

Minutes

The City of Edinburgh Council

Edinburgh, Thursday 21 November 2019

Present:-

DEPUTE CONVENER

Councillor Joan Griffiths

COUNCILLORS

Robert C Aldridge

Scott Arthur

Gavin Barrie

Eleanor Bird

Chas Booth

Claire Bridgman

Mark A Brown

Graeme Bruce

Steve Burgess

Lezley Marion Cameron

Ian Campbell

Jim Campbell

Kate Campbell

Mary Campbell

Maureen M Child

Nick Cook

Gavin Corbett

Cammy Day

Alison Dickie

Denis C Dixon

Phil Duggart

Karen Doran

Scott Douglas

Catherine Fullerton

Neil Gardiner

Gillian Gloyer

George Gordon

Ashley Graczyk

Ricky Henderson

Derek Howie

Graham J Hutchison

Andrew Johnston

Callum Laidlaw

Kevin Lang

Lesley MacInnes

Melanie Main

John McLellan

Amy McNeese-Mechan

Adam McVey

Claire Miller

Max Mitchell

Joanna Mowat

Rob Munn

Gordon J Munro

Hal Osler

Ian Perry

Susan Rae

Lewis Ritchie

Cameron Rose

Neil Ross

Jason Rust

Stephanie Smith

Alex Staniforth

Mandy Watt

Susan Webber

Iain Whyte

Donald Wilson

Norman J Work

Louise Young

1 Tom Gilzean – Minute Silence

The Council observed a minute's silence in memory of Tom Gilzean who had died on 4 November 2019, in acknowledgment of his sizable fundraising effort which made him so iconic in the Capital.

2 Engaging Citizens on the Climate Emergency - Motion by Councillor Burgess

a) Deputation – Transition Edinburgh, Extinction Rebellion and Scottish Youth Climate Strike

The deputation felt that it was important that the Council worked towards meeting its 2030 net zero greenhouse gases target as they believed that tackling the climate crisis was a top priority. They indicated that although the Council had declared a climate emergency in February 2019, only limited action had so far been taken to address this.

The deputation stressed that although an online public consultation on the climate emergency had been launched they doubted if it would have much effect. They indicated that other Council's across the country were setting up climate citizens assemblies to address the climate emergency and urged the Council to do the same.

b) Motion by Councillor Burgess

The following motion by Councillor Burgess was submitted in terms of Standing Order 16:

“Council;

Recognises the importance of engaging individual residents with the City's ambition to achieve a 2030 net-zero carbon target in response to the Climate Emergency;

Notes that other local authorities are establishing Citizens' groups such as Juries and Assemblies to consult with them about tackling the Climate Emergency for example the 'Oxford Citizen's Assembly on Climate Change';

Therefore agrees to call for a report on how residents can be involved in achieving the City's 2030 net-zero carbon target, including establishing an Edinburgh Citizen's Assembly on the Climate Emergency.”

Motion

To approve the motion by Councillor Burgess.

- moved by Councillor Burgess, seconded by Councillor Main

Amendment

To delete the last paragraph of the motion and replace with:

“Notes that options have been initially discussed by the Sustainability All Party Oversight Group (APOG) and options for future citizen engagement on top of the conversation with the city launched this week will be brought back in due course.

Notes that a report to Policy and Sustainability on 26 November 2019, will set out citizen engagement processes and commits to bring back options appraisals in spring 2019 including citizen jury, citizen assembly and other engagement models taking cognisance of any Climate Commission recommendations”.

- moved by Councillor McVey, seconded by Councillor Day

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

Decision

To approve the following adjusted motion by Councillor Burgess:

To recognise the importance of engaging individual residents with the City’s ambition to achieve a 2030 net-zero carbon target in response to the Climate Emergency.

To note that other local authorities were establishing Citizens’ groups such as Juries and Assemblies to consult with them about tackling the Climate Emergency for example the ‘Oxford Citizen’s Assembly on Climate Change’.

To note that options had been initially discussed by the Sustainability All Party Oversight Group (APOG) and options for future citizen engagement on top of the conversation with the city launched this week would be brought back in due course.

To note that a report to Policy and Sustainability on 26 November 2019, would set out citizen engagement processes and commit to bring back options appraisals in spring 2019 including citizen jury, citizen assembly and other engagement models taking cognisance of any Climate Commission recommendations.

3 Royal Botanic Garden - Motion by Councillor Day

a) Deputation – Royal Botanic Garden, Edinburgh

The deputation outlined the work carried out by the Royal Botanic Garden Edinburgh and their plans for marking the 350year anniversary. They indicated that they worked both locally and globally as a scientific institute for research.

The deputation thanked the Council for seeking recognition of the anniversary.

b) Motion by Councillor Day

The following motion by Councillor Day was submitted in terms of Standing Order 16:

“The Royal Botanic Garden Edinburgh was established in 1670 as a Physic Garden near the Palace of Holyroodhouse. Founded by two doctors, the aim was to improve medical knowledge in Scotland by growing plants as pharmaceutical materials, teaching about their medicinal properties and regulating plant recipes for medicine. The Garden prospered and quickly outgrew its original plot, moving several times over the centuries – to an area that is now part of Waverley Station, then to Leith Walk and finally to its Inverleith site by 1823. It is the second oldest botanic garden in the UK, after Oxford. Today, the Royal Botanic Garden Edinburgh is one of the world’s top four botanic gardens. Our four Gardens at Edinburgh, Benmore, Logan and Dawyck provide a sanctuary for threatened species and make up a unique collection of plants cared for by horticulturists for scientific research, conservation, education, engagement and enjoyment. We are one of Scotland’s leading visitor destinations, attracting around one million visitors a year to our Gardens.

