treaty on behalf of the city in January 2023. Edinburgh had since become the first European capital to support this global initiative, which called for the development of a Plant-Based Treaty by national governments as a companion to the UN Paris Agreement on climate. An action plan, which had been developed through engagement with partners, was presented to committee for approval. It was a city-wide action plan that included actions led by the Council as well as by other partner organisations and key stakeholders in the city to encourage wider strategic change.

Motion

To agree the proposed action plan developed to support the City of Edinburgh Council's endorsement of the Plant-Based Treaty.

- moved by Councillor Day, seconded by Councillor Meagher

Amendment 1

- 1) To agree the proposed action plan developed to support the City of Edinburgh Council's endorsement of the Plant-Based Treaty.
- 2) Asks officers to explore whether the University of Edinburgh's methodology can be used to include carbon emission information for school meal choices and other Council catering outlets, and report back on options and costs via a future business bulletin to Policy & Sustainability committee.
- 3) Asks officers to report back annually to P&S on progress made against this Action Plan and any new actions included.

- moved by Councillor Dijkstra-Downie, seconded by Councillor Bennett

Amendment 2

- 1) To agree the proposed action plan developed to support the City of Edinburgh Council's endorsement of the Plant-Based Treaty.
- 2) To celebrate Veganuary, agrees that catering at the next Full Council meeting will be plant-based as default (and Veganuary marked in this way annually thereafter, should Full Council meetings remain catered), in line with the general

themes of “Awareness raising and capacity building” and “Influence and leadership” already covered in the Action Plan.

3) Agrees that this action is added to the Action Plan and monitored going forward.

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 3

Notes the Action Plan and agrees to take no further specific actions given the need for the Council to refocus actions on the priority delivery of core public services within the limited budget available.

- moved by Councillor Doggart, seconded by Councillor Whyte

In accordance with Standing Order 22(13), Amendment 1 was accepted as an addendum to the motion.

In accordance with Standing Order 22(13), Amendment 1 was accepted as an addendum to Amendment 2.

Voting

The voting was as follows:

First Vote

For the motion (as adjusted) – 7 votes

For Amendment 2 (as adjusted) – 8 votes

For Amendment 3 – 2 votes

(For the motion (as adjusted): Councillors Beal, Bennett, Day, Dijkstra-Downie, Lang, Meagher and Watt.

For Amendment 2 (as adjusted): Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey Parker and Staniforth.

For Amendment 3: Councillors Doggart and Whyte.)

There being no overall majority, Amendment 3 fell, and a second vote was taken between the Motion (as adjusted) and Amendment 2 (as adjusted).

Second Vote

For the motion (as adjusted) – 9 votes

For Amendment 2 (as adjusted) – 8 votes

(For the motion (as adjusted): Councillors Beal, Bennett, Day, Dijkstra-Downie, Doggart, Lang, Meagher, Watt and Whyte.

For Amendment 2 (as adjusted): Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey, Parker and Staniforth.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To agree the proposed action plan developed to support the City of Edinburgh Council's endorsement of the Plant-Based Treaty.
- 2) To ask officers to explore whether the University of Edinburgh's methodology could be used to include carbon emission information for school meal choices and other Council catering outlets, and report back on options and costs via a future business bulletin to Policy & Sustainability Committee.
- 3) To ask officers to report back annually to P&S on progress made against this Action Plan and any new actions included.

(References – Act of Council No. 21 of 17 March 2022; Policy and Sustainability Committee of 17 January 2023 (item 10); report by the Executive Director of Corporate Services, submitted.)

7. Regenerative Futures Fund

Decision

To agree to continue the report to the next meeting of the Policy and Sustainability Committee to allow for further engagement with political groups.

8. Future Relationship with EIJB – Response to motion

A brief background to the EIJB and its relationship with the Council was provided. Details were provided of the workstreams proposed to take forward the terms of a motion by Councillor Macinnes, agreed by the City of Edinburgh Council on 2 November 2023, including indicative deadlines. The improvements to governance would require the Council, NHS Lothian and EIJB to agree to participate and/or review processes, information sharing and scrutiny arrangements.

Motion

To note the proposed workstreams and that further reports would be brought to Committee and Council depending on the actions required.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To note the proposed workstreams and that further reports would be brought to Committee and Council depending on the actions required.2)Committee recognises the usefulness of the report and welcomes the overview it gives of both current processes and further action to be taken to improve the relationship and understanding between the IJB and CEC.
- 2) To note that the further work indicated at 4.16 will result in a specific briefing to Group Leaders and finance party spokespeople by end January, outlining all outcomes of this work ahead of the CEC 24/25 budget process, including the results of the Internal Audit.
- 3) To note that under the next Steps outlined at 5.1 the results of the EIJB governance review and decision making should be the subject of a briefing to members to the Policy and Sustainability and Finance and Resources

Committees to ensure that there is a clear understanding within the Council of the implications of that review.

