

# Minutes

## The City of Edinburgh Council

Edinburgh, Thursday 4 May 2023

Present:

### LORD PROVOST

The Right Honourable Robert Aldridge

### COUNCILLORS

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

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

## 1 Deputations

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**a) Planning Democracy  
(in relation to item 30 - Motion by Councillor McKenzie – Review Rights of Appeal in Planning)**

The deputation were aware of the pressure on local authority planners and members with their limited resources and staffing and their emphasis for efficiency. They indicated that research clearly showed consistent demand from members of the public for planning appeal rights.

The deputation felt that a system which entitled a developer to a free full merits review of a planning decision, whilst denying members of the public who would be impacted by that development the same right, was simply unjust and unfair. They believed that a system that treated all people equally would deliver better outcomes.

The deputation urged the Council to support the motion by Councillor McKenzie (see item 30 below)

**b) SOS Leith  
(in relation to item 14 – Motion by Councillor Caldwell – Sewage in Edinburgh’s Waterways)**

The deputation indicated that a vast amount of silt had accumulated over the years and were worried about what this may be hiding. They had had samples tested by SEPA who had confirmed the presence of faecal matter but had indicated that they did not monitor any sites below the high water mark.

The deputation indicated that the motion by Councillor Caldwell addressed many of their concerns and urged members to support the motion (see item 14 below).

**c) NLRP12  
(in relation to Item 27 - Motion by Councillor Parker – Edward Windsor)**

The Deputation indicated that 100% of their members polled were against the motion by Councillor Parker. They indicated that those who would be affected the most by the motion were residents of the city who were veterans.

The deputation also stressed that there would be an impact on those who were currently taking part in the Duke of Edinburgh’s Award Scheme. The deputation urged the Council not to support the motion (see item 27 below).

**d) Water of Leith Conservation Trust (Written Submission)**  
**(in relation to item 14 – Motion by councillor Caldwell – Sewage in Edinburgh’s Waterways)**

The deputation were concerned about the increase in frequency of Combined Sewer Overflows (CSO's) venting into the Water of Leith and stressed that they saw the evidence of these events as wet wipes and sanitary products left on trees and branches along the river following on from high flow events.

The deputation’s main concern was around venting CSO's, which was the potential build up in Leith due to the impoundment of the river by Leith Docks, most rivers had a tidal ebb and flow which meant sewage was washed into the sea but this did not happen in the Water of Leith (see item 14 below).

**e) Our Republic**  
**(in relation to Item 27 - Motion by Councillor Parker – Edward Windsor)**

The deputation had looked at the motion in the form of a branding issue in that the Duke of Edinburgh as a title and a role did not necessarily have much of a relationship with the City of Edinburgh Council. They felt that if anyone was going to be awarded a title it should be linked in some way to the democratic process.

The deputation stressed that they felt that the Duke of Edinburgh title had no relationship with the city and that it was important for a debate to be held on whether or not we recognised the Duke of Edinburgh and if they did have any relationship with the city (see item 27 below).

## **2 Minutes**

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### **Decision**

To approve the minute of the Council of 16 March 2023 as a correct record.

## **3 Leader’s Report**

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

- Late Ken Buchanan - Tribute
- Edinburgh by Numbers
- Re-opening North Bridge/Leith Walk/Trams to Newhaven
- Event in Portobello - correction
- Apologies to Council on behalf of CGI - failings
- Thanks to Committee Services team
- Commend inspection report of Mortonhall Crematorium

- Hosting meeting of Trans Community
- Black Alliance Scotland Summit
- Firhill High School - congratulations

The following questions/comments were made:

- |                                  |   |   |
|----------------------------------|---|---|
| Councillor McVey                 | - | Condolences to the family of Ken Buchanan   |
|                                  | - | What is the leader most proud of in the past year   |
| Councillor Lang                  | - | Delays to the delivery of critical road safety projects – road safety improvement fund                              |
| Councillor Mumford               | - | Economic Vision for Edinburgh   |
| Councillor Whyte                 | - | Appointed Bailies voting for a motion attacking the Royal Family in the City through the Duke of Edinburgh          |
| Councillor Jenkinson             | - | Warm and Welcoming Spaces Summit – success of initiative and continuing work  |
| Councillor Fullerton             | - | Confidence in the EIJB Chair  |
| Councillor Bennett               | - | Tram Extension – Haymarket to Granton – path network  |
| Councillor Parker                | - | Show gardens at the Chelsea flower show – reduction in the use of pesticide glyphosate in Edinburgh                 |
| Councillor Cowdy                 | - | Overstretched officer resources   |
| Councillor Lezley Marion Cameron | - | Proposed work to be undertaken to provide members with an overview of the “state of the city”                       |
| Councillor Macinnes              | - | International Workers Memorial Day – Leader’s attendance  |
| Councillor Davidson              | - | Access to reproductive health care – cancellation of Scottish Government’s short term working group on buffer zones |
| Councillor Bandel                | - | Protecting and enhancing nature – nature emergency  |

- |                     |  |
|---------------------|--|
| Councillor Doggart  | - Council employees - Care Inspectorate report – strategic oversight of key employees  |
| Councillor Campbell | - Forth Green Freeport workstream related to net zero being led by INEOS - concerns    |
| Councillor Younie   | - Invitations by the new First Minister to meetings of the Scottish Government Cabinet |
| Councillor Heap     | - Closure of Gorgie Farm – welfare of animals  |
| Councillor Aston    | - Workplace parking levy   |
|                     | - Labour Councillor appointments in English elections                                  |

#### 4 Review of Appointments to Committees, Boards and Joint Boards for 2023-2024

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The Council was invited to appoint members to Committees, Boards and Joint Boards for the municipal year 2023/2024.

##### **Motion**

Council:

1) Reappoints:

Councillor Cammy Day as Council Leader

Councillor Mandy Watt as Depute Council Leader

2) Reappoints:

Councillor Cammy Day as Convener of the Policy and Sustainability Committee

Councillor Val Walker as Convener of the Culture and Communities Committee

Councillor Joan Griffiths as Convener of the Education, Children and Families Committee

Councillor Jane Meagher as Convener of the Housing, Homelessness and Fair Work Committee

Councillor Mandy Watt as Convener of the Finance and Resources Committee

Councillor Scott Arthur as Convener of the Transport and Environment Committee

Councillor James Dalglish as Convener of the Planning Committee

Councillor Mandy Watt as Convener of the Pensions Committee

Councillor Tim Pogson as Chair of the Edinburgh Integration Joint Board

3) Replace:

Councillor Jane Meagher with Councillor Lezley Marion Cameron on the Culture and Communities Committee

Councillor Margaret Graham with Councillor Katrina Faccenda on the Transport and Environment Committee

Councillor Val Walker with Councillor Margaret Graham on the Education, Children and Families Committee

Councillor Mandy Watt with Councillor Tim Pogson on the Housing, Homelessness and Fair Work Committee

Councillor James Dalglish with Councillor Val Walker on the Regulatory Committee

Councillor Val Walker with Councillor Lezley Marion Cameron on Edinburgh Leisure

Councillor Joan Griffiths with Councillor Cammy Day on the Edinburgh International Jazz and Blues Festival

4) Appoints:

Councillor Margaret Graham to the Regulatory Committee

Councillor Lezley Marion Cameron to the Equalities Working Group

Councillor Margaret Graham to the Short Term Lets Working Group

Councillor Scott Arthur to the Combined Transport, Local Access and Active Travel Forum

5) Remove Councillor Joan Griffiths from the Policy and Sustainability Committee

- 6) Reappoints all remaining Administration members to existing Committee places as agreed for 2022/2023
- 7) Note the membership of the Lothian Valuation Joint Board and Licensing Board as agreed for 2022/2023.”

- moved by Councillor Day, seconded by Councillor Watt

### **Amendment 1**

- 1) Replaces 1.1 in the recommendations in the report by the Executive Director of Corporate Services with “Agrees to replace one Labour member with a Liberal Democrat member as set out in section 4.17 to reflect the Council’s political proportionality.”
- 2) Replaces points 1.2 a and b in the recommendations in the report with:
  - “(a) Agrees to remove the current Council Leader and Deputy Leader due to systemic failures of leadership and broken promises. Therefor agrees to hold these positions vacant until June Council to allow an Administration to be formed which can better deliver residents’ needs and aspirations and prioritise tackling climate change and fighting poverty.
  - (b) Agrees to remove all Conveners and Vice-Conveners to be appointed at June Council with individual committees electing a chair at the start of each meeting for any committees taking place before June Council.
- 3) At 1.2(c) and (d) in the recommendations in the report, agrees to retain the current SNP members as outlined in appendix 2 and 3 respectively.
- 4) Replaces point 1.2(e) in the recommendations in the report with:

“The Council notes the damning report on performance of Integrated Joint Board and the role the current Convener has played in allowing this situation to develop. Agrees therefore to immediately remove the current Convener from the position of IJB Convener or Vice Convener and request that the soon-to-be-appointed Convener of the IJB from the NHS chairs any meetings until a competent replacement from the Council is appointed in June.”

- moved by Councillor McVey, seconded by Councillor Dobbin

## **Amendment 2**

Council

1) Appoints

Councillor Fiona Bennett as the additional Liberal Democrat member on Policy & Sustainability Committee

2) Reappoints

Councillor Neil Ross as Convener of the Regulatory Committee

Councillor Hal Osler as Convener of the Development Management Sub-Committee

3) Notes

Councillor Louise Young as Convener of the Licensing Board

4) Reappoints all remaining Liberal Democrat members to existing committee places as agreed for 2022/23

5) Replaces

Councillor Hal Osler with Councillor Alan Beal on "Energy for Edinburgh"

6) Replaces

Councillor Kevin Lang with Cllr Sanne Dijkstra-Downie as the Liberal Democrat member of the South-East of Scotland Regional Transport Partnership.

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

## **Amendment 3**

Makes the following changes:

### **Recommendations**

add the following at the end of point 1.3 in the report by the Executive Director of Corporate Services:

", subject to the following change: to increase the size of the Licensing Board from 9 members to 10 members, with a political composition of 3 SNP, 2 Scottish Liberal Democrats, 2 Labour, 2 Green, 1 Conservative, effective immediately."



### **Leadership Advisory Panel**

Change “Green Group Leader – Councillors Mumford/Staniforth”

To “Green Group Co-convenor – Councillors Mumford/Parker”

### **Recruitment Committee**

Change “group leaders”

To “group leaders/co-conveners”

### **Chief Official Personnel Hearing Committee**

Change Cllr Staniforth to Cllr Parker

- moved by Councillor Mumford, seconded by Councillor Booth

### **Amendment 4**

The Conservative Group Makes the following nominations:

To specify appointments to the following positions for 2023/24:

## **EXECUTIVE COMMITTEES**

### **Policy and Sustainability Committee**

Councillor Doggart

Councillor Whyte

### **Culture and Communities Committee**

Councillor Mitchell

Councillor Munro

### **Education, Children and Families Committee**

Councillor Cowdy

Councillor Jones

### **Finance and Resources Committee**

Councillor Doggart

Councillor Bruce

## **Housing, Homelessness and Fair Work Committee**

Councillor Bruce

Councillor Whyte

## **Transport and Environment Committee**

Councillor Cowdy

Councillor Munro

## **Other Committees**

### **Governance, Risk and Best Value Committee**

Councillor Mowat

Councillor Rust

### **Pensions Committee**

Councillor Doggart

### **Planning Committee and Development Management Sub-Committee**

Councillor Jones

Councillor Mowat

### **Planning Local Review Body**

#### **Panel 1**

Councillor Jones

#### **Panel 2**

Councillor Mowat

### **Regulatory Committee and Licensing Sub-Committee**

Councillor Mowat (Convener of Licensing Sub)

### **Leadership Advisory Panel**

Conservative Group Leader – Councillor Whyte

### **Administration of Trust Funds**

### **Committee on the Jean F Watson Bequest**

Councillor Mitchell

### **Reviews and Appeals**

#### **Committee on Discretionary Rating Relief Appeals**

Councillor Cowdy

#### **Personnel Appeals Committee**

Councillor Mowat

#### **Committee on Pupil Student Support**

Councillor Jones

#### **Members of the Integration Joint Board and Joint Committees**

Councillor Max Mitchell;

#### **Chief Official Personnel Assessment Committee**

Councillor Jones

#### **Chief Official Personnel Hearing Committee**

Councillor Whyte

1.3 To note the membership of the Lothian Valuation Joint Board and Licensing Board.

#### **Lothian Valuation Joint Board/Lothian Electoral Joint Committee**

(9 members – 3SNP, 2L, 2SLD, 1G, 1C)

Councillor Mitchell

#### **Licensing Board**

(9 members: 3 SNP, 2 L, 2 SLD, 1G, 1 Conservative)

Councillor Rust (Vice-Convener)

- moved by Councillor Mowat, seconded by Councillor Rust

In accordance with Standing Order 22(12), Amendments 1 and 3 were adjusted and accepted as addendums to the motion and Amendments 2 and 4 were accepted as addendums to the motion.

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted) - 33 votes  
For Amendment 1(as adjusted) - 29 votes

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

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

## **Decision**

To approve the following adjusted motion by Councillor Day (the appointments to Committees, Boards and Joint Boards for 2023/24 are detailed in Appendices 1-3 of this minute):

1) To reappoint:

Councillor Cammy Day as Council Leader

Councillor Mandy Watt as Depute Council Leader

2) To reappoint:

Councillor Cammy Day as Convener of the Policy and Sustainability Committee

Councillor Val Walker as Convener of the Culture and Communities Committee

Councillor Joan Griffiths as Convener of the Education, Children and Families Committee

Councillor Jane Meagher as Convener of the Housing, Homelessness and Fair Work Committee

Councillor Mandy Watt as Convener of the Finance and Resources Committee

Councillor Scott Arthur as Convener of the Transport and Environment Committee

Councillor James Dalglish as Convener of the Planning Committee

Councillor Mandy Watt as Convener of the Pensions Committee

Councillor Tim Pogson as Chair of the Edinburgh Integration Joint Board

3) To replace:

Councillor Jane Meagher with Councillor Lezley Marion Cameron on the Culture and Communities Committee

Councillor Margaret Graham with Councillor Katrina Faccenda on the Transport and Environment Committee

Councillor Val Walker with Councillor Margaret Graham on the Education, Children and Families Committee

Councillor Mandy Watt with Councillor Tim Pogson on the Housing, Homelessness and Fair Work Committee

Councillor James Dalglish with Councillor Val Walker on the Regulatory Committee

Councillor Val Walker with Councillor Lezley Marion Cameron on Edinburgh Leisure

Councillor Joan Griffiths with Councillor Cammy Day on the Edinburgh International Jazz and Blues Festival

4) To appoint:

Councillor Margaret Graham to the Regulatory Committee

Councillor Lezley Marion Cameron to the Equalities Working Group

Councillor Margaret Graham to the Short Term Lets Working Group

Councillor Scott Arthur to the Combined Transport, Local Access and Active Travel Forum

5) To remove Councillor Joan Griffiths from the Policy and Sustainability Committee

- 6) To reappoint all remaining Administration members to existing Committee places as agreed for 2022/2023
- 7) To note the membership of the Lothian Valuation Joint Board and Licensing Board as agreed for 2022/2023.”
- 8) At 1.2(c) and (d) in the recommendations in the report, agrees to retain the current SNP members as outlined in appendix 2 and 3 respectively.
- 9) To appoint Councillor Kate Campbell as Convener of the Governance Risk and Best Value Committee
- 10) To appoint Councillor Fiona Bennett as the additional Liberal Democrat member on Policy & Sustainability Committee
- 11) To reappoint:  
  
Councillor Neil Ross as Convener of the Regulatory Committee  
  
Councillor Hal Osler as Convener of the Development Management Sub-Committee
- 12) To note Councillor Louise Young as Convener of the Licensing Board
- 13) To reappoint all remaining Liberal Democrat members to existing committee places as agreed for 2022/23
- 14) To replace Councillor Hal Osler with Councillor Alan Beal on “Energy for Edinburgh”
- 15) To replace Councillor Kevin Lang with Councillor Sanne Dijkstra-Downie as the Liberal Democrat member of the South-East of Scotland Regional Transport Partnership.
- 16) To make the following changes:

#### **Leadership Advisory Panel**

Change “Green Group Leader – Councillors Mumford/Staniforth” to “Green Group Co-convener – Councillors Mumford/Parker”

#### **Recruitment Committee**

Change “group leaders” to “group leaders/co-convener”

#### **Chief Official Personnel Hearing Committee**

Change Cllr Staniforth to Cllr Parker

- 17) To agree the following appointments to the following positions for 2023/24:

**EXECUTIVE COMMITTEES**

**Policy and Sustainability Committee**

Councillor Doggart  
Councillor Whyte

**Culture and Communities Committee**

Councillor Mitchell  
Councillor Munro

**Education, Children and Families Committee**

Councillor Cowdy  
Councillor Jones

**Finance and Resources Committee**

Councillor Doggart  
Councillor Bruce

**Housing, Homelessness and Fair Work Committee**

Councillor Bruce  
Councillor Whyte

**Transport and Environment Committee**

Councillor Cowdy  
Councillor Munro

**Other Committees**

**Governance, Risk and Best Value Committee**

Councillor Mowat  
Councillor Rust

**Pensions Committee**

Councillor Doggart

**Planning Committee and Development Management Sub-Committee**

Councillor Jones  
Councillor Mowat

**Planning Local Review Body**

**Panel 1**

Councillor Jones

**Panel 2**

Councillor Mowat

**Regulatory Committee and Licensing Sub-Committee**

Councillor Mowat (Convener of Licensing Sub)

**Leadership Advisory Panel**

Conservative Group Leader – Councillor Whyte

**Administration of Trust Funds**

**Committee on the Jean F Watson Bequest**

Councillor Mitchell

**Reviews and Appeals**

**Committee on Discretionary Rating Relief Appeals**

Councillor Cowdy

**Personnel Appeals Committee**

Councillor Mowat

**Committee on Pupil Student Support**

Councillor Jones

**Members of the Integration Joint Board and Joint Committees**

Councillor Max Mitchell;

**Chief Official Personnel Assessment Committee**

Councillor Jones



## **Chief Official Personnel Hearing Committee**

Councillor Whyte

To note the membership of the Lothian Valuation Joint Board and Licensing Board.

## **Lothian Valuation Joint Board/Lothian Electoral Joint Committee**

(9 members – 3SNP, 2L, 2SLD, 1G, 1C)

Councillor Mitchell

## **Licensing Board**

(9 members: 3 SNP, 2 L, 2 SLD, 1G, 1 Conservative)

Councillor Rust (Vice-Convenor)

(References – Act of Council No 7 of 30 June 2022; report by the Executive Director of Corporate Services, submitted.)

## **5 Scheme of Delegation 2023**

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Details were provided on proposed changes to the Scheme of Delegation to Officers which document supported internal controls, accountability and the transparent operation of the Council and was a statutory requirement.

### **Motion**

- 1) To repeal the existing Scheme of Delegation to Officers and approve in their place appendix one of the report by the Executive Director of Corporate Services, such repeal and approval to take effect from 5 May 2023.
- 2) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendix one as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents, making them available to members for information ahead of publication.

- moved by Councillor Day, seconded by Councillor Watt

## **Amendment 1**

Council agrees to the following changes:

On the Scheme of Delegation:

- At 1.6 under Principles of delegation replaces 'Leader of the Council (or the Depute Leader if the Leader is absent)' with 'Group leaders of all political parties or their designated substitute'
- At 2.1 replace the last sentence to read: "Appropriate elected members will include the relevant convener, the council leader, all members of the relevant committee and all relevant local ward councillors. In the event of division of opinion in those consulted, the decision will not be taken until arrangements for additional committee or Council meetings are put in place and the decision has been democratically taken by elected members."
- At 3.14 (b) under Major Projects replaces 'Convener of the Finance and Resources committee' with 'Convener of the Finance and Resources committee and group leaders of all other parties or their designated substitute'
- Adds to 4.2 (b) "in consultation with all Group Leaders."
- At 12.2 under DELEGATION TO SERVICE DIRECTOR: HUMAN RESOURCES AND MONITORING OFFICER replaces 'the Leader of the Council' with 'group leaders of all parties or their designated substitute'

### **APPENDIX 1, GENERAL DELEGATION TO CHIEF EXECUTIVE AND EXECUTIVE DIRECTORS**

- At 14 (b) under Staff replaces 'the appropriate convener' with 'Group leaders of all political parties or their designated substitute'
- At 19 under Use of land and buildings replaces 'the appropriate convener' with 'Group leaders of all political parties or their designated substitute'

### **APPENDIX 3 DELEGATION TO THE EXECUTIVE DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES**

- At 47 (b) under Social Work replaces 'the convener or vice convener' with 'Group leaders of all political parties or their designated substitute'
- At 47 (e) under Social Work replaces 'the convener or vice convener' with 'Group leaders of all political parties or their designated substitute'

### **APPENDIX 4 (says 3 in report!) DELEGATION TO THE EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

- At 22 under Finance replaces ‘the convener or vice convener’ with ‘Group leaders of all political parties or their designated substitute’
- At 28 under Customer and Digital Services replaces ‘the convener or vice convener’ with ‘Group leaders of all political parties or their designated substitute’

#### APPENDIX 5 (says 4 in the report!) DELEGATION TO THE CHIEF OFFICER - EDINBURGH HEALTH AND SOCIAL CARE PARTNERSHIP

- At 16 (e) under All service users replaces ‘the relevant convener or vice convener’ with ‘Group leaders of all political parties or their designated substitute’

#### APPENDIX 6 DELEGATION TO THE EXECUTIVE DIRECTOR OF PLACE

- At 203 (II) under Licensing replaces ‘the convener of the Licensing Sub-Committee’ with ‘Group leaders of all political parties or their designated substitute’
- At 204 under Licensing replaces ‘the convener of the Licensing Sub-Committee’ with ‘Group leaders of all political parties or their designated substitute’
- At 213 under Licensing replaces ‘the convener of the Licensing Sub-Committee’ with ‘Group leaders of all political parties or their designated substitute’
- At 320 under Parks and Greenspace replaces ‘the convener of the Culture and Communities Committee’ with ‘Group leaders of all political parties or their designated substitute’
- At 420 under Culture replaces ‘the convener of the Committee on the Jean F Watson Bequest’ with ‘Group leaders of all political parties or their designated substitute’

#### APPENDIX 6 DELEGATION TO THE CHIEF PLANNING OFFICER

Agrees to retain section 6 of the Chief Planning Officer delegations as currently and reject all proposed changes.

- moved by Councillor McVey, seconded by Councillor Campbell

## Amendment 2

Council:

- 1) Recognises the ongoing concerns around governance of Health and Social Care in Edinburgh and therefore defers the decision on Appendix 4 of the Scheme to the next Full Council meeting, and instructs officers to engage further with members of the IJB and group leaders/co-conveners on this appendix specifically;
- 2) Accepts the rest of the Scheme of Delegation with the following amendments
  - 2.1 Throughout the document where the term “Group Leader” appears, change to “Group Leader or Co-Convener”
  - 2.2 Throughout the document where the term “his/her” appears, change to “their”
  - 2.3 At 1.6 change “Leader of the Council” to “Leader of the Council along with leaders/co-conveners (or substitutions accordingly) of each group represented in the council.
  - 2.4 At 2.1 change the last sentence to read “Appropriate elected members will include the relevant convener or vice-convener, leader/co-convener of all groups, and where appropriate group spokespeople and/or ward councillors
  - 2.5 At 3.15 c) add “and any other relevant committee” after Governance, Risk and Best Value Committee
  - 2.6 At 10.1 change ‘cultural strategy’ to ‘delivery of cultural strategy’, revert ‘transport strategy’ to ‘transport planning’
  - 2.7 Throughout appendices, change references to Council Leader to “Leader of the Council along with leaders/co-conveners (or substitutions accordingly) of each group represented in the council”
  - 2.8 In PLACE (Appendix 6) reject the change of six to twenty objections, therefore keeping the threshold at the lower number.

Additionally

- 3) Council requests that best practice guidance is produced and circulated in order to ensure a consistent approach in keeping elected members appraised of decisions taken and authorised under delegated authority. This guidance should particularly pertain to 2.3 (responsibility to inform), 2.4 (Reports), and

have due regard for the need to keep Elected Members informed and updated about relevant decision in a timeous and fair way.

- 4) Council requests a briefing note is circulated to members on the process for how BID ballots are handled in relation to officer, ward member and convener responsibilities.

- moved by Councillor Mumford, seconded by Councillor Parker

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

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

### **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	32 votes
For Amendment 1 (as adjusted)	-	29 votes

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

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

### **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To repeal the existing Scheme of Delegation to Officers and approve in their place appendix one of the report by the Executive Director of Corporate Services, such repeal and approval to take effect from 5 May 2023 with the following amendments:
  - a) Throughout the document where the term "Group Leader" appears, change to "Group Leader or Co-Convener".
  - b) Throughout the document where the term "his/her" appears, change to "their".