- 4) To request that that when the report from Internal Audit is submitted to the Governance, Risk and Best Value Committee, there be a recommendation included to state “with the expectation that it then be referred to the Policy and Sustainability Committee”.

- moved by Councillor Nicolson, seconded by Councillor Macinnes

Amendment 2

- 1) To note the proposed workstreams and that further reports would be brought to Committee and Council depending on the actions required.
- 2) Notes that current budgeting practices are documented as diverging from governance and asked that this discrepancy between governance and practice be examined through the appropriate workstreams.3) Notes that the Integration Authorities rely on partners for capital budgets, and asks that the processes around capital budgeting and capital strategy for health & social care be documented in the appropriate workstreams.

moved by Councillor Mumford, seconded by Councillor Parker

Amendment 3

- 1) To note the proposed workstreams and that further reports would be brought to Committee and Council depending on the actions required.
- 2) Suggests the review, revision and adoption of the Integration Scheme to be complete by September 2024.

- moved by Councillor Doggart, seconded by Councillor Whyte

In accordance with Standing Order 22(13), Amendments 1 and 2 were accepted as addendums to the motion, and Amendment 3 was adjusted and accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the proposed workstreams and that further reports would be brought to Committee and Council depending on the actions required.
- 2) To recognise the usefulness of the report by the Executive Director of Corporate Services and the Chief Officer, Edinburgh Integration Joint Board, and welcome the overview it gave of both current processes and further action to be taken to improve the relationship and understanding between the IJB and CEC.
- 3) To note that the further work indicated at paragraph 4.16 of the report by the Executive Director of Corporate Services would result in a specific briefing to Group Leaders and finance party spokespeople by end January, outlining all outcomes of this work ahead of the CEC 24/25 budget process, including the results of the Internal Audit.

- 4) To note that under the next Steps outlined at 5.1 the results of the EIJB governance review and decision making should be the subject of a briefing to members to the Policy and Sustainability and Finance and Resources Committees to ensure that there is a clear understanding within the Council of the implications of that review.
- 5) To request that that when the report from Internal Audit is submitted to the Governance, Risk and Best Value Committee, there be a recommendation included to state “with the expectation that it then be referred to the Policy and Sustainability Committee”.
- 6) To note that current budgeting practices were documented as diverging from governance and ask that this discrepancy between governance and practice be examined through the appropriate workstreams.
- 7) To note that Integration Authorities relied on partners for capital budgets, and ask that the processes around capital budgeting and capital strategy for health & social care be documented in the appropriate workstreams.
- 8) To suggest the review, revision and adoption of the Integration Scheme was to be complete by September 2024, subject to Scottish Government engagement.

(References – Act of Council No. 12 of 2 November 2023; Joint report by the Executive Director of Corporate Services and the Chief Officer, Edinburgh Integration Joint Board, submitted.)

9. City-wide Carbon Emissions and 2030 Climate Strategy update

The second annual overview was provided of progress made by the Council and partners to deliver the actions set out in the 2021 Climate Strategy. Details were provided of a programme of action to achieve net zero by 2030.

Motion

- 1) To note that this report combined the progress against action in the Climate Strategy and the Council’s commitment to report annually on city-wide carbon emissions.
- 2) To note that city-wide carbon emissions had increased by 12% between 2020 and 2021. Against the baseline year of 2018, they had decreased by 9%.
- 3) To note that the main increase had come from a post-Covid ‘rebound’ caused by the resumption of commercial activities and motorised travel which were largely suppressed during the pandemic.
- 4) To note the progress on the 107 Climate Strategy actions since November 2022.
- 5) To note that this would follow the Council Emissions Reduction Plan, from October’s Policy and Sustainability Committee, which focused on progress to reduce Council emissions, which represented on average 3% of the city’s carbon Emissions.

- 6) To agree that the scale and importance of the challenge required a review of the Climate Strategy implementation plan, attempting to set out new ways of unlocking barriers to the delivery of high impact actions.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To note that this report combined the progress against action in the Climate Strategy and the Council's commitment to report annually on city-wide carbon emissions.
- 2) To note that city-wide carbon emissions had increased by 12% between 2020 and 2021. Against the baseline year of 2018, they had decreased by 9%.
- 3) To note that the main increase had come from a post-Covid 'rebound' caused by the resumption of commercial activities and motorised travel which were largely suppressed during the pandemic.
- 4) To note the progress on the 107 Climate Strategy actions since November 2022.
- 5) To note that this would follow the Council Emissions Reduction Plan, from October's Policy and Sustainability Committee, which focused on progress to reduce Council emissions, which represented on average 3% of the city's carbon Emissions.
- 6) To agree that the scale and importance of the challenge required a review of the Climate Strategy implementation plan, attempting to set out new ways of unlocking barriers to the delivery of high impact actions.
- 7) Welcomes work that addressed the misalignment between Council budgets and the Council Business Plan where becoming a net zero city is listed as one of the Council's top 3 priorities in the Business Plan yet where "net zero" remains an "unfunded priority" as part of the Council's capital budget strategy.
- 8) Welcomes work ongoing to better understand the climate impact of the Council's budget following the methodology developed by the Institute for Climate Economics but notes with concern that 40% of the Council's capital budget for 2024-2034 was considered as neutral or unfavourable to its climate ambitions.
- 9) Recognises the need to integrate climate and nature considerations throughout all stages of the budget lifecycle from forecasting to execution and evaluation, including in the development of the Medium-Term Financial Plan.
- 10) Notes that in October 2023, Policy & Sustainability committee agreed that future reports on the Council Emissions Reduction Plan would include "a clear strategy to finance these actions, including a commitment to resourcing this strategy at a corporate level".
- 11) Agrees that as part of the development of this strategy and in the design of future budget processes / corporate strategies, "SMART" targets for increasing the % of favourable spend towards climate / nature, and eliminating all damaging spends for climate and nature, are developed.

- 12) Further agrees that these targets should be included in future reporting against the climate strategy in the appropriate forum at committee and / or the Sustainability and Climate & Nature Emergencies APOG.
- 13) Reaffirms the committee's recommendation from October 2023 that "all budget motions include an accompanying statement which sets out how spending plans align with the Council's climate strategies, including this as an appendix."

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 2

- 1) To note that this report combined the progress against action in the Climate Strategy and the Council's commitment to report annually on city-wide carbon emissions.
- 2) To note that city-wide carbon emissions had increased by 12% between 2020 and 2021. Against the baseline year of 2018, they had decreased by 9%.
- 3) To note that the main increase had come from a post-Covid 'rebound' caused by the resumption of commercial activities and motorised travel which were largely suppressed during the pandemic.
- 4) To note the progress on the 107 Climate Strategy actions since November 2022.
- 5) To note that this would follow the Council Emissions Reduction Plan, from October's Policy and Sustainability Committee, which focused on progress to reduce Council emissions, which represented on average 3% of the city's carbon Emissions.
- 6) To agree that the scale and importance of the challenge required a review of the Climate Strategy implementation plan, attempting to set out new ways of unlocking barriers to the delivery of high impact actions.
- 7) Agrees that any such review should set out realistic and achievable timescales for the implementation of the strategy given available technology, funding and physical implementation capacity, including the overall 2030 target, in order to be open and honest with the public regarding what the Council can achieve and setting this within the national and international context.

- moved by Councillor Whyte, seconded by Councillor Doggart

In accordance with Standing Order 22(13), Amendment 1 was adjusted and accepted as an addendum to the motion, and Amendment 2 was accepted as an addendum to the motion.

Voting

The voting was as follows:

For the motion (as adjusted)	–	9 votes
For Amendment 1	–	8 votes

(For the motion (as adjusted): Councillors Beal, Bennett, Day, Dijkstra-Downie, Doggart, Lang, Meagher, Watt and Whyte.

For Amendment 1: Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey, Parker and Staniforth.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note that this report combined the progress against action in the Climate Strategy and the Council's commitment to report annually on city-wide carbon emissions.
- 2) To note that city-wide carbon emissions had increased by 12% between 2020 and 2021, and that against the baseline year of 2018, they had decreased by 9%.
- 3) To note that the main increase had come from a post-Covid 'rebound' caused by the resumption of commercial activities and motorised travel which were largely suppressed during the pandemic.
- 4) To note the progress on the 107 Climate Strategy actions since November 2022.
- 5) To note that this would follow the Council Emissions Reduction Plan, from October's Policy and Sustainability Committee, which focused on progress to reduce Council emissions, which represent on average 3% of the city's carbon Emissions.
- 6) To agree that the scale and importance of the challenge required a review of the Climate Strategy implementation plan, attempting to set out new ways of unlocking barriers to the delivery of high impact actions.
- 7) To welcome work to address the misalignment between Council budgets and the Council Business Plan where becoming a net zero city was listed as one of the Council's top 3 priorities in the Business Plan yet where "net zero" remained an "unfunded priority" as part of the Council's capital budget strategy.
- 8) To welcome work ongoing to better understand the climate impact of the Council's budget following the methodology developed by the Institute for Climate Economics but note with concern that 40% of the Council's capital budget for 2024-2034 was considered as neutral or unfavourable to its climate ambitions.
- 9) To recognise the need to integrate climate and nature considerations throughout all stages of the budget lifecycle from forecasting to execution and evaluation, including in the development of the Medium-Term Financial Plan.
- 10) To reaffirm the committee's recommendation from October 2023 that "all budget motions include an accompanying statement which sets out how spending plans align with the Council's climate strategies, including this as an appendix."
- 11) To agree that any such review should set out realistic and achievable timescales for the implementation of the strategy given available technology, funding and physical implementation capacity, including the overall 2030 target, in order to

be open and honest with the public regarding what the Council could achieve and setting this within the national and international context.