- 2) To request that best practice guidance be produced and circulated in order to ensure a consistent approach in keeping elected members apprised of decisions taken and authorised under delegated authority. This guidance should particularly pertain to 2.3 (responsibility to inform), 2.4 (Reports), and have due regard for the need to keep Elected Members informed and updated about relevant decision in a timeous and fair way.
- 3) To request a briefing note be circulated to members on the process for how BID ballots were handled in relation to officer, ward member and convener responsibilities.
- 4) To delegate authority to the Chief Executive to take such actions and make such minor adjustments to the documents set out in appendix one to the report as may be necessary to implement the decision of the Council in relation to this report and to produce a finalised version of the documents, making them available to members for information ahead of publication.

(References – Act of Council No 6 of 9 February 2023: report by the Executive Director of Corporate Services, submitted)

## 6 Council Reporting

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Details were provided on a revised Report Template for Council reporting, along with associated guidance, with the aim of increasing the focus on sustainability, equalities and risk together with a proposal for the removal of the Background section.

### **Motion**

- 1) To note the proposed changes to the Council/Committee Report Template and the Report Writing Guidance at Appendices 1 and 2 of the report by the Executive Director of Corporate Sevices.
- 2) To agree to adopt the revised report template and associated revised guidance, to take effect from 29 July 2023.

- moved by Councillor Day, seconded by Councillor Watt

### **Amendment 1**

- 1) To note the proposed changes to the Council/Committee Report Template and the Report Writing Guidance at Appendices 1 and 2 of the report by the Wxwcutive Director of Corporate Sevices.
- 2) To agree to adopt the revised report template and associated revised guidance, to take effect from 29 July 2023.

- 3) Welcomes the instruction on the new template for the Main Report to be no longer than two pages and recognises that concisely written reports benefit the democratic process by focusing on the decision that is being made and the information needed to make that decision.
- 4) Agrees that directors will keep a record of the number and percentage of reports that each service area produces where the main body of the report goes over 2 pages, this will be reported on an annual basis to GRBV and training will be provided for officers writing reports who regularly exceed this limit and directors who regularly sign off such reports.

- moved by Councillor Campbell, seconded by Councillor Dobbin

### **Amendment 2**

- 1) To note the proposed changes to the Council/Committee Report Template and the Report Writing Guidance at Appendices 1 and 2 of the report by the Wxwcutive Director of Corporate Sevices.
- 2) To agree to adopt the revised report template and associated revised guidance, with the exception of the proposed removal of the Background section proposed in paragraph 4.2, and for these changes to take effect from 29 July 2023.
- 3) For officers to consider how the guidance for the Background section can be refined to ensure this section is not unnecessarily lengthy.

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

### **Amendment 3**

- 1) To note the proposed changes to the Council/Committee Report Template and the Report Writing Guidance at Appendices 1 and 2 of the report by the Wxwcutive Director of Corporate Sevices.
- 2) To agree to adopt the revised report template and associated revised guidance, to take effect from 29 July 2023.
- 3) Welcomes the new Report Template and Report Writing Guidance, and thanks officers for their work on this
- 4) Notes that the Report Writing Guidance includes a section on “House Style” which specifies some formatting methods which can improve accessibility, but that there is no general guidance about this within the document
- 5) Believes it is important that reports are written and formatted in a way to meet accessibility standards, not only for councillors and officers, but also for

members of the public who have a democratic right to access committee reports

- 6) Notes that, despite some work in this area, many of the Council's communication practices are inaccessible in many ways, for example the use of PDFs to share information on the website or lack of BSL interpreters at Committee / Full Council meetings
- 7) Therefore agrees that further updates are made to the Report Template and Report Writing Guidance to ensure they meet accessibility standards, and that a new section on accessibility is included in the guidance to support officers with this, taking learning from the various accessible style and formatting guides which are available, such as through Disability Information Scotland
- 8) Further requests that, as part of the ongoing programme of work to review systemic discrimination within Council business practices and improve diversity, a report will come to Policy & Sustainability committee in 2 cycles outlining a high-level workplan about how the Council could audit and improve accessibility within its communications both internally and externally

- moved by Councillor Parker, seconded by Councillor Mumford

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

### **Decision**

- 1) To note the proposed changes to the Council/Committee Report Template and the Report Writing Guidance at Appendices 1 and 2 of the report by the Executive Director of Corporate Services.
- 2) To agree to adopt the revised report template and associated revised guidance, with the exception of the proposed removal of the Background section proposed in paragraph 4.2, and for these changes to take effect from 29 July 2023.
- 3) To agree that officers to consider how the guidance for the Background section could be refined to ensure this section was not unnecessarily lengthy.
- 4) To welcome the instruction on the new template for the Main Report to be no longer than two pages and recognise that concisely written reports benefitted the democratic process by focusing on the decision that was being made and the information needed to make that decision.



- 5) To agree that directors would keep a record of the number and percentage of reports that each service area produced where the main body of the report went over 2 pages, this would be reported on an annual basis to GRBV and training would be provided for officers writing reports who regularly exceeded this limit and directors who regularly signed off such reports.
- 6) To welcome the new Report Template and Report Writing Guidance, and thank officers for their work on this
- 7) To note that the Report Writing Guidance included a section on “House Style” which specified some formatting methods which could improve accessibility, but that there was no general guidance about this within the document.
- 8) To believe it was important that reports were written and formatted in a way to meet accessibility standards, not only for councillors and officers, but also for members of the public who had a democratic right to access committee reports.
- 9) To note that, despite some work in this area, many of the Council’s communication practices were inaccessible in many ways, for example the use of PDFs to share information on the website or lack of BSL interpreters at Committee / Full Council meetings.
- 10) To therefore agree that further updates be made to the Report Template and Report Writing Guidance to ensure they met accessibility standards, and that a new section on accessibility be included in the guidance to support officers with this, taking learning from the various accessible style and formatting guides which were available, such as through Disability Information Scotland.
- 11) To further request that, as part of the ongoing programme of work to review systemic discrimination within Council business practices and improve diversity, a report would come to Policy and Sustainability Committee in 2 cycles outlining a high-level workplan about how the Council could audit and improve accessibility within its communications both internally and externally.

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

## **7 City Strategic Investment Fund – referral from the Policy and Sustainability Committee**

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The Policy and Sustainability Committee had referred a report on the allocation of monies from the City Strategic Investment Fund (Strategic Programme Fund) and the City Strategic Investment Fund (Loan Fund) to the City of Edinburgh Council for final approval.

## Decision

To approve the adjustment of the allocations in the CSIF Strategic Programme to further advance the business case for the North/South Tram Line (ESSTS2) and allocate CSIF Loan Fund money to the Powderhall Stables block project.

(References – Policy and Sustainability Committee of 21 March 2023 (item 19); referral from the Policy and Sustainability Committee, submitted.)

## 8 Stonewall Diversity Champions Programme

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In response to a motion by Councillor Staniforth, details were provided on the estimated additional resources required to cover the membership fee and any associated implementation costs to join the Stonewall Diversity Champion's programme and participate in the UK Workplace Equality Index.

### Motion

- 1) Further to Policy and Sustainability Committee on 21 March 2023 to agree to sign up to the Stonewall Diversity Champions Programme and participate in the UK Workplace Equality Index immediately.
- 2) To approve the associated recurring costs of £61,040, met on a one-off basis from the Council's unallocated reserves in 2023/24, with these reserves to be reinstated and funding identified on a sustainable basis as part of the 2024/25 budget process.

- moved by Councillor Day, seconded by Councillor Watt

### Amendment 1

- 1) Council notes that Policy and Sustainability Committee decision in principal on 21 March 2023 "to agree to sign up to the Stonewall Diversity Champions Programme and participate in the UK Workplace Equality Index immediately" would incur an unbudgeted cost of £61,040 this financial year with similar recurring costs in future years.
- 2) Council further notes that this comes at a time when the Health and Social Care budget has a projected overspend of £35m (equivalent to £100k a day), the Council has been required to make approximately £80m of budget cuts this financial year and a further cut of over £30m is projected to be required in 2024/25.
- 3) Council considers that spending additional and duplicative taxpayer funds in this way is financially unsustainable and unjustifiable and therefore agrees to continue with our current membership of Employers Network for Equality and

Inclusion and benchmarking tool until the end of our current four-year Diversity and Inclusion Strategy and Plan with a view to reviewing the organisations with whom the Council partners and accesses benchmarking post 2024.

- moved by Councillor Whyte, seconded by Councillor Mitchell

## **Amendment 2**

- 1) Further to Policy and Sustainability Committee on 21 March 2023 to agree to sign up to the Stonewall Diversity Champions Programme and participate in the UK Workplace Equality Index immediately.
- 2) To approve the associated recurring costs of £61,040, to support all equality work within the Council, met on a one-off basis from the Council's unallocated reserves in 2023/24, with these reserves to be reinstated and funding identified on a sustainable basis as part of the 2024/25 budget process.

- moved by Councillor McVey, seconded by Councillor McFarlane

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	53 votes
For Amendment 1	-	9 votes

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

For Amendment 1: Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

## Decision

To approve the following adjusted motion by Councillor Day:

- 1) Further to Policy and Sustainability Committee on 21 March 2023 to agree to sign up to the Stonewall Diversity Champions Programme and participate in the UK Workplace Equality Index immediately.
- 2) To approve the associated recurring costs of £61,040, to support all equality work within the Council, met on a one-off basis from the Council's unallocated reserves in 2023/24, with these reserves to be reinstated and funding identified on a sustainable basis as part of the 2024/25 budget process.

(References – Policy and Sustainability Committee of 21 March 2023 (item 8); report by the Executive Director of Corporate Services, submitted.)

## 9 Drug and Alcohol Recovery Services in Niddrie and Craigmillar

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In response to a motion by Councillor Campbell, details were provided on the proposed plan for re-establishing a local base for drug and alcohol recovery drop-in services in Niddrie and Craigmillar and the ongoing work on implementing it.

### Motion

To note the plan for resuming and expanding Drug and Alcohol services in Craigmillar.

- moved by Councillor Pogson, seconded by Councillor Watt

### Amendment

- 1) To note the plan for resuming and expanding Drug and Alcohol services in Craigmillar.
- 2) Council believes that the delivery of addiction services is best located in community settings where barriers to service users can be minimised.
- 3) Welcomes the ongoing work to re-establish a local base for services.
- 4) Requests a business bulletin update to Policy and Sustainability within one cycle as to the rationale behind a centralised Opiate Replacement Therapy service as opposed to more locality-based models.
- 5) Furthermore, requests a briefing session is offered to ward councillors and relevant group spokespeople to explore remaining barriers to people in Niddrie and Craigmillar accessing drug and alcohol support services locally

- moved by Councillor Davidson, seconded by Councillor Mumford

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

### **Decision**

To approve the following adjusted motion by Councillor Watt:

- 1) To note the plan for resuming and expanding Drug and Alcohol services in Craigmillar.
- 2) To believe that the delivery of addiction services was best located in community settings where barriers to service users could be minimised.
- 3) To welcome the ongoing work to re-establish a local base for services.
- 4) To request a business bulletin update to Policy and Sustainability within one cycle as to the rationale behind a centralised Opiate Replacement Therapy service as opposed to more locality-based models.
- 5) Furthermore, to request a briefing session be offered to ward councillors and relevant group spokespeople to explore remaining barriers to people in Niddrie and Craigmillar accessing drug and alcohol support services locally.

(References – Act of Council No 33 of 9 February 2023; report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

## **10 Proposed Compulsory Purchase Order – Granton Waterfront (Phase 1) Regeneration Site**

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Approval was sought to use the Council's compulsory purchase powers to promote a CPO for seven small parcels of land extending to 3,452 sqm within the Granton Waterfront (phase 1) regeneration site. The CPO would be progressed using the provisions of and the powers available to the Council under Section 189 of the Town and Country Planning (Scotland) Act 1997.

### **Decision**

- 1) To note the decision of the Planning Committee on 24 March 2023 regarding this matter.
- 2) To agree to proceed with a Compulsory Purchase Order (CPO) for seven plots of land (as shown on the map in appendix 1 of the report by the Executive Director of Place) within the Granton Waterfront (phase 1)

regeneration site and instruct the Head of Legal Services to commence the CPO process.

- 3) To approve the draft CPO at appendix 3 of the report.
- 4) To note the Council would continue to seek a negotiated acquisition of the seven parcels of land in parallel with the CPO process.

(References: Planning Committee of 24 March 2023 (item 3); report by the Executive Director of Place, submitted)

## **11 Standing Up for Migrants and Refugees– Motion by Councillor Mumford**

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

“Council:

- 1) Notes that the Illegal Migration Bill passed bill passed its second reading in the UK Government House of Commons on Tuesday 13th March and is now making its way through the next stages of the parliamentary process.
- 2) Notes that the UNHCR view is that this Bill “would be a clear breach of the Refugee Convention and would undermine a longstanding, humanitarian tradition of which the British people are rightly proud”.
- 3) Notes that in March 2017 Edinburgh Council agreed to become a 'City of Sanctuary' for refugees and asylum-seekers.

Therefore, Council:

- 4) Agrees its opposition to the UK Government’s Illegal Migration Bill, and instructs the Council Leader and Lord Provost to make public statements to this effect.
- 5) Reaffirms its commitment to be a city which welcomes refugees, migrants, asylum seekers and all those seeking sanctuary.
- 6) Requests a briefing note to be circulated to all Elected Members before summer recess updating them on engagement with Edinburgh City of Sanctuary and future plans for embedding our commitment as a ‘city of sanctuary’ throughout Council operations.”

## **Motion**

To approve the motion by Councillor Mumford

- moved by Councillor Mumford, seconded by Councillor Bandel

## **Amendment 1**

To add to the motion by Councillor Mumford:

“Welcomes the [joint letter](#) from Councillors across the UK - coordinated by the Migrant Champions Network – and instructs the Council Leader to sign it on behalf of Edinburgh Council.”

- moved by Councillor Staniforth, seconded by Councillor Parker

## **Amendment 2**

To agree the motion by Councillor Mumford subject to the following changes:

- 1) Delete paragraph 4 of the motion.
- 2) Insert the word “legal” before “migrants” in paragraph 5 of the motion.
- 3) Insert the words “the briefing note to include a full breakdown of costs and details of the available budget” at the end of paragraph 6 of the motion.

- moved by Councillor Doggart, seconded by Councillor Jones

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	53 votes
For Amendment 2	-	9 votes

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

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

## Decision

To approve the following adjusted motion by Councillor Mumford:

- 1) To note that the Illegal Migration Bill passed bill passed its second reading in the UK Government House of Commons on Tuesday 13th March and was now making its way through the next stages of the parliamentary process.
- 2) To note that the UNHCR view was that this Bill “would be a clear breach of the Refugee Convention and would undermine a longstanding, humanitarian tradition of which the British people are rightly proud”.
- 3) To note that in March 2017 Edinburgh Council agreed to become a 'City of Sanctuary' for refugees and asylum-seekers.

Therefore:

- 4) To agree the Council's opposition to the UK Government's Illegal Migration Bill, and instruct the Council Leader and Lord Provost to make public statements to this effect.
- 5) To reaffirm the Council's commitment to be a city which welcomed refugees, migrants, asylum seekers and all those seeking sanctuary.
- 6) To request a briefing note to be circulated to all Elected Members before summer recess updating them on engagement with Edinburgh City of Sanctuary and future plans for embedding the Council's commitment as a 'city of sanctuary' throughout Council operations and request that the briefing note also include information on financial implications.
- 7) To welcome the [joint letter](#) from Councillors across the UK - coordinated by the Migrant Champions Network – and instruct the Council Leader to sign it on behalf of Edinburgh Council.

## 12 Care Inspection Reports – Motion by Councillor Miller

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

Council:

- 1) Notes the findings of the Inspection of Adult Social Work and Social Care Services by the Care Inspectorate (published 21 March) and the joint



inspection of Adult Support and Protection (published 14 February) both of which identify substantial areas for improvement.

- 2) Notes with concern the areas identified for improvement, which include protection, quality and availability of services, legislative compliance, outcomes-focused practice, and community support.
- 3) Recognises that, while financial and labour market pressures present challenges to the council, change and improvements are needed across areas such as IT, workforce strategy, processes, policies, and integration across the sector.
- 4) Notes the requirement to prepare an improvement plan in response to both inspections, thanks officers for beginning this work, and calls for improvement plans to be reported to the Policy and Sustainability Committee within one cycle.”

### **Motion**

To approve the motion by Councillor Miller.

- moved by Councillor Miller, seconded by Councillor Mumford

### **Amendment 1**

- 1) To add another sentence at point 4 of the motion by Councillor Miller as follows:  
  
“Requests that unpaid carers/parents and service users are involved in the development of all improvement plans.
- 2) To add to the motion by Councillor Miller:
  - “5) Notes that staff inconsistencies due to changes in and reductions to services and a reduced workforce caused by Covid and Brexit have contributed to the issues raised, particularly in adult protection.
  - 6) Believes that services were greatly reduced during Covid and this resulted in a shrinking of opportunities within and out with the partnership and that until services are re-established, the issues in the partnership will persist.
  - 7) Commends and expresses gratitude to the workforce for managing to offer core services despite great hardship and change in unique circumstances.

- 8) Commends and expresses gratitude to individuals and unpaid carers entitled to services and expresses regret that many had to and still endure hardship due to pressures within partnership.”

- moved by Councillor Nicolson, seconded by Councillor Kumar

### **Amendment 2**

- 1) In point two of the motion by Councillor Miller, between the words “include” and “protection”, inserts “strategic leadership and management oversight,”
- 2) In point four of the motion, removes “thanks officers for beginning” and replaces with “that officers have started”.

- moved by Councillor Mitchell, seconded by Councillor Doggart

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

### **Decision**

To approve the following adjusted motion by Councillor Miller:

- 1) To note the findings of the Inspection of Adult Social Work and Social Care Services by the Care Inspectorate (published 21 March) and the joint inspection of Adult Support and Protection (published 14 February) both of which identified substantial areas for improvement.
- 2) To note with concern the areas identified for improvement, which included strategic leadership and management oversight, protection, quality and availability of services, legislative compliance, outcomes-focused practice, and community support.
- 3) To recognise that, while financial and labour market pressures presented challenges to the council, change and improvements were needed across areas such as IT, workforce strategy, processes, policies, and integration across the sector.
- 4) To note the requirement to prepare an improvement plan in response to both inspections, that officers have started this work, and call for improvement plans to be reported to the Policy and Sustainability Committee within one cycle. To request that unpaid carers/parents and service users be involved in the development of all improvement plans.

- 5) To note that staff inconsistencies due to changes in and reductions to services and a reduced workforce caused by Covid and Brexit had contributed to the issues raised, particularly in adult protection.
- 6) To believe that services were greatly reduced during Covid and this resulted in a shrinking of opportunities within and out with the partnership and that until services were re-established, the issues in the partnership would persist.
- 7) To commend and express gratitude to the workforce for managing to offer core services despite great hardship and change in unique circumstances.
- 8) To commend and express gratitude to individuals and unpaid carers entitled to services and express regret that many had to and still endured hardship due to pressures within partnership.

### **13 Tourism Tax – Motion by Councillor Day**

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

- “1) Council notes that Manchester has become the first city in the UK to introduce a tourist tax, with visitors having to pay an extra £1 a night.
- 2) Recognises that Manchester is using its devolved powers to levy this ‘city visitor charge’ from the first of April.
- 3) Regrets that the Scottish Government has yet to fully devolve the power to Edinburgh in order for it to raise essential revenue to fund council services.
- 4) Agrees that the Council Leader engage with Tourism groups in the city to put pressure on the Scottish Government to devolve the tourism tax power and to write to the relevant Minister in the Scottish Government.”

#### **Motion**

To approve the motion by Councillor Day.

- moved by Councillor Day, seconded by Councillor Griffiths

#### **Amendment 1**

- 1) To delete second paragraph in the motion by Councillor Day and replace with:  
“Recognises that the Manchester Visitor Levy is implemented through an Accommodation Business Improvement District Model.”

- 2) In the final paragraph of the motion, delete “Tourism Groups” and replace with:

“Tourist, Hospitality and all relevant groups”.

- moved by Councillor Faccenda, seconded by Councillor Watt

### **Amendment 2**

To delete paragraph 4 in the motion by Councillor Day and replace with:

- “4) Notes the strength of Edinburgh’s campaign for tourist levy powers has relied on the consistency and professional approach of Edinburgh’s plan.
- 5) Further notes the consistent high levels of support from Edinburgh residents for this policy but also notes the confusing and contradictory comments made by administration members due to poor leadership, meaning there is more uncertainty over the shape of Edinburgh’s plans.
- 6) Therefore requests a report in 2 cycles to Full Council to confirm the Council’s prospectus, which will then be used in further approaches to the Scottish Government.”

- moved by Councillor McVey, seconded by Councillor Campbell

### **Amendment 3**

To delete paragraphs 2, 3 and 4 in the motion by Councillor Day and add:

- “2) Recognises that Manchester’s tourist tax will be levied by 73 accommodation providers who have formed an Accommodation Business Improvement District (BID) and does not require devolution of power to Manchester City Council or the Greater Manchester Combined Authority.
- 3) Recognises that while Edinburgh could explore a similar approach within the provisions of the Planning etc. (Scotland) Act 2006, that this would result in the proceeds of the tax being used to implement a BID business plan.
- 4) Believes that such an approach would not be in line with the Council’s agreed position in relation to a Transient Visitor Levy, which was reaffirmed in the Council Leader’s letter to the Deputy First Minister of October 2022, which requests that “proposed legislation would give Council’s discretion over how the revenue is spent”.
- 5) Notes that in the 2022-2023 Programme for Government, the Scottish Government committed to introduce legislation to give local authorities the power to apply a Local Visitor Levy.

- 6) Requests that the Council Leader awaits the outcome of the next Transient Visitor Update to Policy and Sustainability Committee before entering into any further communication with Scottish Government ministers on this subject.”

- moved by Councillor McKenzie, seconded by Councillor Mumford

In accordance with Standing Order 22(12), Amendment 1 was accepted as an amendment to the motion and Amendments 2 and 3 were adjusted and approved as amendments to the motion.

## **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To note that Manchester had become the first city in the UK to introduce a tourist tax, with visitors having to pay an extra £1 a night.
- 2) To recognise that the Manchester Visitor Levy was implemented through an Accommodation Business Improvement District Model.
- 3) To recognise that Manchester’s tourist tax would be levied by 73 accommodation providers who had formed an Accommodation Business Improvement District (BID) and did not require devolution of power to Manchester City Council or the Greater Manchester Combined Authority.
- 4) To regret that the Scottish Government had yet to fully devolve the power to Edinburgh in order for it to raise essential revenue to fund council services.
- 5) To note the strength of Edinburgh’s campaign for tourist levy powers had relied on the consistency and professional approach of Edinburgh’s plan.
- 6) To believe that such an approach would not be in line with the Council’s agreed position in relation to a Transient Visitor Levy, which was reaffirmed in the Council Leader’s letter to the Deputy First Minister of October 2022, which requested that “proposed legislation would give Council’s discretion over how the revenue is spent”.
- 7) Therefore to request a report in 2 cycles to Full Council to confirm the Council’s prospectus, which would then be used in further approaches to the Scottish Government.
- 8) To note that in the 2022-2023 Programme for Government, the Scottish Government committed to introduce legislation to give local authorities the power to apply a Local Visitor Levy.

## 14 Sewage in Edinburgh's Waterways – Motion by Councillor Caldwell

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

“Council -

### Regrets

- 1) That there are a large number of Combined Sewer Overflow (CSOs) outputs in Edinburgh's waterways, such as along the Water of Leith, the River Almond and the Figgate Burn.
- 2) That many CSOs are not actively monitored, despite promises from Scottish Water and SEPA that a number of upgrades and monitoring would be installed by the end of 2022.
- 3) That although plans have come forward Scottish Water to reduce the amount of CSOs in total, action is still to be taken outwith 'upgrading' a small percentage of CSOs.

### Notes

- 1) The important benefits that our rivers and coastline plays for our community, and that many voluntary organisations clean up our waterways, and thanks them for their ongoing service.
- 2) The current situation is contradictory to the City of Edinburgh Council's declaration of a Nature and Climate Emergency.
- 3) The City of Edinburgh Council is a member of the Edinburgh and Lothians Drain Partnership along with Scottish Water, SEPA and others.

### Requests

- 1) The Edinburgh and Lothians Drains Partnership holds an extraordinary meeting to draft a publicly accessible plan of action and invites key stakeholders and campaign groups including (but not exclusive to) The Water of Leith Conservation Trust, River Almond Action Group, Figgate Friends, Forth Rivers Trust and SOS Leith with Full Minutes published on the Council website alongside a map of all riverbased CSOs within the City of Edinburgh.
- 2) That Transport and Environment Committee is:

- a) provided six-monthly updates on the installation of sewage monitoring to the business bulletin.
  - b) provided ongoing data when this monitoring is live.
- 3) The Council Leader write to the Scottish Government, Scottish Water and SEPA, outlining the Council's major concern that no-one knows how much sewage is being dumped in Edinburgh's biodiverse waterways.

### **Believes**

that the ambition should be that Edinburgh's waterways are free from the discharge of human waste."

### **Motion**

To approve the motion by Councillor Caldwell.