(References – Policy and Sustainability Committee of 24 October 2023 (item 7) and 15 December 2023 (item 2); report by the Executive Director of Place, submitted.)

10. Night Time Co-ordinator

An update was provided on the potential to introduce a Night Time Co-ordinator for the city, including an update on the information gathered so far and on the options for introducing a Night Time Co-ordinator in Edinburgh.

Motion

- 1) To note the information provided on the approach to night time co-ordination in other cities.
- 2) To note the options available for Edinburgh to introduce a Night Time Coordinator role.
- 3) To therefore agree to refer the report to the Finance and Resources Committee of 25 January 2024 to allow any decision to be made in full knowledge of the Scottish Government budget settlement, should this information be available at that time.
- 4) Agrees to consider in that meeting, the second option, that of the position being funded by CEC, for a provisional period of one year with a view to exploring funding by TVL in future years.
- 5) Notes that as the position includes lobbying for the interests of the night time economy and potentially lobbying both the council and the Scottish government that the role should be independent of the council despite being council funded.
- 6) Therefore resolves that the recruitment panel for the position should include representatives of the night time economy.
- 7) Agrees that trade unions, particularly those involved in hospitality, are included in the key stakeholders being engaged in this ongoing work, including the NTW forum.
- 8) Agrees that a key aspect of the position should be in making Edinburgh's night-time economy accessible and safe for all, and that this should be included in any role description with a particular focus on women's safety.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To note the information provided on the approach to night time co-ordination in other cities.
- 2) To note the options available for Edinburgh to introduce a Night Time Coordinator role.

- 3) To therefore agree to refer the report to the Finance and Resources Committee of 25 January 2024 to allow any decision to be made in full knowledge of the Scottish Government budget settlement, should this information be available at that time.
- 4) Agrees to consider in that meeting, the second option, that of the position being funded by CEC, for a provisional period of one year with a view to exploring funding by TVL in future years.
- 5) Notes that as the position includes lobbying for the interests of the night time economy and potentially lobbying both the council and the Scottish government that the role should be independent of the council despite being council funded.
- 6) Therefore resolves that the recruitment panel for the position should include representatives of the night time economy.
- 7) Agrees that trade unions, particularly those involved in hospitality, are included in the key stakeholders being engaged in this ongoing work, including the NTW forum.
- 8) Agrees that a key aspect of the position should be in making Edinburgh's night-time economy accessible and safe for all, and that this should be included in any role description with a particular focus on women's safety.
- 9) Recognises the significant impact currently delivered by third sector partners to improve and make our night time economy safer, agreed that consideration through the budget process or use of TVL monies should also consider options to use additional available moneys to directly fund third sector work to improve women and non-binary people's safety around the night time economy in addition to reducing drug and alcohol harm through a public health approach, which would build on and resource work already undertaken such as the Safer Nightlife Working Group led by Crew:2000.

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

Amendment 2

- 1) To note the information provided on the approach to night time co-ordination in other cities.
- 2) To note the options available for Edinburgh to introduce a Night Time Coordinator role.
- 3) Agrees that any proposal to introduce a Night Time Co-ordinator should be drawn up as a consideration as a range of budget proposals in line with the options in the report and that this should be accompanied by an assessment of the success, or otherwise, of the Night Time Co-ordinator role in other cities.

- moved by Councillor Doggart, seconded by Councillor Whyte

In accordance with Standing Order 22(13), Amendment 1 was accepted as an addendum 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 Beal, Bennett, Biagi, Campbell, Day, Dijkstra-Downie, Lang, Meagher, Macinnes, Mumford, Nicolson, Nols-McVey, Parker, Staniforth and Watt.

For Amendment 2: Councillors Doggart and Whyte.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the information provided on the approach to night time co-ordination in other cities.
- 2) To note the options available for Edinburgh to introduce a Night Time Coordinator role.
- 3) To therefore agree to refer the report to the Finance and Resources Committee of 25 January 2024 to allow any decision to be made in full knowledge of the Scottish Government budget settlement, should this information be available at that time.
- 4) To agree to consider in that meeting, the second option, that of the position being funded by CEC, for a provisional period of one year with a view to exploring funding by TVL in future years.
- 5) To note that as the position includes lobbying for the interests of the night time economy and potentially lobbying both the council and the Scottish government that the role should be independent of the council despite being council funded.
- 6) Therefore to resolve that the recruitment panel for the position should include representatives of the night time economy.
- 7) To agree that trade unions, particularly those involved in hospitality, be included in the key stakeholders being engaged in this ongoing work, including the NTW forum.
- 8) To agree that a key aspect of the position should be in making Edinburgh's night-time economy accessible and safe for all, and that this should be included in any role description with a particular focus on women's safety.
- 9) To recognise the significant impact currently delivered by third sector partners to improve and make our night time economy safer, and to agree that consideration through the budget process or use of TVL monies should also consider options to use additional available moneys to directly fund third sector work to improve women and non-binary people's safety around the night time economy in addition to reducing drug and alcohol harm through a public health

approach, which would build on and resource work already undertaken such as the Safer Nightlife Working Group led by Crew:2000.