- moved by Councillor Caldwell, seconded by Councillor Osler

### **Amendment 1**

To replace the "Requests" section in the motion by Councillor Caldwell with:

- 1) Notes that the Drainage Partnership was established to develop a strategic approach to drainage and the management of surface water flood risk, not foul or combined flows.
- 2) Notes that by strategically cutting surface water input to combined sewers CSO discharges can be reduced.
- 3) Notes that CSOs are very much owned and maintained by Scottish Water as sewerage infrastructure, and discharge from them is regulated by SEPA.
- 4) Notes that in the five years to 2021 recorded sewage spills in Scotland's rivers and seas increased by 40%, but at that time Scottish Water was only required to monitor less than 3% of these CSOs for pollution, so the true extent of the problem remains unknown.
- 5) Asks that the TEC Convener writes to the Scottish Government, Scottish Water and SEPA, outlining the Council's major concern that no-one knows how much sewage is being dumped in Edinburgh's biodiverse waterways, and request a six-monthly update on the installation of CSO monitoring should be requested along with ongoing data on spill volumes.
- 6) Further asks that the TEC Convener invites Scottish Water to host a workshop to discuss the issue with interested Councillors, key stakeholders

(inc SEPA and CEC) and campaign groups including (but not exclusive to) The Water of Leith Conservation Trust, River Almond Action Group, Figgate Friends, Forth Rivers Trust and SOS Leith.

- moved by Councillor Arthur, seconded by Councillor Graham

### **Amendment 2**

To add at point 1 of the “request section” in the motion by Councillor Caldwell:

“The extraordinary general meeting should also include representatives from the wild swimming community.”

- moved by Councillor Campbell, seconded by Councillor Dobbin

### **Amendment 3**

To add new point 3 to the motion by Councillor Caldwell and then renumbers:

“Requests a report detailing the impact that building new housing close to waterways will have on CSOs”.

- moved by Councillor Mowat, seconded by Councillor Cowdy

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

### **Decision**

To approve the following adjusted motion by Councillor Caldwell:

Council -

### **Regrets**

- 1) That there were a large number of Combined Sewer Overflow (CSOs) outputs in Edinburgh’s waterways, such as along the Water of Leith, the River Almond and the Figgate Burn.
- 2) That many CSOs were not actively monitored, despite promises from Scottish Water and SEPA that a number of upgrades and monitoring would be installed by the end of 2022.
- 3) That although plans had come forward Scottish Water to reduce the amount of CSOs in total, action was still to be taken outwith ‘upgrading’ a small percentage of CSOs.



## Notes

- 1) The important benefits that our rivers and coastline played for our community, and that many voluntary organisations clean up our waterways, and thanks them for their ongoing service.
- 2) The current situation was contradictory to the City of Edinburgh Council's declaration of a Nature and Climate Emergency.
- 3) The City of Edinburgh Council was a member of the Edinburgh and Lothians Drain Partnership along with Scottish Water, SEPA and others.

## Requests

- 1) To note that the Drainage Partnership was established to develop a strategic approach to drainage and the management of surface water flood risk, not foul or combined flows.
- 2) To note that by strategically cutting surface water input to combined sewers CSO discharges could be reduced.
- 3) To note that CSOs were very much owned and maintained by Scottish Water as sewerage infrastructure, and discharge from them was regulated by SEPA.
- 4) To note that in the five years to 2021 recorded sewage spills in Scotland's rivers and seas increased by 40%, but at that time Scottish Water was only required to monitor less than 3% of these CSOs for pollution, so the true extent of the problem remained unknown.
- 5) To ask that the TEC Convener write to the Scottish Government, Scottish Water and SEPA, outlining the Council's major concern that no-one knows how much sewage was being dumped in Edinburgh's biodiverse waterways, and request a six-monthly update on the installation of CSO monitoring should be requested along with ongoing data on spill volumes.
- 6) To further ask that the TEC Convener invite Scottish Water to host a workshop to discuss the issue with interested Councillors, key stakeholders (inc SEPA and CEC) and campaign groups including (but not exclusive to) The Water of Leith Conservation Trust, River Almond Action Group, Figgate Friends, Forth Rivers Trust and SOS Leith. The workshop should also include representatives from the wild swimming community.
- 7) To request a report detailing the impact that building new housing close to waterways would have on CSOs.

## Believes

that the ambition should be that Edinburgh's waterways be free from the discharge of human waste.

## 15 Consideration of Private Business – Motion by Councillor Lang

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

“Council:

- 1) notes that, at its meeting on 21 March 2023, the Policy & Sustainability Committee considered a report on 'Four Seasons Healthcare - North Merchiston and Castlegreen Care Homes'.
- 2) acknowledges the commercial sensitivity that rightly led the committee to consider this item in private.
- 3) notes an addendum was tabled to the report which extended beyond the specific case of the two care homes and resulted in a majority decision to agree:
  - a) that 'the council's role as a care provider is best met through council owned and operated care homes' and,
  - b) that 'CECs presumption going forward should be in favour communicate this council position to EIJB'.
- 4) recognises this addendum was never published publicly and that any group which may have wished to give a deputation on these general issues would not have been able to do so.
- 5) further recognises that members of the public were excluded and the webcast turned off for the debate and vote on the general issues covered by the addendum.
- 6) agrees the Council should aspire to the highest levels of openness, transparency and accountability in its decision making.
- 7) recognises that, whilst there will be individual cases and sensitive matters which require consideration in private, discussion and decisions on general policy issues should always be held in public unless there are exceptional circumstances.
- 8) requests that officers consider the issues which arose on 21 March 2023 and reports back to Council within six months with options on how procedures

could be amended to ensure discussions on general issues and decisions on policy are taken in public, even when the catalyst for such a discussion comes from a private agenda item.”

## **Decision**

To continue consideration of the motion by Councillor Lang to the next meeting of the City of Edinburgh Council on 1 June 2023.

## **16 Period Product Provision – Motion by Councillor Bennett**

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

- “1) Council recognises that access to sanitary products is essential for those who menstruate.
- 2) Council agrees that an increase in poverty has accelerated the uptake and requirement of free period products in public buildings throughout Edinburgh.
- 3) Council notes that access to free period products is possible due to provision in public buildings, such as libraries, schools, and community centres.
- 4) Council regrets that, currently, there are many community buildings which, while previously receiving free period products to distribute, no longer do, especially third sector partners.
- 5) Council requests a report to Policy and Sustainability Committee within 2 cycles detailing where such information is available:
  - a) The possible costs associated with extension of provision.
  - b) An application scheme for interested parties to receive products to distribute.”

## **Motion**

To approve the motion by Councillor Bennett.

- moved by Councillor Bennett, seconded by Councillor Younie

## **Amendment 1**

To add to the motion by Councillor Bennett:

“The report should cover provision for key partners such as pantries, food banks, and third sector organisations, where access to period products is a vital part of the

support provided and where access has been limited since the Council's citywide roll out."

- moved by Councillor Kumar, seconded by Councillor Dobbin

### **Amendment 2**

1) After "5. Council requests a report to Policy & Sustainability Committee within 2 cycles detailing:" in the motion by Councillor Bennet, insert;

"a) Which areas of the city are reporting running out of products for those in need?

b) Which public buildings are seeing an increase in people taking free period products?

c) Which third sector organisations and buildings are seeing an increase in people taking free period products?

Reorder accordingly.

2) After "The possible costs associated with extension of provision" in the motion, insert;

e) The possible costs associated with extension or provision of specifically biodegradable or reusable products?

Reorder accordingly."

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

### **Amendment 3**

To add to in Paragraph 5 in the motion by Councillor Bennett:

"a) Which details the status of premises that provide free period products (i.e. are they open for staff, the public and whether hours of access are restricted to assess whether it is restriction of provision or access to buildings which is causing the problem);

b) Widely publicises the link to the Hey Girls website where building managers can apply to become a community partner and access appropriate products."

- moved by Councillor Mowat, seconded by Councillor Munro

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

## Decision

To approve the following adjusted motion by Councillor Bennett:

- 1) To recognise that access to sanitary products was essential for those who menstruated.
- 2) To agree that an increase in poverty had accelerated the uptake and requirement of free period products in public buildings throughout Edinburgh.
- 3) To note that access to free period products was possible due to provision in public buildings, such as libraries, schools, and community centres.
- 4) To regret that, currently, there were many community buildings which, while previously receiving free period products to distribute, no longer did, especially third sector partners.
- 5) To request a report to Policy and Sustainability Committee within 2 cycles detailing where such information was available:
  - a) Which areas of the city were reporting running out of products for those in need?
  - b) Which public buildings were seeing an increase in people taking free period products?
  - c) Which details the status of premises that provided free period products (i.e. were they open for staff, the public and whether hours of access were restricted to assess whether it was restriction of provision or access to buildings which was causing the problem).
  - d) Widely publicises the link to the Hey Girls website where building managers could apply to become a community partner and access appropriate products.
  - e) Which third sector organisations and buildings were seeing an increase in people taking free period products.
  - f) The possible costs associated with extension of provision.
  - g) The possible costs associated with extension or provision of specifically biodegradable or reusable products?
  - h) An application scheme for interested parties to receive products to distribute.

- i) The report should cover provision for key partners such as pantries, food banks, and third sector organisations, where access to period products was a vital part of the support provided and where access had been limited since the Council's citywide roll out.

## **17 Ekbatan Girls – Motion by Councillor McNeese-Mechan**

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The following motion by Councillor McNeese-Mechan was submitted in terms of Standing Order 17:

“Council notes with deep concern that the Iranian Security Forces continue to snatch women and girls from schools, homes, and universities. In the latest such act of violence against women, five girls from the Ekbatan neighbourhood have been snatched by the so-called ‘morality police’, despite assurances from the Iranian Attorney General late last year that this had been abolished.

The City of Edinburgh Council declares our commitment to stamping out violence against women and girls wherever it occurs. We further affirm our understanding that key to tackling the global scourge of gender-based violence, it is essential to recognise the misogyny that underlies it.

Council agrees to support local organisations in their efforts to raise awareness, including but not limited to, offering free space for meetings for local Iranian networks in Edinburgh who are coordinating support and resistance in Iran.

Further agrees to write to all Edinburgh MPs encouraging them to seek action by the foreign office through diplomatic and intelligence channels to ensure the return of the Ekbatan girls to their families and push for identification of and action against those who kidnapped them, whether by the Iranian regime or internationally.”

### **Motion**

To approve the motion by Councillor McNeese-Mechan.

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

### **Amendment**

- 1) To delete paragraph 3 of the motion by Councillor McNeese-Mechan and replace with:

“Council agrees to support local organisations in their efforts to raise awareness.

To request that the Council Leader hosts a round table discussion to better understand the needs of those involved.

- 2) To delete paragraph 4 of the motion and replace with:

“Further agrees that the Council Leader will write to all Edinburgh MPs encouraging them to seek action by the Foreign Office through diplomatic and intelligence channels to ensure the return of the Ekbatan girls to their families and push for identification of and action against those who kidnapped them, whether by the Iranian regime or internationally.”.

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

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

### **Decision**

To approve the following adjusted motion by Councillor McNeese-Mechan:

- 1) To note with deep concern that the Iranian Security Forces continued to snatch women and girls from schools, homes, and universities. In the latest such act of violence against women, five girls from the Ekbatan neighbourhood had been snatched by the so-called ‘morality police’, despite assurances from the Iranian Attorney General late last year that this had been abolished.
- 2) To declare a commitment to stamping out violence against women and girls wherever it occurred. To further affirm an understanding that key to tackling the global scourge of gender-based violence, it was essential to recognise the misogyny that underlies it.
- 3) To agree to support local organisations in their efforts to raise awareness.
- 4) To request that the Council Leader host a round table discussion to better understand the needs of those involved.
- 5) To further agree that the Council Leader write to all Edinburgh MPs encouraging them to seek action by the Foreign Office through diplomatic and intelligence channels to ensure the return of the Ekbatan girls to their families and push for identification of and action against those who kidnapped them, whether by the Iranian regime or internationally.

## 18 Making Public Sexual Harassment Illegal Campaign – Motion by Councillor Mattos Coelho

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

“Council acknowledges that ‘Make PSH (Public Sexual Harassment) Illegal’ Campaign’s was launched at the Scottish parliament on International Women’s Day, 8th March 2023. The campaign is calling on the Scottish Government to follow the recommendation as set out by [the Criminal Justice and Misogyny Working Group](#) ,, to make public sexual harassment illegal in Scotland.

Council recognises that the “Women’s Safety in public places – phase two” consultation closed on the 26 March and is intrinsically linked to the campaign above.

Therefore, Council agrees:

- to support and endorse the campaign.
- that the Lord Provost will sign the open letter and encourage all other councillors to sign.
- to request that the Director of Corporate Services work with trade unions through the joint consultative forum and any other appropriate forums to explore actions to raise awareness and reduce these behaviours through staff networks.
- to also request the Director for Education and Children’s Services works to identify further actions through schools, to equip teachers and parents with the necessary tools to teach children from P1 to S6 that harassment is not acceptable to tackle it across society.”

### **Motion**

To approve the motion by Councillor Mattos Coelho.

- moved by Councillor Mattos Coelho, seconded by Councillor Nicolson

### **Amendment 1**

Replace final paragraph of the motion by Councillor Mattos Coelho with:

“Further requests a report to Education, Children and Families Committee in 5 cycles detailing:



- a) How the Council can follow the recommendations of Baroness Helena Kennedy’s report by the criminal justice and misogyny working group;
- b) How the Council has supported and endorsed the campaign;
- c) How Education and Children’s Services will work to identify further actions through schools, to equip teachers and parents with the necessary tools to teach children from P1 to S6 that harassment is not acceptable and to tackle it across society.”

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

**Amendment 2**

To insert additional bullet point at the end of the motion by Councillor Mattos Coelho:

“Instructs the Chief Executive to ensure that the City of Edinburgh Council provides necessary single-sex spaces for women, such as toilets, in all public premises.”

- moved by Councillor Mowat, seconded by Councillor Munro

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

**Voting**

The voting was as follows:

For the Motion (as adjusted)	-	53 votes
For Amendment 2	-	9 votes

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

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

**Decision**

To approve the following adjusted motion by Councillor Mattos Coelho

- 1) To acknowledge that ‘Make PSH (Public Sexual Harassment) Illegal’ Campaign’s was launched at the Scottish parliament on International

Women’s Day, 8th March 2023. The campaign was calling on the Scottish Government to follow the recommendation as set out by [the Criminal Justice and Misogyny Working Group](#) ,, to make public sexual harassment illegal in Scotland.

- 2) To recognise that the “Women’s Safety in public places – phase two” consultation closed on the 26 March and was intrinsically linked to the campaign above.
- 3) Therefore, to agree:
  - to support and endorse the campaign.
  - that the Lord Provost would sign the open letter and encourage all other councillors to sign.
  - to request that the Director of Corporate Services work with trade unions through the joint consultative forum and any other appropriate forums to explore actions to raise awareness and reduce these behaviours through staff networks.
  - To further request a report to Education, Children and Families Committee in 5 cycles detailing:
    - a) How the Council could follow the recommendations of Baroness Helena Kennedy’s report by the criminal justice and misogyny working group;
    - b) How the Council had supported and endorsed the campaign;
    - c) How Education and Children’s Services would work to identify further actions through schools, to equip teachers and parents with the necessary tools to teach children from P1 to S6 that harassment was not acceptable and to tackle it across society.

## **19 Single Parents Day – Motion by Councillor Mattos Coelho**

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

“Council:

Notes that:

- 39% of children in single parent households are living in poverty –amounting to 90,000 children in Scotland.

- 40% of those are in households where the single parent is working.
- 92% of single parent families are headed by women.
- In Edinburgh, one in four (27%) families is headed by a single parent.
- Single parents are one of the hardest hit groups by the economic and social impacts of the pandemic and the cost-of-living crisis.
- Most single parents report feeling isolated and without significant support, and isolation contributes to low self-esteem, poor confidence, anxiety and depression.
- Lone parents are one of the six priority family types identified by the Scottish government as being at high risk of child poverty.

Notes that there is a clear gender inequality and that Single Parents should be specifically acknowledged and their strength celebrated. Further notes that since 1984 the United States has been making a “Single Parents Day” to help raise awareness to their existence and struggles.

Therefore, requests that Lord Provost takes necessary actions to make the 21st March each year “Single Parents Day” and work with officers to mark this in an appropriate way.”

### **Motion**

To approve the motion by Councillor Mattos Coelho.

- moved by Councillor Mattos Coelho, seconded by Councillor Lezley Marion Cameron

### **Amendment**

After the last paragraph in the motion by Councillor Mattos Coelho, insert;

“Further requests a report the Education, Children and Families Committee meeting closest to 21<sup>st</sup> March 2024 on;

- 1) How the Council supports single parents who are employed or elected to the organisation.
- 2) How the Council supports single parents across the city by means of;
  - a) Income maximalisation and financial support
  - b) Inclusive family activities

- c) Nursery and childcare
  - d) Support for wellbeing and mental health
- 3) How the Council can engage with single parents and One Parent Families Scotland (OPFS) to improve services of the areas mentioned in 2.”

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

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

### **Decision**

To approve the following adjusted motion by Councillor Mattos Coelho:

- 1) To note that:
  - 39% of children in single parent households were living in poverty – amounting to 90,000 children in Scotland.
  - 40% of those were in households where the single parent was working.
  - 92% of single parent families were headed by women.
  - In Edinburgh, one in four (27%) families was headed by a single parent.
  - Single parents were one of the hardest hit groups by the economic and social impacts of the pandemic and the cost-of-living crisis.
  - Most single parents reported feeling isolated and without significant support, and isolation contributed to low self-esteem, poor confidence, anxiety and depression.
  - Lone parents were one of the six priority family types identified by the Scottish government as being at high risk of child poverty.
- 2) To note that there was a clear gender inequality and that Single Parents should be specifically acknowledged and their strength celebrated. To further note that since 1984 the United States had been making a “Single Parents Day” to help raise awareness to their existence and struggles.
- 3) To therefore, request that Lord Provost take necessary actions to make the 21st March each year “Single Parents Day” and work with officers to mark this in an appropriate way.

- 4) To further request a report the Education, Children and Families Committee meeting closest to 21<sup>st</sup> March 2024 on;
  - a) How the Council supports single parents who are employed or elected to the organisation.
  - b) How the Council supports single parents across the city by means of;
    - i) Income maximalisation and financial support
    - ii) Inclusive family activities
    - iii) Nursery and childcare
    - iv) Support for wellbeing and mental health
  - c) How the Council can engage with single parents and One Parent Families Scotland (OPFS) to improve services of the areas mentioned in 4 b).

## **20 Heathervale Care Home Services – Motion by Councillor Key**

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

“Council:

- 1) Notes the most recent inspection report by the Care Inspectorate of Heathervale Care Home Service.
- 2) Is very concerned with the quality grading of “Adequate”; this equates to an evaluation assessment of 3 on a scale of 1 to 6 and means that “strengths only just outweigh weaknesses”.
- 3) Is further concerned that this Service is not showing signs of improvement and is not achieving the high-quality grades that were evident 5 years ago.
- 4) Calls for a report to Council in one cycle that details the improvement plan called for by the Care Inspectorate and that assures council that all actions called for in the report have been completed satisfactorily.
- 5) Is very disappointed that Councillors, in their role as Corporate Parents, only became aware of the details of this report through press media coverage rather than through a Member’s Brief or other appropriate channel.

- 6) Calls for a comprehensive report within 2 cycles on all accommodation services that provide care to our young people within Edinburgh and to arrange Members' visits to them within this calendar year, 2023.

- moved by Councillor Kumar, seconded by Councillor Glasgow

## **Decision**

To approve the motion by Councillor Key.

## **21 EDI Training – Motion by Councillor Kumar**

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

“Council:

- 1) Thanks officers for offering training around Equality and Diversity to elected representatives and refers to Council’s Equality and Diversity Framework 2021-25.
- 2) Reflects on calls for both Police Scotland and Metropolitan Police to improve their Equality and Diversity training.
- 3) Recognises that Equality and Diversity training is critical and has a profound impact on those with protected characteristics under Equality Act 2010; and other people
  - with learning, sensory, and physical disabilities
  - experiencing domestic abuse and violence
  - facing digital exclusion
  - from other underrepresented groups such as ethnic minority and Gypsy Travellers.
- 4) Notes that current equality and diversity training is offered as a one-off online training for staff.
- 5) Agrees to review our Equality and Diversity training, learning, and development practice to be changed to:
  - a) Mandatory training every 3 years completed online.
  - b) Provides opportunities for in-person training to reflect on case studies and examples of unconscious bias training that can impact on how we develop policies, procurement, funding, design and deliver services.

- c) Explores services of organisations such as CEMVO Scotland, Multi-Cultural Family Base and others to provide training on behalf of the Council.
- 6) Requests an update to be provided to Policy and Sustainability Committee in 2 cycles.”

## **Decision**

To continue consideration of the motion to the next meeting of the Council on 1 June 2023.

## **22 Edinburgh as a Feminist City – Motion by Councillor O’Neill**

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The following motion by Councillor O’Neill was submitted in terms of Standing Order 17:

“Council:

- 1) Recognises that more work is needed to create safer and inclusive spaces for women and people of marginalised genders and that it is fundamental that gender equity is central to land use planning, and the management and design of public spaces.
- 2) Also recognises the disparity in women’s everyday lives which is exacerbated by lack of local and accessible job opportunities, lack of proximity to services and efficient public transport, and lack of access to green space and a safe public realm.
- 3) Notes the Violence Against Women and Girls Priority Papers published by Public Health Scotland which identify key areas of work including Place, Early Years, Mental Health, Inclusive Economy and Being Healthy and Active.
- 4) Commends the existing work of Equally Safe Edinburgh that promotes the delivery of an integrated, high-quality response to violence against women and girls, and children and young people affected by gender-based violence in Edinburgh.
- 5) Further commends the work of the Women’s Safety in Public Places Community Improvement Partnership, which is taking a broad approach to tackling the safety of women in the public spaces of the city.
- 6) Notes the other review work being done to create a more inclusive Edinburgh across the Council, including Equality Impact Assessments, the refreshment of Edinburgh Design Guidance, Active Travel Plan, the Circulation Plan, Open Space Strategy, and the formation of City Plan 2030.

- 7) Further notes work being carried out through Transport and Environment Committee, looking at mobility analysis – using CCTV systems to collect a wide range of traffic and mobility data including how pavement users move around at junctions and locations.
- 8) Believes a gender-neutral approach to city development does not work and that women and people of marginalised genders have diverse needs that are not currently reflected in practice.
- 9) Believes that we can learn from other European cities such as Vienna and Barcelona who have recently published a manual called ‘Gender mainstreaming made easy’, and a ‘Handbook for everyday life urban planning: Urban planning with a gender perspective’ respectively, resulting in the implementation of wider pavements, more benches in public spaces, improved lighting, ramps for wheelchairs and buggies and visible commemorations of women and the queer community.

Finally, Council requests.

- 10) Engagement from officers, elected members and experts in the form of workshop meetings to aid drafting the report.

Subsequently requests;

- 11) A report to Full Council in three cycles on how a feminist town planning approach and gendered lens can be adopted across the Council which should include;
  - a) Recommendations from current Council policy and upcoming changes to documents mentioned in points 6 and 7.
  - b) Reference to stakeholder involvement, budget implications and further recommendations to relevant committees.”

## **Motion**

To approve the motion by Councillor O’Neill.

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

## **Amendment 1**

- 1) To delete paragraph 2 in the motion by Councillor O’Neill and replace with:

“Also recognises the disparity in women’s everyday lives which is exacerbated by lack of local and accessible job opportunities, lack of proximity to services



including women's healthcare services, lack of efficient public transport, and lack of access to green space and a safe public realm."

2) To follow on from point 6 in the motion, inserts a new point:

"7) Note the process to 'The Getting Home Safely' street audit work undertaken to inform the George Street and First New Town Transformation Project, and this approach is viewed as good practice for similar such projects."

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

## **Amendment 2**

Council

Delete from "Council therefore requests..." to end of the motion by Councillor O'Neill and insert:

- "10) Recognises that a number of strands of work are either ongoing or being developed to promote the safety of women in public spaces.
- 11) Agrees to set up a short time cross party working group to consider how all these strands can be brought together into a single plan that a) takes into account the experience from Vienna and Barcelona, b) makes sure the City can provide safer spaces for women and people of marginalised genders and c) ensures gender equity is central to land use planning and the management and design of public spaces.
- 12) Agrees the outcome of this work should subsequently be reported to the Planning Committee.

- moved by Councillor Osler, seconded by Councillor Bennett

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

## **Decision**

To approve the following adjusted motion by Councillor O'Neill

- 1) To recognise that more work was needed to create safer and inclusive spaces for women and people of marginalised genders and that it was fundamental that gender equity was central to land use planning, and the management and design of public spaces.