(References – Act of Council No. 24 of 24 November 2022; report by the Executive Director of Place, submitted.)

11. Edinburgh Union Canal Strategy refresh

An update was provided on progress made by the Edinburgh Union Canal Partnership (between the City of Edinburgh Council and Scottish Canals) along with a refreshed Edinburgh Union Canal Strategy for approval.

The Edinburgh Union Canal Partnership between the Council and Scottish Canals was formed in 2022 to support and promote the Edinburgh stretch of the Union Canal, which ran from the Almond Aqueduct near Ratho to the Lochrin Basin in Fountainbridge. The Partnership included a Development Officer role, hosted by the Council, which was part-funded by both organisations and aimed to refocus promotion of the Union Canal and development opportunities.

Decision

To approve the refreshed Edinburgh Union Canal Strategy.

(References – Planning Committee of 8 December 2011 (item 5); report by the Executive Director of Place, submitted.)

12. Corporate Property Strategy Update

An update was provided on the Corporate Property Strategy, as requested by Committee on 22 August 2023.

Motion

To note the update provided in the report by the Executive Director of Place.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To note the update provided in the report by the Executive Director of Place.
- 2) Welcomes the introduction of accessibility surveys across the estate to inform the Corporate Property Strategy and requests:
 - a timetable for this work and information about which buildings will be prioritised for these surveys in the first instance and why, to be shared in the Business Bulletin within the next 6 months.
 - that annual progress updates on this work are included in the annual updates of the Corporate Property Strategy Action Plan already due to be presented to Policy & Sustainability Committee.
- 3) Requests that details included in section 4.19 - 4.22 of the report are considered as part of a separate Corporate Property Retrofit Strategy to be brought to P&S Committee within the next 6 months, to ensure that the Council is taking our responsibility towards end of lifecycle planning seriously, leading the way in

finding innovative solutions to retrofitting both typical and less-typical building types and recognising the need for proactive partnership-working with other organisations including Edinburgh Partnership, NHS Lothian and others.

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 2

- 1) To note the update provided in the report by the Executive Director of Place.
- 2) Notes in 4.16 “the aspiration is to use the pandemic as a catalyst”, however, almost four years after the start of the pandemic, the utilisation of the Council estate remains low; hence, the opportunities for effective collaboration are not being delivered.
- 3) Requests the Executive Director of Place to provide Committee within one cycle information about the current utilisation of the Council estate and where that utilisation does not meet satisfactory levels, what plans he has for disposal, or alternatives, of those specific parts of the estate.

- moved by Councillor Doggart, seconded by Councillor Whyte

In accordance with Standing Order 22(13), Amendments 1 and 2 were adjusted and accepted as addendums to the motion.

Voting

The voting was as follows:

For the motion (as adjusted) – 9 votes

For Amendment 1 – 8 votes

(For the motion (as adjusted): Councillors Beal, Bennett, Day, Dijkstra-Downie, Doggart, Lang, Meagher, Watt and Whyte.

For Amendment 1: Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey, Parker and Staniforth.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the update provided in the report by the Executive Director of Place.
- 2) To welcome the introduction of accessibility surveys across the estate to inform the Corporate Property Strategy and request:
 - a timetable for this work and information about which buildings would be prioritised for these surveys in the first instance and why, to be shared in the Business Bulletin within the next 6 months.
 - that annual progress updates on this work be included in the annual updates of the Corporate Property Strategy Action Plan already due to be presented to Policy & Sustainability Committee.
- 3) To note in paragraph 4.16 “the aspiration is to use the pandemic as a catalyst.” however, almost four years after the start of the pandemic, the utilisation of the

Council estate remained low; hence, the opportunities for effective collaboration were not being delivered.

- 4) To request the Executive Director of Place to provide Committee within two cycles information about the current utilisation of the Council estate and where that utilisation did not meet satisfactory levels, what plans he had for disposal, or alternatives, of those specific parts of the estate.

(References – Policy and Sustainability Committee of 22 August 2023 (item 8); report by the Executive Director of Place, submitted.)

13. Advice Shop Service Delivery Update

Details were provided on the performance of the Advice Shop including the steps taken to improve accessibility to enable as many people as possible to be assisted with welfare benefit and debt matters.

Motion

To note the update on the Advice Shop, including the actions underway to improve service delivery.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To note the update on the Advice Shop, including the actions underway to improve service delivery.
- 2) Requests an update report once the full 12 months of output data for year 23/24 is available.