- 2) To also recognise the disparity in women's everyday lives which was exacerbated by lack of local and accessible job opportunities, lack of proximity to services including women's healthcare services, lack of efficient public transport, and lack of access to green space and a safe public realm.
- 3) To note the Violence Against Women and Girls Priority Papers published by Public Health Scotland which identified key areas of work including Place, Early Years, Mental Health, Inclusive Economy and Being Healthy and Active.
- 4) To commend the existing work of Equally Safe Edinburgh that promoted the delivery of an integrated, high-quality response to violence against women and girls, and children and young people affected by gender-based violence in Edinburgh.
- 5) To further commend the work of the Women's Safety in Public Places Community Improvement Partnership, which was taking a broad approach to tackling the safety of women in the public spaces of the city.
- 6) To note the other review work being done to create a more inclusive Edinburgh across the Council, including Equality Impact Assessments, the refreshment of Edinburgh Design Guidance, Active Travel Plan, the Circulation Plan, Open Space Strategy, and the formation of City Plan 2030.
- 7) To note the process to 'The Getting Home Safely' street audit work undertaken to inform the George Street and First New Town Transformation Project, and this approach was viewed as good practice for similar such projects.
- 8) To further note work being carried out through Transport and Environment Committee, looking at mobility analysis – using CCTV systems to collect a wide range of traffic and mobility data including how pavement users moved around at junctions and locations.
- 9) To believe a gender-neutral approach to city development did not work and that women and people of marginalised genders had diverse needs that were not currently reflected in practice.
- 10) To believe that we could learn from other European cities such as Vienna and Barcelona who had recently published a manual called 'Gender mainstreaming made easy', and a 'Handbook for everyday life urban planning: Urban planning with a gender perspective' respectively, resulting in the implementation of wider pavements, more benches in public spaces, improved lighting, ramps for wheelchairs and buggies and visible commemorations of women and the queer community.

- 11) To recognise that a number of strands of work were either ongoing or being developed to promote the safety of women in public spaces.
- 12) To agree to set up a short time cross party working group to consider how all these strands could be brought together into a single plan that a) took into account the experience from Vienna and Barcelona, b) made sure the City can provide safer spaces for women and people of marginalised genders and c) ensured gender equity was central to land use planning and the management and design of public spaces.
- 13) To agree the outcome of this work should subsequently be reported to the Planning Committee.

## 23 Disposable Vapes – Motion by Councillor Parker

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

“Council:

- 1) Notes the recent increase in use of disposable vapes and the negative impact this has on health, wellbeing and the environment.
- 2) Further notes increased pressures felt by the Council to deal with the safe disposal of disposable vapes including fire risk at recycling centres.
- 3) Notes that several Councils including Glasgow, Falkirk, Dundee, Renfrewshire, North Ayrshire and East Lothian have written to the Scottish Government to convey their support for a ban on disposable vapes.
- 4) Therefore, requests the Council Leader also writes to the Scottish Government Minister for Green Skills, Circular Economy and Biodiversity to convey the Council’s support for the banning of disposable vapes as part of the Scottish Government’s urgent review into the environmental impact of these as undertaken by Zero Waste Scotland.
- 5) Additionally, requests a report to Transport & Environment Committee in 3 cycles setting out what current provision is in place for the recycling of disposable vapes and what more could be done to make this easier for residents whilst a ban is not in place.”

### **Motion**

To approve the motion by Councillor Parker.

- moved by Councillor Parker, seconded by Councillor Mumford

## **Amendment**

To delete point 5 in the motion by Councillor Parker and insert:

- 5) Notes that the Scottish Government Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater MSP) requested an “urgent” review in January of the environmental impacts and management of single-use vapes.
- 6) Notes that Veolia has launched a national in-store vape collection service.
- 7) Notes that the council can collect small waste electricals alongside the blue box glass service, and vapes could be recycled as part of that.
- 8) Notes that the Recycle Your Electricals webpage offers details of multiple places where vapes can be recycled in Edinburgh:  
<https://www.recycleyourelectricals.org.uk/>
- 9) Requests that points 8 & 9 are promoted via the Council’s social media channels.
- 10) Asks that this information is provided in a concise briefing to Councillors along with a copy of the letter sent to Lorna Slater MSP demanding action.

- moved by Councillor Arthur, seconded by Councillor Graham

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

## **Decision**

To approve the following adjusted motion by Councillor Parker:

- 1) To note the recent increase in use of disposable vapes and the negative impact this has on health, wellbeing and the environment.
- 2) To further note increased pressures felt by the Council to deal with the safe disposal of disposable vapes including fire risk at recycling centres.
- 3) To note that several Councils including Glasgow, Falkirk, Dundee, Renfrewshire, North Ayrshire and East Lothian had written to the Scottish Government to convey their support for a ban on disposable vapes.
- 4) To therefore, request the Council Leader also write to the Scottish Government Minister for Green Skills, Circular Economy and Biodiversity to convey the Council’s support for the banning of disposable vapes as part of the Scottish Government’s urgent review into the environmental impact of these as undertaken by Zero Waste Scotland.

- 5) To note that the Scottish Government Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater MSP) requested an “urgent” review in January of the environmental impacts and management of single-use vapes.
- 6) To note that Veolia had launched a national in-store vape collection service.
- 7) To note that the council could collect small waste electricals alongside the blue box glass service, and vapes could be recycled as part of that.
- 8) To note that the Recycle Your Electricals webpage offered details of multiple places where vapes could be recycled in Edinburgh:  
<https://www.recycleyourelectricals.org.uk/>
- 9) To request that points 7 and 8 be promoted via the Council’s social media channels.
- 10) To ask that this information be provided in a concise briefing to Councillors along with a copy of the letter sent to Lorna Slater MSP demanding action.

## **24 Class Bus Passes for Schools – Motion by Councillor Dijkstra-Downie**

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The following motion by Councillor Dijkstra-Downie was submitted in terms of Standing Order 17:

“Council notes that:

- 1) All children and young people in Scotland aged 5-21 are currently eligible for free bus travel.
- 2) Children and young people can only take advantage of free bus travel when they are able to present a National Entitlement Card with valid free travel entitlement activated.
- 3) Last year, data released showed that around 1 in 4 eligible children and young people in Edinburgh had not applied for a free bus travel pass.
- 4) All primary and secondary school pupils in Edinburgh fall within the qualifying age bracket for free bus travel.

Council further understands that:

- 5) Edinburgh schools frequently use local bus travel for school outings but find that not all school pupils either possess or have access to free bus passes at the time of travel, resulting in unnecessary costs, delays and inequity when using local buses for school-related travel.

- 6) Edinburgh schools would welcome access to a number of teacher-administered 'class bus passes' that would each allow an entire class access to free bus travel.

Council therefore asks:

- 7) Officers to investigate the possibility of the implementation of such a scheme and report to the Transport & Environment Committee in two cycles.
- 8) The Convener of the Transport & Environment Committee to write to Lothian Buses and McGills to ask them how a pilot scheme might be implemented."

### **Motion**

To approve the motion by Councillor Dijkstra-Downie.

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

### **Amendment**

After point 6 in the motion by Councillor Dijkstra-Downie, inserts a new point 7:

"Children and young people go on outings with organised groups out with the school day. These organisations play a vital role in the holistic education of our children and young people and would also benefit from accessing this bus pass scheme.

To renumber the remaining points accordingly."

- moved by Councillor Graham, seconded by Councillor Arthur

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

### **Decision**

To approve the following adjusted motion by Councillor Dijkstra-Downie:

- 1) To note that all children and young people in Scotland aged 5-21 were currently eligible for free bus travel.
- 2) To note that children and young people could only take advantage of free bus travel when they were able to present a National Entitlement Card with valid free travel entitlement activated.
- 3) To note that last year, data released showed that around 1 in 4 eligible children and young people in Edinburgh had not applied for a free bus travel pass.

- 4) To note that all primary and secondary school pupils in Edinburgh fell within the qualifying age bracket for free bus travel.
- 5) To understand that Edinburgh schools frequently used local bus travel for school outings but found that not all school pupils either possessed or had access to free bus passes at the time of travel, resulting in unnecessary costs, delays and inequity when using local buses for school-related travel.
- 6) To understand that Edinburgh schools would welcome access to a number of teacher-administered 'class bus passes' that would each allow an entire class access to free bus travel.
- 7) To understand that children and young people go on outings with organised groups out with the school day. These organisations played a vital role in the holistic education of our children and young people and would also benefit from accessing this bus pass scheme.
- 8) To ask officers to investigate the possibility of the implementation of such a scheme and report to the Transport and Environment Committee in two cycles.
- 9) To ask the Convener of the Transport and Environment Committee to write to Lothian Buses and McGills to ask them how a pilot scheme might be implemented.

## **25 Noise App – Motion by Councillor Aston**

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

“Council:

- 1) Recognises that noise nuisance caused by neighbours can, like other forms of antisocial behaviour, be a blight on the lives of Edinburgh’s council tenants.
- 2) Accepts that noise nuisance complaints are often challenging for officers to investigate and take action on, as well as being challenging to substantiate because of the difficulty in obtaining corroboration.
- 3) Acknowledges that the Council should take all reasonable and available steps to assist the process of substantiating noise complaints, including looking at new tools such as digital applications.
- 4) Understands that a number of Registered Social Landlords operating in Edinburgh and some other local authorities use a noise recording app to help

substantiate allegations of nuisance noise, which their tenants are able to download onto their smartphones.

- 5) Requests a report in three cycles to the Housing, Homelessness and Fair Work Committee (or to the Culture and Communities Committee, depending on which is held to be the executive committee responsible), making an evaluation of the efficacy of apps of this type, an assessment of legal considerations such as compliance with the Regulation of Investigatory Powers (Scotland) Act, potential cost implications, and any other relevant factors.”

### **Motion**

To approve the motion by Councillor Aston.

- moved by Councillor Aston, seconded by Councillor Hyslop

### **Amendment 1**

- 1) To replace paragraph 1) in the motion by Councillor Aston with:

“Recognises that noise nuisance caused by neighbours can, like other forms of antisocial behaviour, be a blight on the lives of Edinburgh’s residents.”

- 2) To replace paragraph 5) in the motion with:

“Requests a report in three cycles to the Housing, Homelessness and Fair Work Committee making an evaluation of the efficacy of apps of this type, an assessment of legal considerations such as compliance with the Regulation of Investigatory Powers (Scotland) Act, potential cost implications, property ownership types potentially covered, and any other relevant factors.”

- moved by Councillor Jenkinson, seconded by Councillor Meagher

### **Amendment 2**

To add to the motion by Councillor Aston:

- “6) Notes that not all tenants have access to the internet and smartphones due to digital exclusion and as such, the Noise App report must present the app as a potential supplementary option to existing noise reporting policies.”

- moved by Councillor Flannery, seconded by Councillor Caldwell



### **Amendment 3**

To add to the motion by Councillor Aston:

- “6) Notes that noise complaints don't solely affect Council tenants and any report should detail how appropriate apps could be made available to all residents suffering noise nuisance to assist them in reporting this to Police Scotland through 101.”

- moved by Councillor Bruce, seconded by Councillor Whyte

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

### **Decision**

To approve the following adjusted motion by Councillor Aston:

- 1) To recognise that noise nuisance caused by neighbours can, like other forms of antisocial behaviour, be a blight on the lives of Edinburgh's residents.
- 2) To accept that noise nuisance complaints were often challenging for officers to investigate and take action on, as well as being challenging to substantiate because of the difficulty in obtaining corroboration.
- 3) To acknowledge that the Council should take all reasonable and available steps to assist the process of substantiating noise complaints, including looking at new tools such as digital applications.
- 4) To understand that a number of Registered Social Landlords operating in Edinburgh and some other local authorities used a noise recording app to help substantiate allegations of nuisance noise, which their tenants were able to download onto their smartphones.
- 5) To request a report in three cycles to the Housing, Homelessness and Fair Work Committee making an evaluation of the efficacy of apps of this type, an assessment of legal considerations such as compliance with the Regulation of Investigatory Powers (Scotland) Act, potential cost implications, property ownership types potentially covered, and any other relevant factors.
- 6) To note that not all tenants had access to the internet and smartphones due to digital exclusion and as such, the Noise App report must present the app as a potential supplementary option to existing noise reporting policies.
- 7) To note that noise complaints did not solely affect Council tenants and any report should detail how appropriate apps could be made available to all

residents suffering noise nuisance to assist them in reporting this to Police Scotland through 101.

## 26 Europe Day – Celebrating Edinburgh’s European Identity – Motion by Councillor Heap

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

“Council

Recognises that Europe Day, celebrated by the Council of Europe on 5 May, marks the foundation of the Council of Europe on 5 May 1949, and is a celebration of peace and unity in Europe. □ Notes that the role of the Council of Europe is to promote human rights, democracy and the rule of law across the continent.

Understands that Edinburgh is a leading city of a Council of Europe member state.

Recognises that many citizens of Edinburgh value the City’s identity as a European city, and that Edinburgh derives economic, cultural and social benefits from being recognised as such throughout the rest of the European continent and the world.

Therefore, requests that:

- On a date on or close to 5 May 2024 and around the same time every year after, the City of Edinburgh Council hosts an appropriate civic celebration of Edinburgh’s European identity
- Retrospectively for 2023 but within one month of the passage of the motion, and on a date on or close to 5 May 2024 every year after, the Council Leader publishes a statement outlining what the Council has done to:
  - (1) develop links with other Council of Europe nations and,
  - (2) promote human rights, democracy and the rule of law in the city
- Within one week of the passage of this motion, the flag of the Council of Europe is flown from the city chambers on a year-round basis as much possible given the need to fly other flags listed in the Council’s Flag Protocol.
- Officers report within two cycles on what the City of Edinburgh Council can do to increase engagement with the Council of Europe and other local governments in member states.”

## **Motion**

To approve the motion by Councillor Heap.

- moved by Councillor Heap, seconded by Councillor Bandel

## **Amendment 1**

To add at end of paragraph 3 of the motion by Councillor Heap:

“The City of Edinburgh is a founding member of the Eurocities network through which more than 200 cities are genuine partners with the EU ‘to create a better future for all’”.

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

## **Amendment 2**

- 1) To add a second sentence at the first bullet point in the motion by Councillor Heap:

“Recognises that The European Union also celebrates Europe Day on the 9 May, which marks the anniversary of the Schuman Declaration of 1950, considered to be the first official step in the creation of what is now the European Union.”

- 2) Amends the first two bullets under “requests that” in the motion:

To replace:

“...on a date on or close to 5 May...”

With:

“for a week on or close to the 5th to the 9th of May...”

- moved by Councillor Mattos Coelho, seconded by Councillor Kumar

## **Amendment 3**

To delete from “Therefore requests” to end of the motion by Councillor Heap and insert:

“Therefore agrees that:

- 1) the most immediate and tangible task open to Edinburgh Council in advancing the cause of the Council of Europe is to actively help those fleeing from

Ukraine, a fellow CoE member where human rights and the rule of law are most under threat.

- 2) officers should continue to remain focused on this most critical of tasks, ensuring both the Scottish and UK Government provides the appropriate funding to make this happen.
- 3) on or close to 5 May each year, the flag of the Council of Europe is flown from the City Chambers and that the Council's flag protocol be updated to reflect this, noting how the Ukrainian flag rightly continues to be flown in solidarity with the people of Ukraine.
- 4) that the Council's social media channels should also be used to promote Europe Day each year.
- 5) agrees that this term's review of the Council's International Framework, the outcome of which is due to be reported to the Policy & Sustainability Committee, should include an analysis of the opportunities to collaborate more with other cities in CoE member states."

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

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

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	27 votes
For Amendment 3 (as adjusted)	-	33 votes

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

For Amendment 3 (as adjusted): Lord Provost, Councillors. Arthur, Beal, Bennett, Bruce, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Doggart, Faccenda, Flannery, Graham, Griffiths, Jenkinson, Jones, Lang, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Ross, Rust, Thornley, Walker, Watt, Whyte and Younie.)

## Decision

To approve the following adjusted Amendment 3 by Councillor Lang:

- 1) To recognise that Europe Day, celebrated by the Council of Europe on 5 May, marked the foundation of the Council of Europe on 5 May 1949, and was a celebration of peace and unity in Europe. Recognises that The European Union also celebrates Europe Day on the 9 May, which marks the anniversary of the Schuman Declaration of 1950, considered to be the first official step in the creation of what is now the European Union.
- 2) To note that the role of the Council of Europe was to promote human rights, democracy and the rule of law across the continent.
- 3) To understand that Edinburgh was a leading city of a Council of Europe member state. The City of Edinburgh was a founding member of the Eurocities network through which more than 200 cities were genuine partners with the EU 'to create a better future for all'.
- 4) To recognise that many citizens of Edinburgh valued the City's identity as a European city, and that Edinburgh derived economic, cultural and social benefits from being recognised as such throughout the rest of the European continent and the world.
- 5) To request that for a week on or close to the 5th to the 9th of May and around the same time every year after, the City of Edinburgh Council host an appropriate civic celebration of Edinburgh's European identity.
- 6) To request that retrospectively for 2023 but within one month of the passage of the motion, and for a week on or close to the 5th to the 9th of May every year after, the Council Leader publishes a statement outlining what the Council has done to:
  - a) develop links with other Council of Europe nations and,
  - b) promote human rights, democracy and the rule of law in the city.
- 7) To agree the most immediate and tangible task open to Edinburgh Council in advancing the cause of the Council of Europe was to actively help those fleeing from Ukraine, a fellow CoE member where human rights and the rule of law were most under threat.
- 8) To agree officers should continue to remain focused on this most critical of tasks, ensuring both the Scottish and UK Government provided the appropriate funding to make this happen.

- 9) To agree that on or close to 5 May each year, the flag of the Council of Europe be flown from the City Chambers and that the Council's flag protocol be updated to reflect this, noting how the Ukrainian flag rightly continued to be flown in solidarity with the people of Ukraine.
- 10) To agree that the Council's social media channels should also be used to promote Europe Day each year.
- 11) To agree that this term's review of the Council's International Framework, the outcome of which was due to be reported to the Policy and Sustainability Committee, should include an analysis of the opportunities to collaborate more with other cities in CoE member states.

## **27 Edward Windsor – Motion by Councillor Parker**

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

“Council:

- 1) Notes that in March Charles Mountbatten-Windsor gifted the title of Duke of Edinburgh to his brother, Edward, on his 59th birthday.
- 2) Notes the absence of any kind of consultation with the people of Edinburgh over who should be given a title bearing the name of their home, and the lack of democratic legitimacy of the title of Duke.
- 3) Notes that the people of the city have democratic paths to elect their representatives through elections to the City of Edinburgh Council, the Scottish Parliament, and the Parliament of the United Kingdom.
- 4) Notes that according to the Lieutenancies Act 1997 the formal relationship between the City of Edinburgh and the Royal Family is through the office of the Lord Provost, who is an elected member.
- 5) Notes a briefing note circulated to members of the Finance & Resources Committee confirming that the appointment of a Duke and Duchess of Edinburgh signals an increase in upcoming royal activity in the city.

Therefore, Council:

- 6) Agrees that the only legitimate representation of the people of Edinburgh is that which is democratic and accountable to them;

- 7) Believes that the title of Duke of Edinburgh should hold no official status in the city, and therefore this Council also believes it should be considered an illegitimate title;
- 8) Regrets the bestowal of the title of Duke and Duchess of Edinburgh to members of the Royal Family and believes these titles should not exist;
- 9) Regrets the increased disruption and costs which may be incurred by Edinburgh and its citizens by this undemocratic bestowal of a title referring to our city;
- 10) Regrets that this title may confer official standing in events hosted by the Council, including special privileges or access to Council property regarding events for the city or its people; and
- 11) Regrets that the titles of Duke and Duchess of Edinburgh will be used in Council communication and believes that instead the current holders of the titles should be referred to by their names.”

### **Motion**

To approve the motion by Councillor Parker.

- moved by Councillor Parker, seconded by Councillor Mumford

### **Amendment 1**

To delete all of the motion by Councillor Parker and replace with:

“Council:

- 1) Welcomes His Majesty King Charles III bestowing of the title of Duke of Edinburgh on His Royal Highness Prince Edward, only the sixth recipient of the title since it was established in 1726;
- 2) Appreciates that the name of the city will continue to be recognised around the world, especially in connection with the Duke of Edinburgh Award Scheme;
- 3) Notes that the establishment, by the current Duke’s father, of the Duke of Edinburgh Award Scheme has created opportunities to many young people across the world regardless of background and that this valuable work has been continued by the current Duke including prior to his becoming recipient of the title;

- 4) Notes the extensive work carried out with and for charities in the City by the Duke and Duchess of Edinburgh, including his patronage of the Edinburgh International Festival, another global showcase for the city; and
- 5) Welcomes the Duke and Duchess to the city, and especially the City Chambers, when they perform duties in the city.”

- moved by Councillor Daggart, seconded by Councillor Whyte

### **Amendment 2**

To take no action on the motion by Councillor Parker.

- moved by Councillor Day, seconded by Councillor Lang

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

### **Voting**

The voting was as follows:

For no action	-	33 votes
Against no action	-	28 votes

(For no action: Lord Provost, Councillors. Arthur, Beal, Bennett, Bruce, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Daggart, Faccenda, Flannery, Graham, Griffiths, Jenkinson, Jones, Lang, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Ross, Rust, Thornley, Walker, Watt, Whyte, and Younie.

Against no action: Councillors Aston, Bandel, Biagi, Booth, Burgess, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Heap, Hyslop, Kumar, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, McVey, Miller, Mumford, Nicolson, O'Neill, Parker, Rae, Staniforth and Work

### **Decision**

To take no action on the motion by Councillor Parker.



## 28 West Edinburgh Parking Dispensation – Motion by Councillor Mowat

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

“Council notes:

That residents were informed in week beginning 17th April 2023 that parking dispensations allowing residents with a valid parking permit to park in spaces other than residents or shared parking spaces in their zone would be rescinded on 1st May 2023.

That this is less than 2 weeks' notice and that includes rescinding parking dispensations in Zone 1 which is currently experiencing a significant traffic diversion through residential streets removing residents parking spaces; that due to works for CCWEL there has been a significant loss of parking to both accommodate the works and as part of the design and that the plans for CCWEL and the associated reduction in parking were drawn up prior to the Pandemic and not altered when the TRO was approved.

That there has been significant change from office to residential accommodation in the West End during the design and implementation of CCWEL and:

Council therefore agrees that there should be no rescinding of the dispensation to park in pay and display spaces until work has been undertaken to ensure there is adequate parking provision for resident permit holders and a report made to Transport and Environment Committee in 2 cycles containing:

- An assessment of the impact of the combination of continuing severe disruption whilst works for CCWEL are implemented, the change of building occupancy in parts of the West End and the change in working patterns created by the Pandemic on the previous estimates of the parking provision required.
- Current number of parking spaces by category; resident, shared and pay and display in each parking zone; the number of residents permits issued for each zone; and the number of any other permits that can use that zone that are issued (for permits that can use zone the total number to be provided).

That due to the short timescale given regarding this decision to rescind parking exemptions this should be suspended across all parking zones in order to assess those areas where other measures are needed if the exemptions are to be rescinded.”

## **Motion**

To approve the motion by Councillor Mowat.

- moved by Councillor Mowat, seconded by Councillor Mitchell

## **Amendment 1**

To delete all after paragraph 2 in the motion by Councillor Mowat, and replace with:

“Agrees city-wide to pause lifting the dispensation noted in the communication to residents until a report is brought to the Transport & Environment Committee confirming the need for the change.”

- moved by Councillor Arthur, seconded by Councillor Graham

## **Amendment 2**

Council

1) Adds a new first paragraph to the motion by Councillor Mowat:

“That the Transport & Environment Committee agreed to remove parking dispensations in 2018, as part of the Parking Action Plan, but did not follow through on this action.”

2) Adds after the first sub-paragraph ending ‘parking provision required.’ In the motion, the following new paragraph

“Council therefore agrees there should be no rescinding of the dispensation that allows permit holders to park in other streets or zones in response to local circumstances until work has been undertaken to ensure that there is adequate parking provision for resident permit holders and a report made to the Transport & Environment Committee in two cycles containing:”

- moved by Councillor Osler, seconded by Councillor Ross

## **Amendment 3**

1) Amends paragraph 2 in the motion by councillor Mowat to delete the word “significant”.

2) Amends paragraph 4 in the motion onwards to read:

“4) Notes that residents are currently benefiting from a grace period during which they will receive an advisory ticket, and that penalty charges are not currently being applied

- 5) Calls for an update to Transport and Environment Committee in two cycles containing
- An assessment of current and future residential and business parking demand versus supply
  - A summary of the ways in which increased and improved access to public transport and active travel in the city centre by projects such as CCWEL will contribute to modal shift
  - Ways in which city centre car parking demand management will contribute to this council's agreed target of reducing car kilometres by 30%."

- moved by Councillor Miller seconded by Councillor Booth

In accordance with Standing Order 22(12) Amendments 1, 2 and 3 were adjusted and accepted as amendments to the motion.

### **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	50 votes
For Amendment 3	-	10 votes

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

For Amendment 3: Councillors Bandel, Booth, Burgess, Heap, McKenzie, Miller, Mumford, O'Neill, Parker and Rae.)

### **Decision**

To approve the following adjusted motion by Councillor Mowat:

- 1) To note that the Transport and Environment Committee agreed to remove parking dispensations in 2018, as part of the Parking Action Plan, but did not follow through on this action.
- 2) To note that residents were informed in week beginning 17th April 2023 that parking dispensations allowing residents with a valid parking permit to park in

spaces other than residents or shared parking spaces in their zone would be rescinded on 1st May 2023.

- 3) To note that this is less than 2 weeks' notice and that includes rescinding parking dispensations in Zone 1 which is currently experiencing a significant traffic diversion through residential streets removing residents parking spaces; that due to works for CCWEL there has been a significant loss of parking to both accommodate the works and as part of the design and that the plans for CCWEL and the associated reduction in parking were drawn up prior to the Pandemic and not altered when the TRO was approved.
- 4) To note that there has been significant change from office to residential accommodation in the West End during the design and implementation of CCWEL.
- 5) To therefore **agrees** there should be no rescinding of the dispensation and agrees to pause lifting all the dispensations city-wide noted in the communication to residents which allows permit holders to park in other streets or zones in response to local circumstances until work has been undertaken to ensure that there is adequate parking provision for resident permit holders and a report made to the Transport and Environment Committee in two cycles containing:
  - a) The need for changes;
  - b) The current number of parking spaces by category; resident, shared and pay and display in each parking zone; the number of residents permits issued for each zone; and the number of any other permits that can use that zone that are issued (for permits that can use zone the total number to be provided).
  - c) An assessment of current and future residential and business parking demand versus supply.

## 29 Save the Filmhouse – Motion by Councillor McFarlane

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

“Council:

- 1) Notes the Emergency SNP Motion to March’s Policy and Sustainability Committee 2023 secured a unanimous endorsement from councillors declaring Edinburgh Council’s preference to retain cultural film and film education as the central use of The Filmhouse.

- 2) However, further notes the private sale of 88 Lothian Road has now concluded and the new private owners are reported as Caledonian Heritable LTD.
- 3) Welcomes the fact that the Edinburgh International Film Festival, its domain name, assets and intellectual property have been saved with funding from Creative Scotland/Screen Scotland and notes the positive news that the EIFF will return to Edinburgh in August 2023 for its 76th edition as part of the Edinburgh International Festival.
- 4) Notes that the City of Edinburgh Council has previously given grant funding to the Centre for Moving Image of £100,000 per year which it has then distributed among various activities including educational activity and the cultural cinema function, and therefore there is precedent for financial support acknowledging the importance and benefits The Filmhouse brings to the city.
- 5) Notes that at least one option that could see those with the expertise to maintain 88 Lothian Road as a cultural cinema is emerging following the efforts of the Save The Filmhouse Campaign.
- 6) Council agrees to reiterate its support for cultural cinema to remain at the heart of 88 Lothian Road and believes that we as an authority are a key stakeholder in efforts to secure this provision which has a rich history locally in the city and aligns with the approved City Culture Strategy aims and ambitions alongside sustaining the burgeoning film production sector which brings economic, social and cultural benefit to the city.
- 7) Council therefore further requests that officers immediately contact all cultural partners known to be currently involved in talks with Caledonian Heritable LTD including Creative Scotland/Screen Scotland and the Minister for Culture in the Scottish Government to identify any actions of the City of Edinburgh Council which could be the lynchpin to securing agreement to retain a model of cultural cinema within the building between the new owner and a cultural organisation up to and including:
  - A review of future ongoing CEC revenue funding to support a sustainable future for The Filmhouse as a cultural cinema in line with previous financial support.
  - Engagement and exploration of how partnership could be established between the potential tenants of 88 Lothian Road, Creative Scotland / Screen Scotland and the City of Edinburgh Council
  - Full exploration of all options that would achieve our stated ambition for 88 Lothian Road including that of a prospective rent or lease guarantee

jointly in partnership with Creative Scotland/Screen Scotland if this could provide necessary confidence to allow the known potential cultural tenants to restore the premises as the home of cultural cinema in Edinburgh

- Any ongoing governance support and oversight necessary to enable this outcome to progress
- 8) Agrees to engage with Caledonian Heritable LTD to signal our intentions to explore all options fully and in detail alongside stakeholders whilst understanding any decision would be subject to further Council approval.
  - 9) Further agrees an update report on progress within 1 cycle to the Culture and Communities committee.”

### **Motion**

Council:

- 1) Notes the Emergency SNP Motion to March’s Policy and Sustainability Committee 2023 secured a unanimous endorsement from councillors declaring Edinburgh Council’s preference to retain cultural film and film education as the central use of The Filmhouse.
- 2) Further notes the private sale of 88 Lothian Road has now concluded and the new private owners are reported as Caledonian Heritable LTD.
- 3) Welcomes the fact that the Edinburgh International Film Festival, its domain name, assets and intellectual property have been saved with funding from Creative Scotland/Screen Scotland and notes the positive news that the EIFF will return to Edinburgh in August 2023 for its 76th edition as part of the Edinburgh International Festival.
- 4) Thanks CEC officers for their work thus far supporting the former staff of CMI and to explore interim ways to continue the provision of cultural cinema in the city.
- 5) Notes that the City of Edinburgh Council has previously given grant funding to the Centre for Moving Image of £100,000 per year which it has then distributed among various activities including educational activity and the cultural cinema function, acknowledging the importance and benefits The Filmhouse and cultural cinema brings to the city.
- 6) Notes that at least one option that could see those with the expertise to maintain 88 Lothian Road as a cultural cinema is emerging, while commending the efforts of the Save The Filmhouse Campaign.

- 7) Council agrees to reiterate its support for cultural cinema to remain at the heart of 88 Lothian Road and believes that we as an authority are a key stakeholder in efforts to secure this provision which has a rich history locally in the city and aligns with the approved City Culture Strategy aims and ambitions alongside sustaining the burgeoning film production sector which brings economic, social and cultural benefit to the city.
- 8) Council therefore further requests that officers immediately contact all cultural partners known to be currently involved in talks with Caledonian Heritable LTD including Creative Scotland/Screen Scotland and the Minister for Culture in the Scottish Government to identify any actions of the City of Edinburgh Council which could be the lynchpin to securing agreement to retain a model of cultural cinema within the building between the new owner and a cultural organisation up to and including:
  - A review of future ongoing CEC revenue funding to support a sustainable future for The Filmhouse as a cultural cinema in line with previous financial support.
  - Engagement and exploration of how partnership could be established between the potential tenants of 88 Lothian Road, Creative Scotland / Screen Scotland and the City of Edinburgh Council.
  - Agrees that the Council Leader, the Convener of Culture and Communities together with Screen Scotland meet with Caledonian Heritable exploring all options fully for the future of cultural cinema and 88 Lothian Road
  - Any ongoing governance support and oversight necessary to enable this outcome to progress.
- 9) Agrees to engage with Caledonian Heritable LTD to signal our intentions to explore all options fully and in detail alongside stakeholders whilst understanding any decision would be subject to further Council approval.
- 10) Further agrees a briefing to culture and communities committee members as soon as feasible in addition to a full report on progress to date to culture and communities committee in 1 cycle after the meeting on the 11<sup>th</sup> May

- moved by Councillor McFarlane, seconded by Councillor Walker

### **Amendment 1**

To removes all of the motion by Councillor McFarlane and replace with

“Council:

- 1) Notes the decision by the Policy and Sustainability Committee on 21st March 2023 regarding The Filmhouse.
- 2) Notes that the sale of 88 Lothian Road has concluded by the administrators to Caledonian Heritable with more than one proposal for its operation.
- 3) Thanks officers for their work over the last seven months supporting CMI staff, for the work with EIF to deliver an EIFF programme for 2023, and for the continued work to explore the showcasing of cultural cinema across the city.
- 4) Notes that the Scottish Government, via Creative Scotland/Screen Scotland, has been the major funder of CMI, and the Council has recently given revenue funding of £100,000 per annum.
- 5) Notes that Council officers have been working with Creative Scotland/Screen Scotland since October to support a proposal that retains 88 Lothian Road as a cultural cinema, and that there is more than one proposal.
- 6) Agrees that the Council Leader and the Convener of the Culture and Communities Committee write to the Scottish Government to ask that they explore what financial support could be provided and, if required, which of their agencies could act as a rent or lease guarantor for a suitable enterprise as well as providing any necessary governance and risk oversight.
- 7) Also agrees that an update report shall be provided to the Culture and Communities Committee within one cycle.”

- moved by Councillor Mitchell, seconded by Councillor Whyte

## **Voting**

The voting was as follows:

For the motion	-	51 votes
For the amendment	-	9 votes

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

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



## Decision

To approve the motion by Councillor McFarlane.

## Declaration of Interests

Councillor Aston declared an interest (non-financial) in respect of the above item as a staff member for an MSP who had made public comments in support of the measures detailed motion and left the meeting during the Council's consideration of the above item.

## 30 Review Rights of Appeal in Planning – Motion by Councillor McKenzie

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

“Council:

- 1) Notes the complaint made in September 2022 by Environmental Rights Centre Scotland, Planning Democracy, RSPB Scotland and Friends of the Earth Scotland to the Aarhus Convention Compliance Committee (ACCC), a United Nations body tasked with upholding environmental rights, regarding the lack of community appeal rights in planning for members of the public in Scotland.
- 2) Notes that the complaint centres around the fact that members of the public in Scotland, who are not applicants for planning permission, and who seek to challenge a planning decision, do not have the same statutory appeal rights as applicants; that applicants for planning permission in Scotland enjoy statutory appeal rights which enable them to have the full merits of planning decisions reviewed at no or low financial cost, and that the only legal recourse for members of the public is statutory review or judicial review in the Court of Session.
- 3) Notes that statutory review and judicial review do not allow for full merits reviews of planning decisions and are prohibitively expensive, notes that applicants for planning permission therefore have a privileged position in terms of their statutory planning appeal rights, relative to other members of the public.
- 4) Notes that the complaint is now being investigated by the ACCC, who have written to the Scottish Government requesting a response by 21 July 2023.
- 5) Notes the 2017-2022 Capital Coalition supported a community right of appeal in planning, as does the 2022 Edinburgh Labour manifesto.

- 6) Notes that the Minister for Local Government Empowerment and Planning is scheduled to meet all Council Leaders in Scotland shortly.
- 7) Therefore agrees that the Council Leader will request at this meeting that the Minister responds to the complaint by committing to a review of rights of appeal, and will write to the Minister to that effect, and that Planning Committee will be updated on progress of this action and any response from the Minister.”

### **Motion**

To approve the motion by Councillor McKenzie.

- moved by Councillor McKenzie, seconded by Councillor Booth

### **Amendment 1**

- 1) To follow on from point 5 in the motion by Councillor McKenzie:

Inserts a new point:

“6) Council notes that in the most recent vote regarding “right of appeals”, the SNP MSPs in the Scottish Parliament voted against proposals brought forward by the Scottish Greens and supported by Scottish Labour to give communities the same right as developers to appeal planning decisions.

- 2) To add to point 7 in the motion (Now point 8):

“The Council leader will also request at this meeting that consideration be given to extending the current time periods for the determination of applications, specifically in circumstances where applications have been continued for a Hearing by Council committees per the recent letter issued to the Minister for Local Government and Empowerment and Planning on behalf of the Council Planning Committee.”

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

### **Amendment 2**

To add new point 8 to the motion by Councillor McKenzie as follows:

“Notes that the Scottish Government has overturned 46% of planning decisions between the years 2017 and 2022. Calls on the Scottish Government to consider introducing a local powers and protection bill which ensures that local planning appeal decisions are respected by Scottish Ministers.”

- moved by Councillor Mowat, seconded by Councillor Bruce

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

## **Decision**

To approve the following adjusted motion by Councillor McKenzie:

- 1) To note the complaint made in September 2022 by Environmental Rights Centre Scotland, Planning Democracy, RSPB Scotland and Friends of the Earth Scotland to the Aarhus Convention Compliance Committee (ACCC), a United Nations body tasked with upholding environmental rights, regarding the lack of community appeal rights in planning for members of the public in Scotland.
- 2) To note that the complaint centred around the fact that members of the public in Scotland, who were not applicants for planning permission, and who sought to challenge a planning decision, did not have the same statutory appeal rights as applicants; that applicants for planning permission in Scotland enjoyed statutory appeal rights which enabled them to have the full merits of planning decisions reviewed at no or low financial cost, and that the only legal recourse for members of the public was statutory review or judicial review in the Court of Session.
- 3) To note that statutory review and judicial review did not allow for full merits reviews of planning decisions and were prohibitively expensive, to note that applicants for planning permission therefore had a privileged position in terms of their statutory planning appeal rights, relative to other members of the public.
- 4) To note that the complaint was now being investigated by the ACCC, who had written to the Scottish Government requesting a response by 21 July 2023.
- 5) To note the 2017-2022 Capital Coalition supported a community right of appeal in planning, as did the 2022 Edinburgh Labour manifesto.
- 6) To note that in the most recent vote regarding “right of appeals”, the SNP MSPs in the Scottish Parliament voted against proposals brought forward by the Scottish Greens and supported by Scottish Labour to give communities the same right as developers to appeal planning decisions
- 7) To note that the Minister for Local Government Empowerment and Planning was scheduled to meet all Council Leaders in Scotland shortly.

- 8) Therefore to agree that the Council Leader would request at this meeting that the Minister respond to the complaint by committing to a review of rights of appeal, and would write to the Minister to that effect, and that Planning Committee would be updated on progress of this action and any response from the Minister. The Council leader would also request at this meeting that consideration be given to extending the current time periods for the determination of applications, specifically in circumstances where applications had been continued for a Hearing by Council committees per the recent letter issued to the Minister for Local Government and Empowerment and Planning on behalf of the Council Planning Committee.
- 9) To note that the Scottish Government had overturned 46% of planning decisions between the years 2017 and 2022. To call on the Scottish Government to consider introducing a local powers and protection bill which ensured that local planning appeal decisions were respected by Scottish Ministers.

### **31 Crisis in NHS Dentistry – Motion by Councillor Davidson**

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

“Council notes:

- 1) that access to NHS Dentistry has become significantly harder in recent years for the residents of Edinburgh.
- 2) that the number of NHS dental claims in NHS Lothian area reduced from 958,000 in 2019 to just 555,678 between January and November 2022.
- 3) that many dentists are not accepting new NHS patients and that polling has shown many of those registered have been unable to get appointments, leaving people in pain and causing wider mouth health issues to be missed.

Council believes access to NHS dentistry is essential for residents of Edinburgh and that the SNP/Green Scottish Government is failing to reform the funding structures so dentists can return to taking on NHS activity and enable more patients to be seen.

Council requests the Council leader writes to (a) the Scottish Health Secretary to request urgent action to tackle the lack of access to NHS dentists in Edinburgh and (b) the Edinburgh Integrated Joint Board to request a written update on the approach being to improve access to NHS dentistry in the city for consideration at a future meeting of the Policy and Sustainability Committee.”

## **Motion**

To approve the motion by Councillor Davidson.

- moved by Councillor Davidson, seconded by Councillor Lang

## **Amendment 1**

In the last paragraph of the motion by Councillor Davidson, delete the word “future” and replace with:

“Within two cycles.”

- moved by Councillor Pogson, seconded by Councillor Jenkinson

## **Amendment 2**

To replace the second last paragraph of the motion by Councillor Davidson with:

“Council believes access to NHS dentistry is essential for residents of Edinburgh and notes 95% of the population are registered with an NHS dentist. Further notes the challenges above are being exacerbated by the impact BREXIT is having on NHS and dental recruitment and despite this, Scotland has 59 NHS-registered dentists per 100,000 people compared to 43/100,000 in England.”

- moved by Councillor Hyslop, seconded by Councillor Aston

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	44 votes
For Amendment 2	-	17 votes

(For the Motion (as adjusted): Lord Provost, Councillors. Arthur, Bandel, Beal, Bennett, Booth, Bruce, Burgess, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Doggart, Faccenda, Flannery, Graham, Griffiths, Heap, Jenkinson, Jones, Lang, McKenzie, Meagher, Miller, Mitchell, Mowat, Mumford, Munro, O’Neill, Osler, Parker, Pogson, Rae, Ross, Rust, Staniforth, Thornley, Walker, Watt, Whyte, and Younie.

For Amendment 2: Councillors Aston, Biagi, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Kumar, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, McVey, Nicolson, and Work

## Decision

To approve the following adjusted motion by Councillor Davidson:

- 1) To note that access to NHS Dentistry had become significantly harder in recent years for the residents of Edinburgh.
- 2) To note that the number of NHS dental claims in NHS Lothian area reduced from 958,000 in 2019 to just 555,678 between January and November 2022.
- 3) To note that many dentists were not accepting new NHS patients and that polling had shown many of those registered had been unable to get appointments, leaving people in pain and causing wider mouth health issues to be missed.
- 4) To believe access to NHS dentistry was essential for residents of Edinburgh and that the SNP/Green Scottish Government was failing to reform the funding structures so dentists could return to taking on NHS activity and enable more patients to be seen.
- 5) To request the Council leader write to (a) the Scottish Health Secretary to request urgent action to tackle the lack of access to NHS dentists in Edinburgh and (b) the Edinburgh Integrated Joint Board to request a written update on the approach being to improve access to NHS dentistry in the city for consideration at a meeting of the Policy and Sustainability Committee within 2 cycles.

## 32 Bridgend Farm Reserve Funding – Motion by Councillor Flannery

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

“Council notes:

- 1) With disappointment the lack of Scottish Government “Investing in Communities” Funding for Bridgend Farmhouse, where this has been granted in the past.
- 2) That Bridgend Farmhouse has been placed on a ‘reserve list’ for funding, and the concern and uncertainty that brings for long-term planning.
- 3) Ongoing work to develop the Council’s Community Centre Strategy.
- 4) The real pressures that many of our Community Centres and Management Committees are presently under.

- 5) That current uncertainty for Bridgend Farmhouse affects all community groups that use the centre, with challenges for programming, staff hire and long-term strategy.
- 6) With caution, the recent experiences of Drylaw Neighbourhood Centre, Muirhouse Millennium Centre and Gorgie Farm.
- 7) That the motion 'Muirhouse Millennium Centre' agreed by Council in February 2023 expressed regret that information concerning the financial status of community centres was not able to be collected.
- 8) The devastating blow to the local community the potential loss of Bridgend Farmhouse would be.

Council therefore asks;

- 9) For a briefing note to be circulated to members of Culture and Communities committee to provide details of any other Edinburgh organisations on the 'reserve list' for funding, and therefore at similar risk.
- 10) For the Convener of Culture and Communities to meet with officers and Bridgend Farmhouse to explore what the Council can do to support Bridgend Farmhouse, timeously."

- moved by Councillor Flannery, seconded by Councillor Thornley

## **Decision**

To approve the motion by Councillor Flannery.

## **33 Special Needs Swimming Sessions in Braidburn School Pool – Emergency Motion by Councillor Arthur**

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The Lord Provost ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency to allow the Council to give early consideration to this matter.

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

"Council:

- 1) Thanks the staff at Braidburn School for the work they do.
- 2) Deeply regrets Edinburgh Leisure's decision to terminate the Special Needs Swimming Sessions in Braidburn School Pool.

- 3) These Saturday morning sessions were described as follows by one parent in relation to her severely disabled pre-school son and how he “enjoyed his Saturday sessions at Braidburn hydro pool, the warm temperature, peaceful sensory surroundings (lights) and disabled bed changers made this a wonderful experience for him and the highlight of his week. This is particularly important for his development as he has been unable to access hydrotherapy due to physiotherapy and nursery staff pressures since the COVID pandemic. As these were family sessions it also allowed his two siblings to do an activity together which they all enjoyed with him which is normally so difficult due to his complex health needs.”
- 4) Notes that many of the activities Edinburgh Leisure provides are available in the private sector, but there is no comparable alternative to the Special Needs Swimming Sessions in Braidburn School Pool.
- 5) Notes that Edinburgh Leisure wrote to parents (via Councillors) on the 28th of April noting that the alternative provision at Gracemount Pool was available, but stated “it will not suit all due to it not being a specialist hydrotherapy pool or indeed because of its location and the change of day”.
- 6) Notes that parents feel “this is huge discrimination against special needs children to change something without warning or explanation that worked so well was so enjoyed by many”.
- 7) Agrees therefore that the Council Leader meets with the Chief Executive of Edinburgh Leisure as soon as is possible to make clear that Council opposes the termination of Special Needs Swimming Sessions in Braidburn School Pool in the strongest possible terms, and to request that a timeline is drafted for the resumption

### **Motion**

To approve the motion by Councillor Arthur.

- moved by Councillor Arthur, seconded by Councillor Jenkinson

### **Amendment 1**

To delete para 7 in the motion by Councillor Arthur and replace with:

- “7) Regrets the position that Braidburn hydrotherapy pool is being let out at weekends to a private organisation which runs "parent and (able bodied) toddler" swimming classes whilst families of children with complex disabilities are being decanted from this bespoke venue to Gracemount Leisure Centre instead. As noted in Para 5 above, Gracemount is unsuitable for many families which means they no longer have access to these fantastic sessions.



- 8) Thanks staff at Edinburgh Leisure, especially Sara Kemp, for organising the original swimming sessions at Braidburn and thanks the Council for funding these sessions.
- 9) Notes that Council funding for these ASN swimming sessions is currently inadequate to cover the provision of the sessions at Bradburn, which is why sessions are being moved to Gracemount.
- 10) Further notes that the Council-provided funding for these ASN swimming sessions will end in September 2023, regardless of venue.
- 11) Agrees for a report in one cycle to identify suitable funding sources to allow these sessions to continue beyond September 2023 and requests officers investigate actions, including additional funding, to secure the immediate resumption of ASN swimming sessions at Braidburn.”

- moved by Councillor Nicolson, seconded by Councillor Glasgow

## **Amendment 2**

To add to the motion by Councillor Arthur:

- “8) Notes that the CEO of Edinburgh Leisure has approached colleagues in Education regarding resolving this issue but received no response. 9. Therefore urges colleagues in Education, Children and Families to support Edinburgh Leisure in resolving this situation.”

- moved by Councillor Staniforth, seconded by Councillor Booth

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

## **Decision**

To approve the following adjusted motion by Councillor Arthur:

- 1) To thank the staff at Braidburn School for the work they do.
- 2) To deeply regret Edinburgh Leisure’s decision to terminate the Special Needs Swimming Sessions in Braidburn School Pool.
- 3) These Saturday morning sessions were described as follows by one parent in relation to her severely disabled pre-school son and how he “enjoyed his Saturday sessions at Braidburn hydro pool, the warm temperature, peaceful sensory surroundings (lights) and disabled bed changers made this a wonderful experience for him and the highlight of his week. This is particularly

important for his development as he has been unable to access hydrotherapy due to physiotherapy and nursery staff pressures since the COVID pandemic. As these were family sessions it also allowed his two siblings to do an activity together which they all enjoyed with him which is normally so difficult due to his complex health needs.”

- 4) To note that many of the activities Edinburgh Leisure provided were available in the private sector, but there was no comparable alternative to the Special Needs Swimming Sessions in Braidburn School Pool.
- 5) To note that Edinburgh Leisure wrote to parents (via Councillors) on the 28th of April noting that the alternative provision at Gracemount Pool was available, but stated “it will not suit all due to it not being a specialist hydrotherapy pool or indeed because of its location and the change of day”.
- 6) To note that parents felt “this is huge discrimination against special needs children to change something without warning or explanation that worked so well was so enjoyed by many”.
- 7) To regret the position that Braidburn hydrotherapy pool was being let out at weekends to a private organisation which ran "parent and (able bodied) toddler" swimming classes whilst families of children with complex disabilities were being decanted from this bespoke venue to Gracemount Leisure Centre instead. As noted in Para 5 above, Gracemount was unsuitable for many families which meant they no longer had access to these fantastic sessions.
- 8) To thank staff at Edinburgh Leisure, especially Sara Kemp, for organising the original swimming sessions at Braidburn and thanks the Council for funding these sessions.
- 9) To note that Council funding for these ASN swimming sessions was currently inadequate to cover the provision of the sessions at Bradburn, which was why sessions were being moved to Gracemount.
- 10) To further note that the Council-provided funding for these ASN swimming sessions would end in September 2023, regardless of venue.
- 11) To agree for a report in one cycle to identify suitable funding sources to allow these sessions to continue beyond September 2023 and requests officers investigate actions, including additional funding, to secure the immediate resumption of ASN swimming sessions at Braidburn.
- 12) To note that the CEO of Edinburgh Leisure had approached colleagues in Education regarding resolving this issue but received no response.

- 13) To therefore urge colleagues in Education, Children and Families to support Edinburgh Leisure in resolving this situation.

### **Declaration of Interests**

Councillor Key made a transparency statement in respect of the above item as a family member was involved in Special Needs Swimming Sessions in Braidburn School Pool.

## **34 Lifelong Learning Review – Motion by Councillor Campbell**

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The Lord Provost ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency to allow the Council to give early consideration to this matter.

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

“Council:

Notes extreme disappointment in the outcomes of the Lifelong Learning Review.

Recognises that many ward councillors have very recently been shocked to learn that their local lifelong learning officers who had previously been leading important work in our communities have not been matched to jobs or have been moved away from the community centres which they have been supporting and notes considerable concerns from councillors about both the interim and future impact on local community service delivery.

Regrets that this apparent level of restructure has come with little to no notice to partnership organisations working with these officers as key links to CEC or by way of briefing to ward councillors.