- moved by Councillor Macinnes, seconded by Councillor Biagi

Amendment 2

- 1) To note the update on the Advice Shop, including the actions underway to improve service delivery.
- 2) Notes that Elected Members are often an initial point of contact for people seeking advice – through surgeries or by email - and that consistency in support offered is important to ensure everyone gets the help they need.
- 3) Therefore requests that Member Services – in collaboration with the Advice Shop and other relevant agencies – produce a ‘Constituent support pack’ for Councillors and staff which contains information and signposting to council support services, examples of the most commonly accessed forms, and other resources which may be useful in best supporting constituents.

- moved by Councillor Mumford, seconded by Councillor Parker

In accordance with Standing Order 22(13), Amendment 1 was accepted as an addendum to the motion, and Amendment 2 was adjusted and accepted as an addendum to the motion.

In accordance with Standing Order 22(13), Amendment 1 was accepted as an addendum to Amendment 2.

Voting

The voting was as follows:

For the motion (as adjusted) – 9 votes

For Amendment 2 (as adjusted) – 8 votes

(For the motion (as adjusted): Councillors Beal, Bennett, Day, Dijkstra-Downie, Doggart, Lang, Meagher, Watt and Whyte.

For Amendment 1: Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey, Parker and Staniforth.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the update on the Advice Shop, including the actions underway to improve service delivery.
- 2) To request an update report once the full 12 months of output data for year 23/24 was available.
- 3) To note that Elected Members were often an initial point of contact for people seeking advice – through surgeries or by email - and that consistency in support offered was important to ensure everyone got the help they needed.

(References – Act of Council No. 10 of 28 September 2023; report by the Executive Director of Place, submitted.)

14. **Edinburgh Leisure and the Real Living Wage**

An update was provided on Edinburgh Leisure and the Real Living Wage. Details were provided of the significant financial challenges that Edinburgh Leisure would face over the next 18 months, the measures implemented to date and options under consideration to improve their fiscal position. Council officers would continue to work with Edinburgh Leisure senior managers to review their financial position and forecasts.

Motion

- 1) To note that for Edinburgh Leisure to implement Real Living Wage would increase their costs by £0.473m in 2023/24 and £0.8m in 2024/25.
- 2) To note Edinburgh Leisure had budgeted for a deficit of £0.736m (before including Real Living Wage costs) in 2023/24 and was currently forecasting a budget deficit of £3.6m (including Real Living Wage) for 2024/25.
- 3) To note Edinburgh Leisure was reviewing options and costs to mitigate budget deficits in 2023/24 and 2024/25.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To note that for Edinburgh Leisure to implement Real Living Wage would increase their costs by £0.473m in 2023/24 and £0.8m in 2024/25.

- 2) To note Edinburgh Leisure had budgeted for a deficit of £0.736m (before including Real Living Wage costs) in 2023/24 and was currently forecasting a budget deficit of £3.6m (including Real Living Wage) for 2024/25.
- 3) To note Edinburgh Leisure was reviewing options and costs to mitigate budget deficits in 2023/24 and 2024/25.
- 4) Agrees that it is unacceptable for any organisation delivering services on behalf of the Council not to pay, at least, the real living wage to all employees.
- 5) Agrees the Council leader writes to Edinburgh leisure to demand the immediate implementation of the real living wage is paid to all staff as a non-negotiable requirement of an organisation operating from council-owned assets and receiving millions of pounds in public money.

- moved by Councillor Campbell, seconded by Councillor Macinnes

Amendment 2

- 1) To note that for Edinburgh Leisure to implement Real Living Wage would increase their costs by £0.473m in 2023/24 and £0.8m in 2024/25.
- 2) To note Edinburgh Leisure had budgeted for a deficit of £0.736m (before including Real Living Wage costs) in 2023/24 and was currently forecasting a budget deficit of £3.6m (including Real Living Wage) for 2024/25.
- 3) To note Edinburgh Leisure was reviewing options and costs to mitigate budget deficits in 2023/24 and 2024/25.
- 4) Edinburgh Leisure's current annual service payment from the Council is £6.7m, which is less than the £7.1m funding it received 25 years ago, despite other income and costs rising four-fold and three-fold respectively over the period.
- 5) Without additional funding, there is a significant risk of service reductions and venue closures, which would have a detrimental effect on the health and well-being of residents across the city.
- 6) Therefore asks that officers should fully explore how their recommended budget proposals for 2024/25 can provide the necessary uplift in Edinburgh Leisure funding so that current service levels to the public are maintained.

- moved by Councillor Bennett, seconded by Councillor Lang

In accordance with Standing Order 22(13), Amendment 2 was accepted as an addendum to the motion.

In accordance with Standing Order 22(13), Amendment 2 was accepted as an addendum to Amendment 1.

Voting

The voting was as follows:

For the motion (as adjusted) – 9 votes

For Amendment 1 – 8 votes

(For the motion (as adjusted): Councillors Beal, Bennett, Day, Dijkstra-Downie, Doggart, Lang, Meagher, Watt and Whyte.