Agrees to receive an urgent briefing setting out the new structure, and the number of roles which are currently filled including how many lifelong learning officers have been put on the redeployment list and how many vacancies there are in the new structure.

Agrees that the Culture and Communities Convener and Council Leader will work urgently to review the process and prevent adverse effects on our community centres, including instructing officers to meet with management committees urgently to discuss how to maintain services.

Agrees that a report on the Lifelong Learning Review will be reported to the next Culture and Communities Committee setting out the engagement that has been undertaken with community centre management committees, the outcomes that the

review hopes to deliver and how the new structure is aligned to delivery of those outcomes and learning from this process.”

### **Motion**

To approve the motion by Councillor Campbell.

- moved by Councillor Campbell, seconded by Councillor McFarlane

### **Amendment**

At paragraph 5 of the motion by Councillor Campbell, to add:

“The Education, Children and Families Committee.”

- moved by Councillor Meagher, seconded by Councillor Walker

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

### **Decision**

To approve the following adjusted motion by Councillor Campbell:

- 1) To note extreme disappointment in the outcomes of the Lifelong Learning Review.
- 2) To recognise that many ward councillors had very recently been shocked to learn that their local lifelong learning officers who had previously been leading important work in our communities had not been matched to jobs or had been moved away from the community centres which they had been supporting and to note considerable concerns from councillors about both the interim and future impact on local community service delivery.
- 3) To regret that this apparent level of restructure had come with little to no notice to partnership organisations working with these officers as key links to CEC or by way of briefing to ward councillors.
- 4) To agree to receive an urgent briefing setting out the new structure, and the number of roles which were currently filled including how many lifelong learning officers had been put on the redeployment list and how many vacancies there were in the new structure.
- 5) To agree that the Culture and Communities and Education, Children and Families Conveners and Council Leader would work urgently to review the process and prevent adverse effects on our community centres, including

instructing officers to meet with management committees urgently to discuss how to maintain services.

- 6) To agree that a report on the Lifelong Learning Review would be reported to the next Culture and Communities Committee setting out the engagement that had been undertaken with community centre management committees, the outcomes that the review hoped to deliver and how the new structure was aligned to delivery of those outcomes and learning from this process.

### **35 West Port Garden – Motion by Councillor McFarlane**

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

“Council notes that on the 29th of April the West Port Community Garden celebrated ten years since the City of Edinburgh Council handed over the keys to volunteers and residents of the Grassmarket and the surrounding area who have tirelessly rescued, maintained, and improved the inner-city green space for the benefit of the community and visitors alike.

Established in 1909 by Patrick Geddes as one of several gardens in the Old Town to allow inner-city children from the then-slum to experience nature, green space and gardening it is notable thanks to the volunteers that the West Port Garden is still around and serving its original purpose over a century later as a thriving and calm greenspace in the centre of the bustling Grassmarket.

Council requests that the Lord Provost congratulates GRASS (The Grassmarket Residents Association), and the volunteer gardeners of the West Port for all their hard work in reaching this milestone in an appropriate way.”

#### **Motion**

To approve the motion by Councillor McFarlane.

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

#### **Amendment**

To insert in the motion by Councillor McFarlane, after “Patrick Geddes”:

“And his daughter Norah Geddes who with a team of redoubtable women worked and planted the West Port Garden.”

- moved by Councillor Mowat, seconded by Councillor McFarlane

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

## Decision

To approve the following adjusted motion by Councillor McFarlane:

- 1) To note that on the 29th of April the West Port Community Garden celebrated ten years since the City of Edinburgh Council handed over the keys to volunteers and residents of the Grassmarket and the surrounding area who had tirelessly rescued, maintained, and improved the inner-city green space for the benefit of the community and visitors alike.
- 2) Established in 1909 by Patrick Geddes and his daughter Norah Geddes who with a team of redoubtable women worked and planted the West Port Garden as one of several gardens in the Old Town to allow inner-city children from the then-slum to experience nature, green space and gardening it was notable thanks to the volunteers that the West Port Garden was still around and serving its original purpose over a century later as a thriving and calm greenspace in the centre of the bustling Grassmarket.
- 3) To request that the Lord Provost congratulate GRASS (The Grassmarket Residents Association), and the volunteer gardeners of the West Port for all their hard work in reaching this milestone in an appropriate way.

## **36 50<sup>th</sup> Anniversary of the Edinburgh Renaissance Band – Motion by Councillor McNeese-Mechan**

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The following motion by Councillor McNeese-Mechan was submitted in terms of Standing Order 17:

“Council notes that the Edinburgh Renaissance Band will be celebrating its 50th year anniversary in 2023. This group of 11 local musicians formed in 1973 to perform medieval and Renaissance music from the period between 1200-1650, including both a Scottish and European repertoire, in well-researched concerts that have both informed and delighted audiences over the past half century.

From their very beginnings as a ‘late night Festival Fringe’ show, Edinburgh Renaissance Band have expanded to perform in concert halls, period balls and corporate events, with the unifying vision to entertain and educate listeners to this often obscure four hundred year period of early music. During the recent pandemic, ERB played on, delivering a successful online virtual performance.

Additionally, the ERB have expanded beyond the bounds of the city to participate in Dunfermline’s 900th anniversary of the death of St.Margaret, the 450th anniversary observation of the Siege of Haddington, and were featured at the opening of the new extension of the National Museum of Scotland on Chambers Street in 1992. Further

afield, they have been invited to perform in Paris, Cologne, and Stockholm, amongst other European cities.

Council proudly offers its thanks and congratulations to the Edinburgh Renaissance Band for its contributions to the city's cultural and educational offerings, and therefore asks that the Lord Provost observe this significant milestone in an appropriate way."

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

### **Decision**

To approve the motion by Councillor McNeese-Mechan.

### **37 150 Year Anniversary of the Scottish Football Association – Motion by Councillor Gardiner**

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

"City of Edinburgh recognises and celebrates the important role that the Scottish Football Association has played in Scottish society over the last one hundred and fifty years, promoting and administering football in our country and organising our national teams.

To celebrate this outstanding achievement Council requests that the Lord Provost writes to the Scottish Football Association to acknowledge this important anniversary and enquires whether the respective managers of the senior national women's and men's teams would be available to speak at a celebratory event at City Chambers, with the team captains from the Capital City's youth teams also invited to attend."

### **Motion**

To approve the motion by Councillor Gardiner.

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

### **Amendment**

To delete paragraph 2 of the motion by Councillor Gardiner and replace with:

"Requests the Lord Provost to mark this outstanding achievement in an appropriate manner."

- moved by Councillor Graham, seconded by Councillor Griffiths

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

### **Decision**

To approve the following adjusted motion by Councillor Gardiner:

- 1) City of Edinburgh recognises and celebrates the important role that the Scottish Football Association had played in Scottish society over the last one hundred and fifty years, promoting and administering football in our country and organising our national teams.
- 2) To request the Lord Provost to mark this outstanding achievement in an appropriate manner.

### **38 Scotland Men's Curling Team Win World Curling Championships – Motion by Councillor Lezley Marion Cameron**

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

“Council warmly congratulates the Scotland Men's Curling Team; Bruce Mouat, Grant Hardie, Bobby Lammie and Hammy McMillan; on its emphatic victory over Canada in the World Men's Curling Championship final on 10 April in Ottawa.

Council asks the Lord Provost to convey, in an appropriate way, Council's congratulations to the Scotland men's Curling Team and all involved in the training and preparations for, and throughout the tournament, culminating in the team's gold medal success in the Men's World Curling Championships.”

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

### **Decision**

To approve the motion by Councillor Lezley Marion Cameron.

### **39 75 Years of the Edinburgh Black Cabs Annual Children's Outing – Motion by Councillor Lezley Marion Cameron**

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

“Council notes that in 1947, the first Edinburgh Black Cabs Children's Outing took place.



75 years on, the annual, fun filled, spectacular procession will take place this year on Tuesday 13th June. and it is anticipated that up to 50 black cabs and over 100 children will take part in this year's outing.

As per tradition, Black Cab drivers take time out to take children and their parents for a memorable, fun day out.

Prizes will be awarded for the best taxi float, best balloon dressed taxi, and best fancy dressed child and taxi driver at a ceremony at Edinburgh Zoo ahead of the Lord Provost waving off the annual children's taxi outing parade to make its way through the city.

Council congratulates the Edinburgh Black Cab trade on its 75th anniversary of the first Edinburgh Taxi outing and asks the Lord Provost to formally convey Council's congratulations and gratitude to the Edinburgh Black Cab trade and its sponsors for creating fun filled days out and happy memories for the countless of children and families who have taken part in what is a firm favourite charitable event in Edinburgh's calendar."

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

## **Decision**

To approve the motion by Councillor Lezley Marion Cameron.

## **40 100 Years of the SNIPEF (The Scottish and Northern Ireland Plumbing Employers' Federation – Motion by Councillor Lezley Marion Cameron**

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

"Council notes that the Scottish and Northern Ireland Plumbing Employers' Federation (SNIPEF), the principal trade association for plumbing and heating businesses in Scotland and Northern Ireland, is celebrating its centenary year in 2023.

Promoting high standards across the plumbing and heating industry, SNIPEF represents over 750 member firms that employ more than 5,500 operatives. SNIPEF provides quality assurance for consumers and works in partnership with bodies like Skills Development Scotland to ensure the industry has a highly skilled and qualified workforce.

Council congratulates SNIPEF on reaching its centenary milestone and notes that SNIPEF is hosting its forthcoming centenary celebratory lunch and reception event in the City Chambers.

Council asks the Lord Provost to convey the congratulations of Council to SNIPEF in an appropriate way.”

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

### **Decision**

To approve the motion by Councillor Lezley Marion Cameron.

## **41 Edinburgh Leisure turns 25 – Motion by Councillor Lezley Marion Cameron**

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### **Decision**

To note that Councillor Lezley Marion Cameron had withdrawn her motion.

## **42 Edinburgh Living Wage City – Motion by Councillor Meagher**

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

“Council:

- Welcomes and celebrates the outstanding commitments being made by employers across Edinburgh to help ensure that in the midst of a continuing cost of living crisis, workers in this city can earn a decent wage that is enough to live on.
- Recognises and thanks the 30 employers who became accredited as real Living Wage employers during the first quarter of 2023, and thanks the Edinburgh Living Wage Action Group for its continuing work to promote fair work and the real Living Wage in Edinburgh. These employers join a community of 633 Living Wage accredited employers in Edinburgh, collectively employing over 200,000 workers.
- Further recognises that this voluntary commitment from employers means that levels of low pay employment in Edinburgh are circa 25% lower than they would otherwise be.
- Notes that evidence continues to show that a commitment to fair work is good for business as well as being good for workers, and congratulates the many real Living Wage employers who have been celebrated by their business peers in recent awards ceremonies. These include business such as Edinburgh Dog and Cat Home, Edinburgh College, Surgeon’s Quarter, Narro Associates, Capital City Partnership – all Living Wage accredited employers - who were recently

recognised for their excellence at this year's Edinburgh Chamber of Commerce business awards.

- Further notes that on 25th May this year the Council will be host to the first UK wide conference bringing together cities and towns who have committed to being 'Living Wage Places'.
- This conference, led by the UK Living Wage Foundation, will include delegates from areas such as Cardiff, Sunderland, Dundee, Salford, Greater Manchester, Norwich, Scottish Borders and others and will provide a great opportunity to showcase the progress made in Edinburgh to date, and learn from best practice in the promotion of fair work in partner cities across the UK."

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

### **Decision**

To approve the motion by Councillor Meagher.

## **43 Questions**

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The questions put by members to this meeting, written answers and supplementary questions and answers are contained in Appendix 4 to this minute.

**APPENDIX 1**

**THE CITY OF EDINBURGH COUNCIL**

**APPOINTMENTS FOR 2023/24**

**CONVENERS AND VICE CONVENERS OF COMMITTEES**

<b>EXECUTIVE COMMITTEES</b>		
Policy and Sustainability	Convener:	Councillor Day
Culture and Communities	Convener:	Councillor Walker
Education, Children and Families	Convener:	Councillor Griffiths
Housing, Homelessness and Fair Work	Convener:	Councillor Meagher
Finance and Resources	Convener:	Councillor Watt
Transport and Environment	Convener:	Councillor Arthur
<b>OTHER COMMITTEES</b>		
Governance, Risk and Best Value	Convener:	Councillor Campbell
Leadership Advisory Panel	Convener:	Councillor Day
Pensions	Convener:	Councillor Watt
Planning	Convener:	Councillor Dalgleish
Development Management Sub	Convener:	Councillor Osler
Regulatory	Convener:	Councillor Neil Ross
Licensing Sub-Committee	Convener:	Councillor Mowat
Committee on the Jean F Watson Bequest	Convener:	Councillor Walker

<b>APPEALS</b>		
Committee on Discretionary Rating Appeals	Convener:	Councillor Day
Personnel Appeals	Convener:	Councillor Griffiths
Committee on Pupil/Student Support	Convener:	Councillor Meagher
Placing in Schools Appeals		Independent Chairperson
Chief Official Personnel Assessment Committee	Convener	Councillor Neil Ross
Chief Official Personnel Hearing Committee	Convener	Councillor Day
<b>RECRUITMENT</b>		
Recruitment Committee	Convener:	Council Leader

## APPENDIX 2

### THE CITY OF EDINBURGH COUNCIL

#### APPOINTMENTS FOR 2023/24

#### MEMBERSHIP OF COMMITTEES, BOARDS AND JOINT BOARDS

<b>EXECUTIVE COMMITTEES</b>	
<b>Policy and Sustainability Committee</b> (17 members: (including Leader of the Council (Convener) and Depute Leader of the Council - 5SNP, 4SLD, 3L, 3G, 2C)	
Councillor Aston Councillor Campbell Councillor Macinnes Councillor McVey Councillor Biagi Councillor Beal Councillor Bennett Councillor Dijkstra-Downie Councillor Lang	Councillor Day (Convener) Councillor Meagher Councillor Watt Councillor Mumford Councillor Parker Councillor Staniforth Councillor Doggart Councillor Whyte
<b>Culture and Communities Committee</b> (11 members:- 3SNP, 2L, 2SLD, 2G, 2C)	
Councillor Glasgow Councillor McFarlane Councillor McNeese-Mechan Councillor Cameron Councillor Walker (Convener) Councillor Osler	Councillor Thornley Councillor Heap Councillor Staniforth Councillor Mitchell Councillor Munro
<b>Education, Children and Families Committee</b> (11 members:- 3SNP, 2L, 2SLD, 2G, 2C)	
Councillor Key Councillor Kumar Councillor Mattos Coelho Councillor Graham Councillor Griffiths (Convener) Councillor Davidson	Councillor Young Councillor Burgess Councillor O'Neill Councillor Cowdy Councillor Jones

<b>Added Members for Education Matters</b>	
Fiona Beveridge, Church of Scotland Representative Angela Campbell, Roman Catholic Representative Dr Ruhy Parris, Third Religious Representative	Parent Representative 1 – Alex Ramage (non-voting) (until 24 May 2024) Parent Representative 2 – Sara Collins and Louise Collingwood (shared basis) (until 24 May 2024)
<b>Finance and Resources Committee</b> (11 members:- 3SNP, 2L, 2SLD, 2G, 2C)	
Councillor Hyslop Councillor Macinnes Councillor Nicolson Councillor Griffiths Councillor Watt (Convener) Councillor Neil Ross	Councillor Younie Councillor Mumford Councillor Staniforth Councillor Bruce Councillor Doggart
<b>Housing, Homelessness and Fair Work Committee</b> (11 members:- 3SNP, 2L, 2SLD, 2G, 2C)	
Councillor Campbell Councillor Dobbin Councillor Kumar Councillor Meagher (Convener) Councillor Pogson Councillor Caldwell	Councillor Flannery Councillor Parker Councillor Rae Councillor Bruce Councillor Whyte
<b>Transport and Environment Committee</b> (11 members:- 3SNP, 2L, 2SLD, 2G, 2C)	
Councillor Aston Councillor McFarlane Councillor Work Councillor Arthur (Convener) Councillor Faccenda Councillor Dijkstra-Downie	Councillor Lang Councillor Bandel Councillor Miller Councillor Cowdy Councillor Munro

## Other Committees

### **Governance, Risk and Best Value Committee**

(11 members:- 3SNP, 2L, 2SLD, 2G, 2C)

Note: The Conveners and Vice Conveners of the following Committees shall not be eligible to serve as members of the Governance, Risk and Best Value Committee:

The Policy and Sustainability Committee

The Culture and Communities Committee

The Education, Children and Families Committee

The Finance and Resources Committee

The Housing, Homelessness and Fair Work Committee

The Transport and Environment Committee

Councillor Biagi  
Councillor Campbell (Convener)  
Councillor McVey  
Councillor Faccenda  
Councillor Jenkinson  
Councillor Thornley

Councillor Younie  
Councillor Bandel  
Councillor Miller  
Councillor Mowat  
Councillor Rust

### **Pensions Committee**

(5 members –1SNP, 1L, 1SLD, 1G, 1C)

(plus 2 external members representing the employers and the members in the pension funds)

Councillor Nicolson  
Councillor Watt (Convener)  
Councillor Neil Ross

Councillor Burgess  
Councillor Doggart

### **External Members**

John Anzani

Richard Lamont

### **Planning Committee and Development Management Sub-Committee**

(11 members:- 3SNP, 2L, 2SLD, 2G, 2C)

Councillor Gardiner  
Councillor Hyslop  
Councillor McNeese-Mechan  
Councillor Lezley Marion Cameron  
Councillor Dalgleish (Convener of Planning Committee)  
Councillor Beal

Councillor Osler (Convener of Development Management Sub)  
Councillor Booth  
Councillor O'Neill  
Councillor Jones  
Councillor Mowat



<p><b>Planning Local Review Body</b> All members of the Planning Committee (other than its Convener) comprising two panels of five.</p>	
<p><b>Panel 1</b> (5 members)</p>	
<p>Councillor Lezley Marion Cameron Councillor Gardiner Councillor Jones</p>	<p>Councillor O'Neill Councillor Osler</p>
<p><b>Panel 2</b> (5 members)</p>	
<p>Councillor Beal Councillor Booth Councillor Hyslop Councillor McNeese-Mechan</p>	<p>Councillor McNeese-Mechan Councillor Mowat</p>
<p><b>Regulatory Committee and Licensing Sub-Committee</b> (9 members:- 3SNP, 2L, 2SLD, 1G, 1C)</p>	
<p>Councillor Dixon Councillor Mattos Coelho Councillor Fullerton Councillor Graham Councillor Walker</p>	<p>Councillor Caldwell Councillor Neil Ross (Convener of Regulatory) Councillor Rae Councillor Mowat (Convener of Licensing Sub)</p>
<p><b>Leadership Advisory Panel</b> (5 members of the Council plus 3 statutory representatives, appointed by the committee dealing with education, when considering education business – a group leader from each of the 5 groups))</p>	
<p>SNP Group Leader – Councillor McVey Labour Group Leader – Councillor Day Scottish Liberal Democrat Group Leader – Councillor Lang</p>	<p>Green Group Co-Conveners – Councillors Mumford/Parker Conservative Group Leader – Councillor Whyte</p>
<p><b>Administration of Trust Funds</b></p>	
<p><b>Committee on the Jean F Watson Bequest</b> (8 members - 2SNP, 2L, 2SLD, 1G, 1C) plus one nominee of Friends of the City Arts Centre and two nominees of Executive Director of Corporate Services</p>	
<p>Councillor Fullerton Councillor McNeese-Mechan Councillor Meagher Councillor Walker</p>	<p>Councillor Osler Councillor Thornley Councillor Rae Councillor Mitchell</p>

<b>Reviews and Appeals</b>	
<b>Committee on Discretionary Rating Relief Appeals</b> (5 members –1SNP, 1L, 1SLD, 1G, 1C)	
Councillor Biagi Councillor Day (Convener) Councillor Beal	Councillor Staniforth Councillor Cowdy
<b>Personnel Appeals Committee</b> (9 members – 3SNP, 2L, 2SLD, 1G,1C)	
Councillor Dobbin Councillor McFarlane Councillor McNeese-Mechan Councillor Griffiths (Convener) Councillor Meagher	Councillor Dijkstra-Downie Councillor Flannery Councillor Miller Councillor Mowat
<b>Committee on Pupil Student Support</b> (5 members and one religious representative –1SNP, 1L, 1SLD, 1G, 1C)	
Councillor Key Councillor Meagher (Convener) Councillor Davidson	Councillor Burgess Councillor Jones
<b>Placing in Schools Appeal Committee</b> (3 persons drawn from three Panels as described in Committee Terms of Reference and Delegated Functions no.17)	
Panel 1 – All members of Council and religious representatives on the committee dealing with education business	
<b>Recruitment Committee</b>	
Leader of Council (Convener), Depute Leader of the Council, one relevant executive committee convener and group leaders/co-conveners.	
<b>Chief Official Personnel Assessment Committee</b> (5 members –1SNP, 1L, 1SLD, 1G, 1C)	
Councillor McVey Councillor Arthur Councillor Neil Ross (Convener)	Councillor Mumford Councillor Jones
<b>Chief Official Personnel Hearing Committee</b> (5 members –1SNP, 1L, 1SLD, 1G, 1C)	
Councillor Macinnes Councillor Day (Convener) Councillor Lang	Councillor Parker Councillor Whyte

### APPENDIX 3

#### THE CITY OF EDINBURGH COUNCIL

#### APPOINTMENTS FOR 2023/24

#### JOINT COMMITTEES AND BOARDS, THE LICENSING BOARD

<b>Lothian Valuation Joint Board/Lothian Electoral Joint Committee</b> (9 members – 3SNP, 2L, 2SLD, 1G, 1C)	
Councillor Dixon Councillor Glasgow Councillor McFarlane Councillor Dalgleish Councillor Jenkinson	Councillor Beal Councillor Caldwell Councillor Staniforth Councillor Mitchell
<b>Licensing Board</b> (9 members: 3 SNP, 2 L, 2 SLD, 1G, 1 Conservative)	
Councillor Fullerton Councillor Key Councillor Work Councillor Lezley Marion Cameron Councillor Graham	Councillor Flannery Councillor Young (Convener) Councillor Booth Councillor Rust (Vice-Convener)
<b>Integration Joint Board</b> (5 members: 1SNP, 1L, 1SLD, 1G, 1C)	
Councillor Nicolson Councillor Pogson (Chair/Vice Chair) Councillor Davidson	Councillor Miller Councillor Mitchell
<b>Edinburgh and South East of Scotland City Region Deal Joint Committee</b> (1 member)	
Council Leader – Councillor Day	

<b>Edinburgh and South East of Scotland Region – Elected Member Oversight Committee</b> (2 members – previously the Leader and Depute Leader)	
Councillor Day	Councillor McVey
<b>SEStran (South East of Scotland Regional Transport Partnership)</b> (5 members – 1SNP, 1L, 1SLD, 1G, 1C)	
Councillor Aston Councillor Arthur Councillor Dijkstra-Downie	Councillor Bandel Councillor Munro
<b>SESPlan Joint Committee (South East Scotland Regional Joint Committee – Planning)</b> (2 members)	
Councillor Arthur	Councillor Gardiner
<b>Pentland Hills Regional Park Joint Committee</b> (3 members)	
Councillor Bruce Councillor Gardiner	Councillor Jenkinson
<b>Pentland Hills Regional Park Consultative Forum</b> (2 members)	
Councillor Gardiner	Councillor Jenkinson

### **BAILIES**

- SNP – Councillor Amy McNeese-Mechan
- L – Councillor Margaret Graham
- SLD – Councillor Pauline Flannery
- G – Councillor Susan Rae
- C – Councillor Jason Rust

## Appendix 4

(As referred to in Act of Council No 43 of 4 May 2023)

### QUESTION NO 1

**By Councillor Campbell for answer  
by the Convener of the Housing,  
Homelessness and Fair Work  
Committee at a meeting of the  
Council on 4 May 2023**

**Question** (1) Can the convener provide a breakdown of HRA revenue payments to the General fund over the last 3 years, and the services that were paid for?

**Answer** (1) The Housing Revenue Account (HRA) is a ring-fenced fund which sits separately from the general Council budget. The HRA must pay the General Council budget for its use of general Council services and assets. HRA Income and Expenditure is subject to external audit scrutiny as part of the annual audit of accounting statements. Within this process, the charges levied against the HRA are reviewed annually. A three-year comparison is summarised below in Table 1.

Overheads relate to use of premises, facilities management, back-office functions and dedicated management time.

**Question** (2) Can this please be broken down into the service that was being purchased, and the number of units purchase i.e. hours of work or whatever unit of measurement is used?

**Answer** (2) See answer (1).

**Question** (3) Can this please be presented in a way that allows a comparison between different years?

**Answer** (3) See answer (1).

**Table 1 – Three-year comparison of General Fund recharges to Housing Revenue Account**

Recharge Description	Recharging Department	2019/20 Outturn £000	2020/21 Outturn £000	2021/22 Outturn £000
<b>Overhead Related Costs</b>				
CEC - Central Support Costs	Central	6,056	5,692	6,653
SSC - Central Support Costs	Safer & Stronger	250	228	97
Place - Departmental Support Costs	Place	550	720	335
Corporate & Democratic Core	Place	166	254	208
<b>Recharges from Front Line Service</b>				
Contact Centre	Business Support	1,134	977	1,016
Rent Collection	Business Support	109	110	114
Assisted Technology - Core	H&SC	542	745	681
Assisted Technology - Sheltered.	H&SC	470	457	430
The Access Point	H&SC	76	83	86
Housing Property - Direct Staff	Place	1,282	1,971	1,932
Family & Household Support Mgmt Team	Safer & Stronger	129	145	175
Family & Household Support	Safer & Stronger	1,457	1,485	1,464
Housing Options Team	Safer & Stronger	367	421	415
Grounds Maintenance - Core	Parks & Greenspace	2,207	2,225	1,743
Grounds Maintenance - Sheltered Housing	Parks & Greenspace	88	88	96
Grounds Maintenance - Garden Aid	Parks & Greenspace	386	409	399
<b>Total</b>		<b>15,269</b>	<b>16,010</b>	<b>15,844</b>

## QUESTION NO 2

**By Councillor Campbell for answer  
by the Convener of the Housing,  
Homelessness and Fair Work  
Committee at a meeting of the  
Council on 4 May 2023**

- Question**
- (1)** Can the convener please provide a timeline for development of the hospital site including:
- Any investigative works
  - Design and development
  - Planning permission
  - Expected dates of onsite development
  - Expected dates of completion

**Answer**

**(1)** NHS Lothian will occupy part of the building for up to two years from 31 March 2023 while they relocate services. Recent experience in bringing forward complex sites of this nature has shown that progression through a good quality procurement process, design, consultation and planning process will take a number of years. A Prior Information Notice (PIN), seeking interest from potential development partners, has been issued to the market. The outcome from this exercise will inform future procurement routes and community engagement will also be key to the success of the project.

It is expected that a development partner will be in place towards the end of this year/early next year and a period of site investigation, design work and consultation will then commence. This will shape the delivery route and planning approach.

The developing project timetable will also be influenced by timescales for statutory consents and utility connections but opportunities to accelerate the programme will be reviewed regularly. It is likely to be at least two years before development will begin on-site and the first homes to be completed in 2026/27. Ward Councillors will be kept updated on key milestones and approvals will be sought from Committee as required.

**Question** (2) Can the convener confirm if there have been discussions with H&SC colleagues about the scope for delays, and any cost/benefit analysis of delaying development to enable continued use of beds including the reduction in costs to H&SC of not extending the PFI contract for Ferryfield House?

**Answer** (2) Place Directorate officers are supporting Health and Social Care colleagues in the delivery of the bed-based review and all options will continue to be explored until this process has concluded, and Members have agreed the optimal approach.

**Question** (3) Has this been provided to H&SC colleagues in order for them to assess whether delaying services coming off Liberton Hospital might be more financially viable than extending private finance contracts to provide continuity of care.

**Answer** (3) See answer (2).



**QUESTION NO 3**

**By Councillor Campbell for answer  
by the Convener of the Housing,  
Homelessness and Fair Work  
Committee at a meeting of the  
Council on 4 May 2023**

**Question** (1) Can the convener please provide details of any discussions that have taken place regarding the potential for a sinking fund for private owners on low incomes in mixed tenure blocks where the council is taking forward improvements?

**Answer** (1) The Council offers a [Scheme of Assistance](#) for homeowners to improve the quality of their homes, with advice, information and practical support provided by the Edinburgh Shared Repairs Service.

The Scheme of Assistance also signposts to financial support which may be available to support homeowners, including financial assistance from the Council for people with disabilities.

To date, however, there have been no discussions about the potential to create a sinking fund to support homeowners with the cost of life cycle building repairs.

**Question** (2) Does the convener believe this is an area where we should consider whether the general fund should make contributions as happens in other council areas?

**Answer** (2) Officers will continue to gather information on the schemes operated by other local authorities and will analyse further the allocation of this funding and will report back in due course

**QUESTION NO 4**

**By Councillor McNeese-Mechan for answer by the Leader of the Council at a meeting of the Council on 4 May 2023**

**Question** (1) Why was the Council Leader or no member of the Labour Group at the Tram All Party Oversight Group on 18/04/23?

**Answer** (1) Councillor Arthur and myself were unable to attend the meeting due to other commitments.

I am aware that Councillor Arthur did catch up with the TTN team afterwards to understand if any issues had been raised, the meeting lasted less than an hour and all issues raised were addressed.

**Question** (2) What is the Council Leader actually doing about meaningfully addressing ongoing issues?

**Answer** (2) Councillor Arthur keeps me apprised of the regular contact he has with the TTN team. They are proactive in contacting myself or Councillor Arthur with any issues which may impact on project delivery as they arise.

The project remains on time, on budget and will be delivered as specified. We look forward to welcoming Leithers (and others) onto the service in the coming weeks.

I know that you could not attend the community walkabout on 28<sup>th</sup> April for good reason. I along with local councillors and members of Community Councils Together on Trams (CCTT) walked the length of Leith Walk looking at the progress of the works. Any issues identified along the way have already been raised with the Trams team. If you would like to discuss any issues you have noticed, I would be happy to speak to you.

## QUESTION NO 5

**By Councillor McNeese-Mechan for  
answer by the Convener of the  
Transport and Environment  
Committee at a meeting of the  
Council on 4 May 2023**

**Question** (1) Why was the Convener or no member of the Labour Group at the Tram All Party Oversight Group on 18/04/23?

**Answer** (1) Myself and Councillor Day were unable to attend the meeting due to other commitments.

I did, however, catch up with the TTN team afterwards to understand if any issues had been raised. I understand the meeting lasted less than an hour, and all issues raised were addressed.

**Question** (2) What is the Convener actually doing about meaningfully addressing ongoing issues?

**Answer** (2) I have regular contact with the TTN team, and they are proactive in contacting me as issues arise which may have potential to impact on project delivery.

You last contacted me directly regarding the TTN project on Sunday 2<sup>nd</sup> of April at 4:01am, and I responded at 8:37pm the same day. The issues you raised were dealt with fully at the TTN meeting requested by Councillor Caldwell (5<sup>th</sup> of April).

You have raised no further issues with me since then. Indeed, I think this is the only issue you have ever raised directly with me in relation to TTN.

The project remains on time and on budget and will be delivered as specified. Indeed, myself and Councillor Day look forward to welcoming Leithers (and others) onto the service in the coming weeks.

I know that you could not attend the community walkabout on 28<sup>th</sup> of April for good reason, but please let me know if you have any issues I can help you address.

**QUESTION NO 6**

**By Councillor Thornley for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 4 May 2023**

**Capital Delivery Priorities**

Given the Capital Delivery Priorities approved by TEC on 20<sup>th</sup> April, and the Convener's praise for the 'Pothole Killer' the Council has acquired on trial:

**Question** (1) By what measure is it determined where the 'Pothole Killer' will be deployed across the city?

**Answer** (1) The Pothole Killer team is deployed on a citywide basis with the locations identified through the Council's reporting system (Confirm) following site inspections to check suitability.

**Question** (2) Is there a long-term plan for its use outwith the agreed Delivery Priorities?

**Answer** (2) Pothole Killer is in the 1st month of a 6-month trial period. Following the trial, an assessment will be undertaken to determine if it is cost effective (taking account of plant, reinstatement quality, workforce and output against traditional methods to ensure best value).

The trial is progressing well, and I have been contacted by a number of residents who were pleased to see this incredible machine in their area.

**Question** (3) If so, would he share this below?

**Answer** (3) Please see response to Q2.

## QUESTION NO 7

**By Councillor Caldwell for answer by the Convener of the Planning Committee at a meeting of the Council on 4 May 2023**

In February, the Scottish Government's Planning Minister announced planning deregulation as part of NPF4 as well as additional funding to allow more playparks and greenspaces to be developed and upgraded.

**Question** (1) What physical impact will this new policy have on very high-density, urban wards such as Leith Walk and Sighthill/Gorgie which currently have an inequitable level of provision compared to other areas of the city?

**Answer** (1) The creation of new space will be shaped by development and the aspirations of City Plan 2030 across the city. Officers will also consider impact and improvements in existing spaces to make best use of investment and additional funding opportunities, particularly in high-density areas, as part of the Council's replacement Open Space Strategy and Thriving Greenspaces Strategy, working with communities, partners, and agencies.

**Question** (2) Can the Convener please list any new, additional public greenspaces that are in the Council's pipeline, particularly for high-density areas where there is less access to gardens and private greenspace?

**Answer** (2) City Plan 2030 proposes new greenspace provision in Gypsy Brae Park, Leith Western Harbour Central Park, Leith Links Seaward Extension and Crammond Road. Densities in these areas vary, although overall they are higher than many other parts of the city. These parks are generally to be delivered alongside new development and are expected to also benefit existing communities.

**Question** (3) Can the Convener please list any new, additional public playparks that are in the Council's pipeline, particularly for high density areas with limited outdoor play access?

**Answer**

- (3)** City Plan 2030 proposes new play facilities in areas of high density such as Orchard Brae Avenue, the Royal Victoria Hospital and Lanark Road where it crosses the Union canal.

These facilities are to be provided as part of new development. They may be in private ownership however, per the Council's Open Space Strategy, the overwhelming majority of existing non-Council play spaces in Edinburgh are still publicly accessible. It is expected these new proposed play facilities still provide benefit to existing communities.

An update on Playparks Investment was reported to Culture and Communities Committee on 7 March 2023. This included a programme of 14 play area projects in the pipeline for 2023/24.

**QUESTION NO 8**

**By Councillor Caldwell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 4 May 2023**

**Leith Walk and Elm Row Pavements Post-Completion of Trams to Newhaven**

I understand that there will be a Service Level Agreement period after the completion of the Trams to Newhaven project. Can the Convener please confirm:

**Question** (1) What Council departments will be involved directly in this programme and how will existing knowledge and guidance from officers who worked on the Project be retained?

**Answer** (1) It is important to note that there will not be a Service Level Agreement in place after the completion of the Trams to Newhaven project. Instead, a handover plan is currently being developed for the management of the asset, to be taken forward as part of 'business as usual' activities by the Council and Edinburgh Trams. For the duration of the contractual defects period, project management support is being procured.

As noted above, the handover plan is currently being finalised with colleagues who will be responsible for asset management going forward, but it is anticipated that the support provided will include some continuity to capture existing knowledge.

**Question** (2) How often will officers under this SLA programme seek to formally meet with relevant ward councillors, community councils and relevant public stakeholders?

**Answer** (2) As noted in answer 1, there is no formal SLA programme in place. Meetings take place as part of normal business.

**Question** (3) Will part of the programme's remit include identifying elements of the design that do not meet current Edinburgh Street Design Guidance and exploring solutions at those locations post-completion?

**Answer**

- (3)** The Trams to Newhaven contractor is obliged to meet the Edinburgh Street Design Guidance (ESDG) in place at the time the contract was awarded in 2019 (unless specific derogations have been sought and approved by the Council).

Where this obligation exists and the design does not meet the ESDG, non-compliances are raised as defects through the contract and work to identify any such non-compliances is already underway. Any aspects not raised by the project prior to completion can be raised as part of the defects' resolution process post completion.

I acknowledge, however, that there are concerns regarding some aspects design despite it being constructed as specified by the last administration.



## Itm no 10.9

### QUESTION NO 9

**By Councillor Caldwell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 4 May 2023**

Can the Convener please confirm if (and how) population density and number of residents being impacted by surface water is factored when Council officers respond to;

**Question** (1) Blocked drains and gully reports, and

**Answer** (1) Population density and number of residents being impacted is not generally a consideration when responding to blocked drain and gully reports. Risk to public safety and disruption to the transport network are ultimately the main drivers for responses.

**Question** (2) Active, ongoing flood and water-based emergencies, and

**Answer** (2) When responding to flood events over multiple areas, consideration may be given for prioritising areas with higher number of residents. This depends on the nature and severity of flooding.

Generally, the population density and number of residents being impacted is not a primary consideration when responding to emergencies.

**Question** (3) New SuDS (Sustainable Urban Drainage Systems) project requests / ideas

**Answer** (3) New SUDS projects will be designed to take into consideration the number of properties draining to the system and any existing surface water issues in the area.

Population density is generally not a consideration for the design of SUDS schemes

**QUESTION NO 10**

**By Councillor Younie for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 4 May 2023**

Further to the answer provided question 10.3 (4) at the 30 June 2022 meeting of the Council,

**Question** (1) Was a decision taken in August 2022 on whether to retain, remove or modify the existing measures?

**Answer** (1) A decision has not yet been taken, as the School Travel Plan for Royal High School has not yet been formally signed off. However, it is in final draft form and I understand there is strong support from the school community to retain the existing temporary measures on a permanent basis.

**Question** (2) If so, what decisions were taken?

**Answer** (2) Noting the support for retaining the existing temporary measures, it is proposed to progress designs and formally consult via any traffic orders necessary for permanent measures to replace the current temporary layout.

**Question** (3) What is the timetable for implementing these decisions?

**Answer** (3) A plan is currently being developed for implementing the measures supported through the school travel plan review. There is not currently a timescale for implementing individual measures within each travel plan.

**QUESTION NO 11**

**By Councillor Lang for answer by the Convener of the Culture and Communities Committee at a meeting of the Council on 4 May 2023**

4.8 of the Council's 'Management Rules for Public Parks and Greenspace' states that "*metal detecting in any park without the written permission of the Scottish Detector Club, subject to an agreement between the Council and the Scottish Detector Club being valid*" is prohibited:

**Question** (1) Does the Council have any valid agreement in place with the Scottish Detector Club?

**Answer** (1) The Council does not have a valid agreement in place with the Scottish Detector Club. An agreement was previously in place, but this was relinquished, and the Council informed in March 2021.

**Question** (2) How many requests for metal detecting on council land have been received in the last 5 years?

**Answer** (2) Since 2018, there have been 2 requests received.

**Question** (3) Of these, how many have been granted?

**Answer** (3) None.

**Question** (4) What guidance or criteria exists for council officers to use when considering whether to grant permission for metal detecting on council owned land?

**Answer** (4) When considering whether to grant permission, advice is sought from the Council's Archaeology Officer. However, in order to protect parks and open spaces (many of which are sites of historical interest) no permissions have been granted since 2016.

**QUESTION NO 12**

**By Councillor Lang for answer by the  
Convener of the Development  
Management Sub Committee at a  
meeting of the Council on 4 May 2023**

**Question** (1) What is the total Healthcare Infrastructure Contribution expected from the legal agreement associated with planning permission 16/01797/PPP?

**Answer** (1) The expected rate of contribution is £210 per household. As the application was for a planning permission in principle the total number of units is not finalised but the expected number of units is 980 units.

**Question** (2) How much, if any, of this money is expected to be spent by the Council directly and how much is expected to be transferred to NHS Lothian?

**Answer** (2) Any monies due in planning legal agreements for healthcare provision are forwarded to NHS Lothian to spend and deliver the infrastructure. This approach is set out in the [Finalised Supplementary Guidance on Developer Contributions and Infrastructure Delivery 2018](#) section 4 'Legal Agreements and use of monies'.

**Question** (3) What discussions have taken place with NHS Lothian on how any monies transferred would be spent to improve healthcare provision in Queensferry?

**Answer** (3) The expansion of the medical practice in South Queensferry was completed in 2018 – this was an action in the LDP 2016's action programme to mitigate the impact of development in Queensferry. This action was delivered, and front funded by NHS Lothian, using developer contributions collected retrospectively to recover relevant costs. This is set out in Section 8 'Completed Actions 2023' of the recently adopted [2023 LDP Action Programme](#).

**QUESTION NO 13**

**By Councillor Lang for answer by the  
Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 4 May 2023**

**Question**           (1) Further to my supplementary to question 10.9 at the 16 March 2023 meeting of the Council and given we are approaching the sixth anniversary of the tragic death at the Davidson's Mains roundabout, has the Convener managed to get an explanation as to why this project is taking so long?

**Answer**           (1) I am sorry for the delay in responding to the supplementary question which you asked at the Council meeting on 16 March. As I said in my response to your question, it is unacceptable that it has taken so long for this project to be progressed.

Officers have advised me that there have been a number of challenges to progressing this project, including time to assess the feasibility of various options for this location and to develop scheme designs. Resourcing has been a challenge throughout, and delivery of the project was further impacted by COVID-19.

There are some upcoming changes in responsibilities and team structure within the transport area. While I have asked officers to prioritise this project, I also recognise that there are many competing priorities in this area and therefore I expect a report to Transport and Environment Committee in the autumn on the upcoming priorities of the team.

**QUESTION NO 14**

**By Councillor McFarlane for answer  
by the Convener of the Culture and  
Communities Committee at a  
meeting of the Council on 4 May 2023**

**Question**           (1) Can the Convener of the Culture and Communities Committee share the correspondence sent to the Administrators of 88 Lothian Road as mandated by the Policy and Sustainability Committee on 21 March 2023 regarding the City of Edinburgh's agreed position to retain the site for cultural use.

**Answer**           (1) The Convener asked the Executive Director of Place to make contact with the Administrators to see if the Council could give any support. The Administrators were contacted on 17 March and responded that the process was confidential and ongoing, their duty was to maximise value to the Company and creditors and that they would update the Council at an appropriate time.

He also sent a letter to the Scottish Government. A copy of this is attached along with the response.

**Question**           (2) Can the Convener of the Culture and Communities Committee further share what efforts were made subsequent to the Emergency Motion passing to engage or support cultural bids to purchase 88 Lothian Road.

**Answer**

- (2) Officers have been contacted by 3 separate organisations/individuals interested in bidding for the property (with a view to operating it as a cinema) since the Emergency Motion was passed.

Officers have also been in regular, at least weekly, contact with Screen Scotland and have had meetings jointly with Screen Scotland and Scottish Government on 12, 17 and 25 April to get updates and discuss possible ways to support the use of the building as a cultural cinema.

The Council Leader and the Convener met earlier with representatives from Screen Scotland and Scottish Government with a further meeting arranged for 3 May.

The Convener and Spokespersons have been given verbal updates as the situation evolves, with the latest update on 18 April.

Councillor Cammy Day  
Leader of Edinburgh City Council  
City Chambers  
High Street  
Edinburgh  
EH1 1JY

22 March 2023

Dear Minister,

## **Edinburgh Filmhouse**

You will be aware that following the demise of CMI in October 2022, the sale of the former Edinburgh Filmhouse at 88 Lothian Road to a hospitality chain now appears to be imminent. I am writing to urge Scottish Government to intervene and save this valuable cultural asset for the capital city of Scotland.

Without a dedicated centre for the showing of cultural cinema and international film, the reputations of Edinburgh and Scotland as national and international cultural magnets are diminished, as is our ability to discover and nurture homegrown film-making talent.

Council officers have been working with colleagues in Screen Scotland/Creative Scotland since October to encourage and support any offer that is in line with the Administrators duties; a) returns full value to the creditors; b) secures 88 Lothian Road as a continuing cultural cinema; and c) ensures a swift conclusion to the administration process, and fair compensation to the administrators for same.

I am aware that there is a standing bid from a private individual who seeks to maintain the use of 88 Lothian Road as a cultural cinema and is close to matching the current highest bid for the property. Acceptance of this bid would, we understand, satisfy the Administrators' duties to the creditors, and allow the reopening of Filmhouse, however this bid is currently not being considered by the Administrators.

As Leader of Edinburgh City Council, I urge Scottish Government to use any means at their disposal including the necessary financial support to ensure this valuable cultural asset – which both the City of Edinburgh and the Scottish Government have invested significant sums within over the decades - is saved for the city and the nation. I, and officers of the Council stand ready to support in any way that is helpful.

Yours sincerely

Councillor Cammy Day

Leader, The City of Edinburgh Council

Labour Party, Edinburgh Ward 4 – Forth



## M: Minister for Culture, Europe and International Development

Councillor Cammy Day

[Alan.Irvine@edinburgh.gov.uk](mailto:Alan.Irvine@edinburgh.gov.uk)

Our Reference: 202300348851

Your Reference: Edinburgh Filmhouse

19 April 2023

Dear Councillor Cammy Day,

Thank you for your correspondence of 22 March 2023 regarding cultural cinema in Edinburgh and the sale of 88 Lothian Road. I am responding as these matters now fall under my portfolio as the Minister for Culture, Europe and International Development.

I am aware that Council officers have been engaging with Creative Scotland/Screen Scotland and Scottish Government officials, and I am pleased that this positive engagement continues. I would like to pass on my thanks to all involved at the City of Edinburgh Council for their ongoing efforts, and assure you that the Scottish Government joins in your commitment to supporting cultural cinema and the Edinburgh International Film Festival. As your letter sets out, the Filmhouse and the Festival are key cultural assets both in Edinburgh and for Scotland as a whole, and their contribution to our creative landscape cannot be overestimated

As the sale of the Filmhouse is a matter for the Administrators, I'm sure you will appreciate that it would not be appropriate for the Scottish Government to comment on those proceedings.

I appreciate the time you have taken to write on this important issue. Please be assured that these matters continue to be a high priority for the Scottish Government, and we are committed to protecting and celebrating our important cultural assets; recognising the important role these play in sustaining and nurturing culture to flourish and to evolve as a diverse, positive force in society, across all of Scotland.

Thank you again for your letter, and I hope that our two organisations, along with the many others committed to preserving cultural cinema, can continue to work together positively and productively to find a solution for the people of Edinburgh and Scotland.

Yours sincerely  
Christina McKelvie

**M: Minister for Culture, Europe and International Development**

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

St Andrew's House, Regent Road, Edinburgh EH1 3DG

[www.gov.scot](http://www.gov.scot)

**QUESTION NO 15**

**By Councillor Lang for answer by the  
Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 4 May 2023**

**Low Traffic Neighbourhood**

**Question** (1) What criteria is used to determine whether an area should be considered for a low traffic neighbourhood?

**Answer** (1) For the two LTNs (Liveable Neighbourhoods) that are currently being progressed in Leith and Corstorphine the following information was used to inform their layout and interventions:

- Traffic levels and speeds, compared against criteria in the Edinburgh Street Design Guidance for levels of traffic considered safe and attractive for active travel;
- Walking and cycling counts;
- Accident and collision data; and
- Local community engagement and feedback on challenges, barriers and opportunities to walking cycling and wheeling.

Both of these schemes were progressed before the draft Active Travel Action Plan and Road Safety Action Plans were approved.

Moving forward, the draft Active Travel Action Plan 2030 sets out that the following issues will be taken into account in considering where to take forward future Liveable Neighbourhoods:

- a. Could significantly reduce volumes of rat-running traffic;
- b. Improve the safety of streets, particularly in SIMD areas;
- c. Help children travel to school more actively;
- d. Could provide a viable alternative to the main road network for the city's cycle network; and
- e. Would enable people to access local services more easily by walking,

Community engagement will be carried out wherever proposals for Liveable Neighbourhood are identified.

**Question** (2) What formal traffic monitoring is required to be undertaken before an area is considered for a low traffic neighbourhood?

**Answer** (2) From a formal statutory perspective, there is no specified traffic monitoring requirements before a Liveable Neighbourhood is introduced. However, the Council approach has been to undertake traffic monitoring (speeds and counts) on all the key roads within a liveable neighbourhood area, including the boundary distributor roads on the periphery of the liveable neighbourhood area.

**Question** (3) Which areas are currently being considered for possible low traffic neighbourhoods in the future?

**Answer** (3) Assessment work is still under development to identify which areas may be most appropriate for potential Liveable Neighbourhoods. I would welcome suggestions from Councillors and Community Councils for schemes to take forward.

**QUESTION NO 16**

**By Councillor O'Neill for answer by  
the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 4 May 2023**

**Question** (1) What does the Council do centrally with data from Scottish National Standardised Assessments (SNSA) and Measaichean Coitcheann Nàiseanta airson Foghlam tron Ghàidhlig (MCNG)?

**Answer** (1) The local authority has facilitated professional learning for school staff to support the effective delivery of NSA (shared platform for Scottish National Standardised Assessments (SNSA) and Measaichean Coitcheann Nàiseanta airson Foghlam tron Ghàidhlig (MCNG)).

We support the transfer of NSA data at the point of P7 transition between primary and secondary schools. With the implementation of NSA we have ensured that historic SNSA reports are available for schools to access.

**Question** (2) What do teachers do with data from SNSA and MCNG?

**Answer** (2) The NSA provides teachers with objective data about learner progress. Teachers use the NSA as a diagnostic tool to plan next steps in teaching and learning. It is also used to support professional judgement of achieving CfE levels. They draw on a range of assessment evidence to determine learner progress and plan next steps. If a child is not on track then teachers can plan appropriate interventions to accelerate learning.

**Question** (3) What improvements have been made in the past year (since May 2022) at an individual, classroom, school and local level off the back of SNSA and MCNG data?

**Answer**

- (3)** The NSA forms part of the suite of assessment evidence that teachers draw on to assess the progress of individual learners and plan next steps. Tracking and monitoring pupil progress to ensure attainment continues to improve is a local authority and school priority. With the introduction of Scottish Government Stretch aims, the NSA data is supporting the rigour of professional judgements about achievement of CFE levels.