For Amendment 1: Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey, Parker and Staniforth.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note that for Edinburgh Leisure to implement Real Living Wage would increase their costs by £0.473m in 2023/24 and £0.8m in 2024/25.
- 2) To note Edinburgh Leisure had budgeted for a deficit of £0.736m (before including Real Living Wage costs) in 2023/24 and was currently forecasting a budget deficit of £3.6m (including Real Living Wage) for 2024/25.
- 3) To note Edinburgh Leisure was reviewing options and costs to mitigate budget deficits in 2023/24 and 2024/25.
- 4) To note Edinburgh Leisure's current annual service payment from the Council was £6.7m, which was less than the £7.1m funding it received 25 years ago, despite other income and costs rising four-fold and three-fold respectively over the period.
- 5) To note that without additional funding, there was a significant risk of service reductions and venue closures, which would have a detrimental effect on the health and well-being of residents across the city.
- 6) To therefore ask that officers should fully explore how their recommended budget proposals for 2024/25 could provide the necessary uplift in Edinburgh Leisure funding so that current service levels to the public were maintained.

(References – Act of Council No. 18 of 31 August 2023; Policy and Sustainability Committee of 24 October 2023 (item 17); report by the Executive Director of Place, submitted.)

15. Internal Audit Open and Overdue Internal Audit Actions – Performance Dashboard as at 31 October 2023 – referral from the Governance, Risk and Best Value Committee

On 28 November 2023, the Governance, Risk and Best Value Committee considered a report on the Committee Best Practice Guidance, including details of progress of open and overdue Internal Audit (IA) management actions and key performance indicators as at 31 October 2023.

Motion

To note the referral from the Governance, Risk and Best Value Committee.

- moved by Councillor Day, seconded by Councillor Watt

Amendment

- 1) To note the referral from the Governance, Risk and Best Value Committee.
- 2) Notes with concern the outstanding action arising from audit CF2003 'Health & Safety – Managing Behaviours of Concern July 2021' and asks for members to be briefed on completion.

- moved by Councillor Parker, seconded by Councillor Mumford

In accordance with Standing Order 22(13), the amendment was accepted as an addendum to the motion.

Decision

- 1) To note the referral from the Governance, Risk and Best Value Committee.
- 2) To note with concern the outstanding action arising from audit CF2003 'Health & Safety – Managing Behaviours of Concern July 2021' and asks for members to be briefed on completion.

(References – Governance, Risk and Best Value Committee, of 28 November 2023 (item 6); referral from the Governance, Risk and Best Value Committee, submitted.)

16. Legal & Assurance – Policy Assurance Statement

To ensure that Council policies reflect current legislative requirements and best practice, all Council directorates and policy owners were required to review their policies on an annual or other regular basis. A number of policies owned by Legal and Assurance were presently under review.

Decision

- 1) To note the update in relation to the Council policies detailed in the report by the Executive Director of Corporate Services 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.
- 2) To note the report related to 2023 assurance and was deferred from Policy and Sustainability Committee on 24 October 2023 and 15 December 2023 due to a full agenda, other business priorities and the report was not considered urgent.

(References – Corporate Policy and Strategy Committee of 3 September 2013 (item 4); Governance, Risk and Best Value Committee of 22 May 2014 (item 7); report by Executive Director of Corporate Services, submitted.)

17. Policy Assurance Statement – Customer and Digital Services

An assurance update was provided on key policies and procedures within Customer and Digital Services in Corporate Services, including: Corporate Debt Policy, Discretionary Housing Payments Procedure, Council Tax Procedures (second homes and empty properties), Non-Domestic Rates Policy (Discretionary Relief) and ICT Acceptable Use Policy.

Decision

To note that Council policies detailed in this report had been reviewed and were considered to reflect current legislative requirements and best practice and therefore remained fit for purpose.

(References – Policy and Sustainability Committee of 30 November 2021 (item 28) and 1 November 2022 (item 22); report by Executive Director of Corporate Services, submitted.)

17. Venue and Event Booking Policy

Approval was sought to introduce a Venue and Events Booking Policy that would apply to all Council owned and operated venues and event spaces, defined as those spaces which were let to external organisations. The policy would be shared with third party organisations that manage venues on behalf of the Council, such as Arms Length External Organisations (ALEOs) and Community Centres, with a request that they either adopt it or review their own policies to ensure compliance.

Motion

- 1) To note the core principle of the Venue and Event Booking Policy that the Council would comply with relevant legislation relating to discrimination when dealing with anyone seeking to hire Council premises for any event. The Council could refuse or cancel a booking where it could show that its action had a proper basis in law and was necessary and proportionate in order to protect public safety, public order, health or morals, the rights and freedoms of other people.
- 2) To approve the Venue and Event Booking Policy.
- 3) To note the intention to use existing booking systems to manage the booking of venues by September 2024 to ensure that all hirers signed and agreed to the Council's Terms and Conditions of Let.
- 4) To note that the Council's Legal Services team would produce revised Terms and Conditions of Let by April 2024 that were appropriate for each venue, and which clarified the obligations of each party regarding additional costs, and the parameters for denying or cancelling events under the terms of the policy.