**QUESTION NO 17**

**By Councillor O'Neill for answer by  
the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 4 May 2023**

**Question** (1) How has the Council deployed the capital funding from the Scottish Government to support the expansion of free school meals?

**Answer** (1) To date the Council has only received a limited amount of capital funding for tranche p4/5 - £1.8m. The Council has a working group who have conducted a needs-based analysis within the limited budget to take forward 4 projects across the estate due for completion by September 2023. These will ease over capacity in 4 key localities across Edinburgh. A further 22 projects have been identified and early feasibility studies have been conducted to allow the council to submit updated cost estimates for the next round of capital funding.

**QUESTION NO 18**

**By Councillor O'Neill for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 4 May 2023**

**Question**            **(1)** To ask for an update on actions the Council has taken following the signing of Transport for All's Equal Pavements Pledge to improve the accessibility of the city, which was agreed in 2021.

With specific reference to:

1. How have clear pavements been encouraged?
2. How has business clutter such as A-boards and street furniture been reduced?
3. How has waste removal scheduling been changed?
4. How many dropped kerbs have been installed?
5. How many broken kerbs or kerbs that need to be dropped have been identified?
6. How many Blue Badge Bays have been removed?
7. How many meetings has the convenor had with Disabled People's Organisations (DPOs)?
8. How has the Social Model of Disability been embedded into future streetspace schemes?

**Answer**            **(1) Strategic Context**

The [City Mobility Plan 2021-2030](#) (CMP), approved by Transport and Environment Committee in February 2021, provides the strategic policy framework for ensuring that the needs of all street users are considered when footways and routes are designed and maintained – this includes consideration of footway widths, gradients, surfacing and clutter. The CMP committed to a 2-yearly review cycle primarily to assess progress of and update committed actions in its associated [Implementation Plan](#). This review is expected to be finalised by the end of this year.



Five draft actions plans to support the delivery of the City Mobility Plan were approved for consultation by Transport and Environment Committee in December 2022 and February 2023. These plans cover Active Travel, Public Transport, Parking, Road Safety and Air Quality and have been drafted together alongside the emerging strategic Streetspace Allocation Framework/Circulation Plan ('Future Streets'). They contain several actions which will further improve the city's accessibility and inclusivity. [Consultation](#) on these plans started on 17 April, running until 9 July.

The [Edinburgh Street Design Guidance Factsheets](#) are currently being reviewed. They contain specific guidance for road infrastructure projects and new developments on all aspects of street design. Specific guidance in relation to the Equal Pavements Pledge is included on how to:

- Design barrier free footways for pedestrians in new developments
- Ensure streets are inclusive and free of hazards and clutter
- Ensure footways are designed sufficiently wide for all users
- Ensure street furniture and use of tables and chairs on footways has no adverse impact on vulnerable street users

Following approval by the Council in 2022, enforcement of a ban on pavement parking will be introduced from December 2023, the earliest date allowed by national enabling legislation. This will reduce the impact of obstruction caused by vehicles parking on footways across the whole of Edinburgh.

On 29 March, the Convener of Transport and Environment Committee and officers held an Accessible Streets roundtable discussion with stakeholders representing a range of disability groups. Discussion focussed on challenges faced and how the Council can further support greater ease of movement for all along the city's streets. Steps to establish an Accessible Streets Commission and Charter with this group are now in progress.

I am grateful for your constructive contribution to this event.

### **A Boards and Street Furniture**

In 2018 a citywide ban on 'A' boards and other temporary advertising was introduced – the ban is enforced by Council enforcement officers and compliance continues to be very high. In terms of street furniture, the Edinburgh Street Guidance sets out what is expected, and the permit and planning process ensures that any street furniture (including applications for outdoor tables and seating at cafes, restaurants and licensed premises) will not have adverse impacts on pedestrians by ensuring sufficient pavement widths are clear of structures. This guidance continues to evolve – for example at the April Transport and Environment Committee we agreed that EV feeder cabinets should no longer be placed on footpaths.

### **Bin Scheduling**

In respect of bin scheduling, for kerbside bins the Council seeks to achieve same day collection wherever possible which limits the number of collection days that bins are presented. It is not always possible to adhere to this, but it is recognised good practice. The communal bin project is addressing all communal bin locations, some of which are located on pavements, with a view to moving bin hubs into dedicated bays in the carriageway.

## **Dropped Crossings**

The Capital Investment Programme approved by Transport and Environment Committee on 20 April 2023 includes £80,000 dedicated to the installation of dropped crossings. In addition, all major capital works will include dropped crossings in scheme design.

The Council does not hold a record of all dropped crossings introduced but this is known for some areas of activity including:

- As part of phase 1 of the Active Travel Action Plan's dropped kerb programme, 51 dropped kerbs have been installed. Pending funding from Sustrans, there are plans to install around 150 as part of phase 2 which will cover "Stream 1" streets in Edinburgh; and
- Four dropped kerbs were introduced as part of general maintenance in 2021/22. 25 were installed in 2022/23. I accept, however, that more progress is needed in this area.

## **Blue Badge Bays**

The Council doesn't hold a record of how many Blue Badge bays have been removed. However, details of the total number of bays across the city is held. This shows that in August 2019, there were 270 bays and in August 2022, there were 325.

## **Meetings with Disabled People's Organisations**

I have not kept a count of these meetings, but a priority for myself and Cllr Day has been to rebuild and strengthen the Council's relationships with these organisations. For example, I ensured the Edinburgh Access Panel received an invite to a recent George Street workshop, and I was pleased to meet them again on Leith Walk on the 28<sup>th</sup> of April along with a RNIB Scotland activist. Although Edinburgh is progressing in this area, a focus for me is ensuring we work towards minimum criteria set out in the Sustrans "Disabled Citizens' Inquiry" report.

## **Social Model of Disability**

All future streetscape schemes will be designed and progressed considering the Social Model of Disability. All streetspace schemes involve early and ongoing engagement with a range of user groups, including Edinburgh Access Panel, and are subject to detail integrated impact assessments. Design of all schemes ensures that they are fully inclusive for all users and key to achieving that is working with different user groups, including the new Accessible Streets Commission once established.

**QUESTION NO 19**

**By Councillor Bruce for answer by  
the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 4 May 2023**

**A71 Dalmahoy Junction**

The installation of a fully signalised junction at Dalmahoy was agreed at the December TEC Committee. The Ratho Community Council and local residents are concerned that no works have started.

**Question** (1) Please could you explain what is holding up the works?

**Answer** (1) While Committee on 8 December 2022 approved the motion from yourself and Cllr Jenkinson to proceed with the delivery of a traffic signal controlled junction, the decision on approving the proposed funding package was deferred for alternative proposals to be brought forward (due to a shortfall of £1.1m being identified).

Since Committee, work has proceeded to develop the detailed design for the traffic signal controlled junction and a contract will shortly be awarded for advanced works to implement the planned localised reduction in the speed limit to 30mph.

Discussions are ongoing over possible options for alternative funding packages.

In addition, three areas of land need to be acquired to permit the construction of the junction and a right of servitude is also required (through land outwith the Council's ownership for the piped drainage outfall that is required for a traffic signal controlled junction). None of these legal agreements have yet been concluded.

**Question** (2) If there are blockers to works starting, what are they?

**Answer** (2) Prior to issuing tenders to construct the junction, the Committee would have to approve a funding package to meet the shortfall in the project budget and all of the necessary land acquisitions/servitudes would have to be successfully concluded.

- Question** (3) How and when will these blockers be resolved?
- Answer** (3) A further report on funding options will be brought to the Committee for consideration in June 2023.
- Officers are working on concluding the necessary land acquisitions/servitudes as quickly as possible.
- Question** (4) When do you expect the actual works to start?
- Answer** (4) It is not currently possible to provide a date for the conclusion of the land acquisitions/servitudes, and therefore for the start of construction work, with any degree of certainty.
- Question** (5) How long do you expect the works to take to complete?
- Answer** (5) A detailed construction programme will not be available until after a contract has been awarded. However, from previous experience of similar projects elsewhere, a construction duration of between six and nine months is considered to be likely.
- Supplementary Question** Please confirm the full cost for a fully signalised junction at Dalmahoy on the A71?
- Supplementary Answer** A cost estimate of £1.55m was provided for a traffic signal controlled junction in the report to the Transport & Environment Committee on [8 December 2022](#).

**QUESTION NO 20**

**By Councillor Bruce for answer by  
the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 4 May 2023**

**Ratho Bus Service**

**Question** (1) When do you expect the residents of Ratho and surrounding area to have a direct bus service to the centre of Edinburgh that is reliable and frequent?

**Answer** (1) A direct and frequent bus service from Ratho to the city centre is not affordable within the current supported bus services budget and therefore provision of such a service would require significant cuts to be made from other supported routes in the city.

In the short to medium term, bus operators have indicated that they would be unable to divert one of their existing commercial city centre routes to include Ratho due to the perceived negative impact this would have on the journey times (for passengers who currently use these routes) and because they do not believe that increased patronage would justify such a move.

In the longer term, it is anticipated that there may be amendments or enhancements to the commercial network as a result of planned West Edinburgh developments, but it is too early to say whether this will result in significant changes to bus provision in Ratho.

**Question** (2) If such a direct bus service to the city centre is not proposed, then when do you expect to have a reliable frequent shuttle bus service for Ratho that picks up transport hubs at Ingliston P&R/Gyle and Hermiston Gait?

**Answer**

- (2)** The Service 20 (which is fully subsidised by the Council) connects Ratho to Ingliston P&R/Gyle and Hermiston Gait and is currently contracted to McGill's.

The Council is aware of the impact that lack of reliability has on the local community and is working with the McGill's to try to ensure that there are improvements to reliability of the current service.

While reliability can be due to a number of factors, in this case it has mainly been mechanical issues and 'on the day' staff issues.

To address this, McGill's have indicated that they will soon receive newer vehicles for their operation, and this will help alleviate the mechanical issues. In addition, in respect of staffing, they are hopeful that they will soon rely less on agency workers and, in order to help staff retention, wages have risen significantly in the last year. The company are also making changes to their commercial service network in May 2023 which should free up additional drivers to further improve reliability and speed up the return to their original contracted frequencies.

All existing supported bus services are currently being reviewed, including some route amendments and services are currently proposed to be re-tendered later this year



**QUESTION NO 21**

**By Councillor Duggart for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 4 May 2023**

**Cost of Replacing Swift IT System**

In light of the admission at the previous Policy & Sustainability Committee that, as part of the 2019 Budget preparation, officers did not bring a proposal to members for the replacement of the Swift IT system, could the Convener confirm:

**Question** (1) What was the estimated replacement cost for the system in 2019?

**Answer** (1) The Business Case as presented in 2019 contained proposed implementation costs of between £4.5M and £5.7M. With recurring annual charging of between £270K and £730K for each of the subsequent 5 years.

Further work with our Digital Partners including all costed implementation works returned costs of between £6.5M and £7.5M.

**Question** (2) Given the flaws discovered in the Swift system, why was the proposal for a replacement not brought to members in subsequent Budget proposals?

**Answer** (2) Due to the prioritisation of the Council's Capital Budget the decision was reached that there were no available funds within the budget on each occasion that the replacement of this system was raised.

**Question** (3) What are the overpayments for the last five financial years as discussed in report 7.3 to the emergency F&R meeting on 30 March 2023?

**Answer**

- (3)** Officers are working on pulling together requested information, however owing to the complexities in extracting information from Swift, this is not yet available.

Due to the limitations and inflexibility of the Swift system, it is necessary to pay carers in advance which may result in overpayments when a placement ends. When this occurs, our default is to reclaim overpayments, however there may be some circumstances where this is not possible.

**QUESTION NO 22**

**By Councillor Doggart for answer by the Convener of the Governance, Risk and Best Value Committee at a meeting of the Council on 4 May 2023**

**Swift IT System – Council is asked to continue this question in its entirety to its meeting in June.**

- Question** (1) When did officers become aware that social work information was held outside the Swift system?
- Answer** (1)
- Question** (2) When did officers become aware that storing social work information outside the Swift IT system was not compliant with GDPR?
- Answer** (2)
- Question** (3) On discovering Swift was not GDPR compliant, what actions did officers take to mitigate the data security risks?
- Answer** (3)
- Question** (4) On discovering Swift was not GDPR compliant, what actions did officers take to mitigate the data security risks?
- Answer** (4)
- Question** (5) Does the current Swift usage remain non-compliant with GDPR and do the data security risks remain live?
- Answer** (5)
- Question** (6) Did individuals referenced in the Tanner report have unrestricted access to sensitive personal data held outside Swift?
- Answer** (6)

**QUESTION NO 23**

**By Councillor Mitchell for answer by  
the Chair of the Edinburgh  
Integration Joint Board at a meeting  
of the Council on 4 May 2023**

**Care Homes Procurement**

Please could the Chair confirm:

**Question** (1) How many formal procurement exercises were conducted in relation to the North Merchiston and Castlegreen care homes?

**Answer** (1) Following the original commissioning of the care services in the two care homes in 2007 and 2008, a Prior Interest Notice (PIN) was published in 2019, and 2022.

**Question** (2) If any "informal" procurement exercises were conducted?

**Answer** (2) No.

**Question** (3) How much was spent in total in relation to procurement exercises associated with the two care homes?

**Answer** (3) There are no additional costs associated with procurement as any procurement exercises were undertaken as part of an officers normal duties.

**QUESTION NO 24**

**By Councillor Rust for answer by the  
Convener of the Planning Committee  
at a meeting of the Council on 4 May  
2023**

**5 Winton Drive, Planning Appeal**

**Question** (1) “Interested parties” who made comments on the original planning application did not receive notification by the Council of the above appeal being submitted:

- a. How many were notified and on what date?
- b. How many were not notified?
- c. What was the reason for the ‘non-notification’?

**Answer** (1) a. 298 were notified on 16 March 2023.

b. There were no people who made representations not notified, however a person who made a representation contacted the Planning service stating that they had not been notified.

c. Initially it had been thought that it was an administrative error that had resulted in the person not being notified. However, on further checks it was found it was the case that the email address that had been supplied to Planning records was different to the email address that the person currently used.

**Question** (2) Following representations to the Council by interested parties regarding the absence of notification that a planning appeal had been lodged:

- d. What steps were then taken by the Council to notify those who the Council had initially failed to contact?
- e. On what date was the delayed notification to interested parties issued by the Council?

**Answer** (2) d. Interested parties were renotified. The Planning and Environmental Appeals Division of the Scottish Government (known as the DPEA) was notified of this

e. This was done on 7 April 2023.

**Additional  
information**

*Following additional information provided by Councillor Rust, the Planning service checked its systems further to establish why those who had made representations had not received notification. While the computer system held all the details of people that had made representations, as the notifications were being sent out the computer system “timed out” and did not send to all individuals. As a consequence of this, measures have been put in place to ensure that this does not happen again.*

## QUESTION NO 25

**By Councillor Whyte for answer by  
the Leader of the Council at a  
meeting of the Council on 4 May 2023**

### **Smart Bins**

The Leader recently issued a press release about his visit to Taiwan to promote Edinburgh as a 'Smart City'. It is important for the City's reputation that when we tell the world we are doing something it is actually happening. In the press release [How hi-tech is helping us plan the city's future – The City of Edinburgh Council](#) He said:

*“For instance, we’ve been busy installing Scotland’s first cloud-connected smart sensors in on-street bins so that we can better coordinate collections.*

*In recent months we’ve placed over 4000 sensors within street litter and communal waste bins across the city, putting us **on target** to hit an impressive 11,000 sensors as part of our citywide trial. They will proactively monitor and manage fluctuations in how full bins can get – think a hot summer’s day in the Meadows versus a rainy Monday in March.”*

As the Leader knows the initiative to install 11,000 sensors in bins across the City commenced in July 2022 and is planned to be completed by **June 2023**. I welcome the progress with installations of sensors which has increased from 2,800 in February (as reported by the Convenor of TEC in answer to my Council question on 9 February 2023) to the Leader's report of 4,000 by 5 April 2023. However more than half (7,000 or 63%) of the sensor installations still need to be undertaken in the next eight weeks for this project to complete 'on target' and this compares with actual delivery of only 1,200 being installed in the eight weeks between my question and the press release.

- Question**
- (1)** Could the Leader provide us and the public with assurance that this project is indeed ‘on track’ to complete all 11,000 installations **by** June 2023 by providing the following:
- a. Confirmation of the total number of sensors installed at 4 April 2023
  - b. The number of sensors that have now been installed as at early May.
  - c. The number of installations of sensors that are scheduled to be completed in each week between 4 April 2023 and 30 June 2023.

- Answer**
- (1)** The project to deploy smart sensors into on street litter and communal bins is on track to hit the target of 11,000 bins by 30<sup>th</sup> June 2023.
- a) As of close of play on 4 April 2023 the project team deployed 5,669 sensors. This meant the Council hit its ERDF funding target of 5,500 by 31 March 2023.
  - b) As of close of play on 1 May 2023 the project team deployed 7013 sensors. Deployment to on-street litter bins is complete and we are continuing to deploy to the new bins made available through the communal bin review.
  - c) At the current rate of 90 sensors per day the Council will meet the target of 11,000 by the end of June.

- Question**
- (2)** Given that this project is part of a £6.4m of taxpayers’ money (£2.5m coming from the European Regional Development Fund) can he please outline
- d. the project’s full cost within that £6.4m funding
  - e. the success criteria for the project
  - f. What he expects to be delivered from the scheme given that previous attempts to use smart bin sensors in the City have produced no measurable impact and are no non-operational and the only justification the Convener of TEC could give for the spend in his answer on 9 February was that it “could contribute to street cleanliness”.



**Answer**

- (2) d) The full cost of the project is £3.624m, with £1.064m anticipated to be made available through the ERDF grant.
- e) Success criteria for this project includes the following:
- Improve health and well-being of tenants living in the social housing provided by the City of Edinburgh Council
  - Predict and monitor potential damp damage to the property and environmental risks to the tenants' health to ensure better housing quality
  - Proactively monitor and manage housing quality such as damp across the city to ensure sustainable resource management and good health conditions
  - Proactively monitor and manage fluctuations waste across the city to protect the environment, maintain attractiveness to tourists and ensure good quality of the public spaces
  - Ensuring that the right bin capacity, is in the right locations, collected on the right frequency.
  - Lay the foundation for Smart Mobility, Smart Environment, Smart Living and Smart Governance solutions
  - Build analytics and data-driven capabilities across service delivery teams
- f) The Smart Cities Operations Centre Phase 1 project is expected to deliver an extendable and adaptable platform, allowing a network of bin and property environment sensors to drive better insight for the City of Edinburgh Council and enabling us to take more proactive action in delivering services to our citizens.

Sensors placed in litter and residential communal bins around Edinburgh will enable service teams to see accurate usage of bins, predict when they will overflow and take a proactive action to mitigate that. The property environment sensors installed in social houses will enable the service team to predict, manage and prevent extensive damage to the properties caused by issues including but not limited to damp conditions and related mould growth. Utilising this technology will not only reduce the council's costs of maintaining social housing properties but will also improve the health of our citizens due to improvements in the quality of living conditions.

The current smart waste sensor rollout was developed using lessons learned around sensor design and installation best practice derived from the initial c.400 sensor trial previously undertaken by Place Operational Services. This trial provided Operational Services with initial data sets around bin fill levels and the opportunity to complete initial upskilling of service teams around how to invoke action off the back of sensor data received.

**QUESTION NO 26**

**By Councillor Booth for answer by  
the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 4 May 2023**

In relation to the Gaelic Medium Education Secondary School Site Review recently circulated to councillors, please can the Convener confirm:

**Question** (1) What consultation took place with the GME community on the terms of reference to this review before it was tendered?

**Answer** (1) The purpose for the study – to assess if there was a site available that would meet the national SNP manifesto commitment to deliver a stand-alone GME secondary school in the city centre - was discussed at the Gaelic Implementation Group.

**Question** (2) Why were the size criteria set as a minimum of 2 hectares?

**Answer** (2) This was chosen as it was less than the legislative minimum site size for a 600 capacity school (which is 2.02 hectares without playing fields). A new GME secondary school would ideally be constructed for a 600 roll as a minimum and the clear view from previous consultations is that the city centre school must be stand-alone, including sports facilities, to ensure full immersion.

**Question** (3) Why the location criteria were set using distance from the foot of the mound, as opposed to some other criteria such as accessibility by public transport?

**Answer** (3) The requirement for a city centre location was based on the national SNP manifesto commitment. The Council asked for a 3 mile radius from the city centre as that is the distance for the secondary walk to school policy. The consultants chose the location as being the foot of the mound.

**Question** (4) Was any consideration given to smaller sites in close proximity to existing or planned CEC schools, with the ability to share sports facilities?

**Answer** (4) The focus of this exercise was to see if any sites were available to deliver the national SNP manifesto commitment for a dedicated city centre stand-alone school.

**Question** (5) What assumptions were made about the likely future school roll?

**Answer** (5) If a site and budget were available, then the construction of a new school would ideally be for a minimum of 600 pupils with an expansion plan to accommodate any future growth in pupil numbers. However, the resulting school building could be used for a smaller roll if required.

**Question** (6) How many new GME primary schools would be needed to achieve the likely secondary school roll in question 5)?

**Answer** (6) Approximately 4 streams of primary school children (28 classes) would be required to sustain a 600 secondary school roll. In theory, that could be achieved by one large 4 stream primary school or a variety of other combinations involving two, three or four primary schools. However, there are currently no approved plans or budgets allocated to develop proposals for additional GME primary schools in Edinburgh.

**Supplementary Question** Please can the Convener clarify, in relation to answer (1), on what date this was discussed at the GIG, and on what date the Review was commissioned?

**Supplementary Answer** The purpose of the study was discussed at the GIG on 23 January 2023.

There was no tender exercise for the study. It was commissioned by Officers through a consultant's framework in late November 2022 to provide additional information in relation to the ongoing consideration of options to deliver the national SNP manifesto commitment for a dedicated city centre stand-alone school.

**QUESTION NO 27**

**By Councillor Booth for answer by  
the Convener of the Education,  
Children and Families Committee at a  
meeting of the Council on 4 May 2023**

**Question** (1) Please will the Convener list the size (in acres/hectares) of each of the City of Edinburgh Council's secondary schools and in each case list whether the size complies with school premises regulations?

**Answer** (1) The table below includes data based on a desk top exercise. Further on site assessment would be recommended to obtain definitive site sizes.

For those schools that do not comply with the legislation, they either have a dedicated all weather sports pitch or use off site sports facilities (or both). The legislation was introduced in 1967 when all weather sports pitches were not available therefore this provision is not taken into consideration in the legislation.

**Supplementary Question** Please can the Convener clarify whether a dedicated all-weather sports pitch and/or use of off-site sports facilities has been considered as an option when setting the size requirements as part of the GME secondary school site review, and if not, why not?

**Supplementary Answer** Yes, the minimum site size was based on the legislative requirements for the school site only without the legislative area requirement for sports pitches.

<b>High School</b>	<b>Capacity</b>	<b>Total Site (HA)</b>	<b>School Premises Regulations 1967</b>
Balerno Community HS	850	<b>5.92</b>	Complies
Boroughmuir HS	1,560	<b>1.67</b>	Does Not Comply
Broughton HS	1,200	<b>6.83</b>	Complies
Castlebrae Community HS	700	<b>3.91</b>	Does Not Comply
Craigmount HS	1,400	<b>6.07</b>	Does Not Comply
Craigroyston Community HS	600	<b>3.89</b>	Does Not Comply
Currie Community HS	900	<b>8.81</b>	Complies
Drummond Community HS	600	<b>1.93</b>	Does Not Comply
Firrhill HS	1,150	<b>4.89</b>	Does Not Comply
Forrester HS	900	<b>9.7</b>	Complies
Gracemount HS	650	<b>5.59</b>	Complies
Holy Rood RC HS	1,200	<b>19.49</b>	Complies
James Gillespie's HS	1,950	<b>4.21</b>	Does Not Comply
Leith Academy	950	<b>7.34</b>	Complies
Liberton HS	1,000	<b>7.93</b>	Complies
Portobello HS	1,400	<b>7.7</b>	Complies
Queensferry Community HS	1,200	<b>6.42</b>	Complies
St Augustine's RC HS	900	<b>9.7</b>	Complies
St Thomas of Aquin's RC HS	750	<b>0.69</b>	Does Not Comply
The Royal HS	1,350	<b>9.22</b>	Complies
Trinity Academy	950	<b>5.09</b>	Does Not Comply
Tynecastle HS	900	<b>2.26</b>	Does Not Comply
Wester Hailes HS	750	<b>5.73</b>	Complies

**QUESTION NO 28**

**By Councillor Booth for answer by  
the Leader of the Council at a  
meeting of the Council on 4 May 2023**

**Question** (1) Further to his answer to my question on 16 March 2023, please can the Council Leader outline whether he considered there to be a risk of inquorate meetings of the Licensing Board if he reduced the size of the Board from 10 members to 9?

**Answer** (1) Once again, I'm sure the persistent questions regarding the new composition of the Licensing Board are not personally targeted.

I have no concerns about the risk of inquorate Licensing Board meetings. All members are highly trained and aware of their responsibilities, I'm sure they will do their utmost to attend meetings and ensure the Licensing Objectives continue to be upheld.