- moved by Councillor Day, seconded by Councillor Watt

Amendment

- 1) To note the core principle of the Venue and Event Booking Policy that the Council would comply with relevant legislation relating to discrimination when dealing with anyone seeking to hire Council premises for any event. The Council could refuse or cancel a booking where it could show that its action had a proper basis in law and was necessary and proportionate in order to protect public safety, public order, health or morals, the rights and freedoms of other people.
- 2) To approve the Venue and Event Booking Policy.

- 3) To note the intention to use existing booking systems to manage the booking of venues by September 2024 to ensure that all hirers signed and agreed to the Council's Terms and Conditions of Let.
- 4) To note that the Council's Legal Services team would produce revised Terms and Conditions of Let by April 2024 that were appropriate for each venue, and which clarified the obligations of each party regarding additional costs, and the parameters for denying or cancelling events under the terms of the policy.
- 5) Requests that this Terms and Conditions of Let are reported on in the Business Bulletin of the next P&S Committee, and includes clarity on how parties are engaged with when deciding on accepting and refusing / cancelling a booking.
- 6) Additionally requests that a lease review is undertaken by September 2024, ensuring that we have up-to-date, compliant and appropriate lease arrangements in place for all council-owned venues and that all leaseholders have been engaged with by council officers regarding their lease agreement and Terms and Conditions of Let.

- moved by Councillor Mumford, seconded by Councillor Parker

Voting

The voting was as follows:

For the motion – 9 votes

For the amendment – 8 votes

(For the motion: Councillors Beal, Bennett, Day, Dijkstra-Downie, Doggart, Lang, Meagher, Watt and Whyte.

For the amendment: Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey, Parker and Staniforth.)

Decision

To approve the motion by Councillor Day.

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

18. Health and Safety Policy Review

The new Council Health and Safety Policy was submitted for approval. It set out a commitment to protect the health, safety and welfare of employees and those persons who engaged, interacted with, or may be affected by, Council services and/or property. Ensuring health and safety is the starting point to delivering a thriving, sustainable capital city.

The Policy replaced the existing Corporate Health and Safety Policy and updated key responsibilities in order to clarify governance of health and safety, reflecting the current organisational arrangements within the City of Edinburgh Council.

Decision

To approve the revised Council Health and Safety Policy.

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

19. Smoke Free Policy

The revised Smoke Free Policy was submitted for approval. It reconfirmed the position of the City of Edinburgh Council with regards smoke free workplaces but also inserted updated guidance and resources for those employees who may be seeking to stop smoking. The Smoking, Health and Social Care (Scotland) Act 2005 banned smoking in public places, including workplaces and work-related vehicles, to protect people from the health risks of passive smoking.

Decision

To approve the revised Smoke Free Policy.

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

20. Whistleblowing Policy and Toolkit

The Finance and Resources Committee approved the Council's current Whistleblowing Policy on 23 May 2019. This recommended approval of a revised Whistleblowing Policy and introduction of a new Whistleblowing Toolkit. These had been drafted in line with recommendations following the Independent Inquiry and Review conducted by Pinsent Masons LLP and overseen by Inquiry Chair Susanne Tanner KC (the Independent Inquiry). The Policy and Toolkit proposed to replace the existing Whistleblowing Policy dated 23 May 2019 and proposed to be implemented with effect from 1 February 2024. In conjunction with the implementation of the new Policy and Toolkit, e-learning would be rolled out to all members of staff and communication updates would also be provided.

Motion

To approve the new Whistleblowing Policy and Toolkit, with an implementation date of 1 February 2024.

- moved by Councillor Day, seconded by Councillor Watt

Amendment

- 1) To approve the new Whistleblowing Policy and Toolkit, with an implementation date of 1 February 2024.
- 2) Requests a report in 2 cycles with an additional procedure of the policy, outlining the process when whistleblowing relates to the conduct of a Councillor. This should set out a process for carrying out investigations within the Council as best as possible when relating to Elected Members, with proposed processes for where to pass investigation outcomes and relevant evidence, including but not limited to: the police, the ethical standards commissioner and to political parties (where councillors are members).

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

Voting

The voting was as follows:

For the motion – 9 votes

For the amendment – 8 votes

(For the motion: Councillors Beal, Bennett, Day, Dijkstra-Downie, Doggart, Lang, Meagher, Watt and Whyte.

For the amendment: Councillors Biagi, Campbell, Macinnes, Mumford, Nicolson, Nols-McVey, Parker and Staniforth.)

Decision

To approve the new Whistleblowing Policy and Toolkit, with an implementation date of 1 February 2024.

(References – Finance and Resources Committee of 23 May 2019 (item 24); report by the Service Director - Legal and Assurance and Council Monitoring Officer, submitted.)