To celebrate this momentous occasion, the city will celebrate with several activities;

- The City of Edinburgh Council – the Garden will be the 2020 theme for the Floral Clock in Princes Street.
- The National Museum of Scotland on a joint RBGE/NMS biodiversity focused expedition to Papua New Guinea, and on the international conference for the Society for the Preservation of Natural History Collections.
- The National Galleries of Scotland on their Scotland-wide art competition for schools.

- The Filmhouse cinema on a botanical season of films.
- Network Rail on a commemoration of the Garden's second site.
- Dunedin Consort and the Queen's Hall on a botanically-inspired concert.

Council therefore agrees to ask the Lord Provost to acknowledge the occasion in an appropriate manner."

Motion

To approve the following adjusted motion by Councillor Day

The Royal Botanic Garden Edinburgh was established in 1670 as a Physic Garden near the Palace of Holyroodhouse. Founded by two doctors, the aim was to improve medical knowledge in Scotland by growing plants as pharmaceutical materials, teaching about their medicinal properties and regulating plant recipes for medicine. The Garden prospered and quickly outgrew its original plot, moving several times over the centuries – to an area that is now part of Waverley Station, then to Leith Walk and finally to its Inverleith site by 1823. It is the second oldest botanic garden in the UK, after Oxford. Today, the Royal Botanic Garden Edinburgh is one of the world's top four botanic gardens. Our four Gardens at Edinburgh, Benmore, Logan and Dawyck provide a sanctuary for threatened species and make up a unique collection of plants cared for by horticulturists for scientific research, conservation, education, engagement and enjoyment. We are one of Scotland's leading visitor destinations, attracting around one million visitors a year to our Gardens.

To celebrate the momentous occasion that it will be 350 years old, the city will celebrate with several activities;

- The City of Edinburgh Council – the Garden will be the 2020 theme for the Floral Clock in Princes Street.
- The National Museum of Scotland on a joint RBGE/NMS biodiversity focused expedition to Papua New Guinea, and on the international conference for the Society for the Preservation of Natural History Collections.
- The National Galleries of Scotland on their Scotland-wide art competition for schools.
- The Filmhouse cinema on a botanical season of films.
- Network Rail on a commemoration of the Garden's second site.
- Dunedin Consort and the Queen's Hall on a botanically-inspired concert.

Council therefore agrees to ask the Lord Provost to acknowledge the occasion in an appropriate manner.

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

Decision

To approve the adjusted motion by Councillor Day

Declaration of Interests

Councillor Gardiner declared a non-financial interest in the above item as a member of the Royal Botanic Garden.

4 Minutes

Decision

To approve the minute of the Council of 24 October 2019 as a correct record.

5 Questions

The questions put by members to this meeting, written answers and supplementary questions and answers are contained in Appendix 1 to this minute.

6 Leader's Report

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

- School building programme
- Tram project
- The late Tom Gilzean
- Edinburgh's Christmas celebrations

The following questions/comments were made:

Councillor Whyte	-	Edinburgh's governance arrangements
Councillor Aldridge	-	Future of concessionary fares on Edinburgh Trams
Councillor Main	-	Programme for Government – Tourist Levy
Councillor Day	-	Councillor Munro

Councillor Bridgman	- Thanks to the current and previous Management Committees of the Community Wing at Craigmount High School
Councillor Bird	- Congratulations to Commercial and Procurement Services Team for recent awards
Councillor Johnston	- Introduction of a Tourist Tax – conversations with hospitality representatives
Councillor Staniforth	- Human Rights abuses – Edinburgh’s continued relationship with China
Councillor Osler	- Accident on Queensferry Road – damage to guard rail – progression of active travel projects
Councillor Doran	- Food-banks
Councillor Macinnes	- Climate Emergency – issues of the Council’s approach to how people move into and around the city
Councillor Corbett	- Funding settlement – how to use time between now and next meeting in February 2020
Councillor Munro	- Custom House – Book trust week - Funding settlement - how to use time between now and next Council meeting in February 2020
Councillor Laidlaw	- Marketing Edinburgh - employees
Councillor Lang	- Gritting of roads in rural west Edinburgh
Councillor Rust	- Review of Standing Orders – removal of Lord Provost threshold
Councillor Arthur	- City Plan 2030 – Land currently held on LDP and brownfield sites – use for housing

7 Appointments to Committees and Outside Organisations

The Council was asked to consider changes to committee membership to ensure a political balance was maintained and to appoint replacement members to a number of outside body positions.

Motion

Council agrees to retain the current political balance arrangements on committees and notes the following appointments:

Councillor Adam McVey to replace Councillor Frank Ross on BioQuarter Advisory Board.

Councillor George Gordon to replace Councillor Frank Ross on Capital City Partnership.

Councillor Kate Campbell to replace Councillor Frank Ross on CEC Holdings Limited.

Councillor Joan Griffiths to replace Councillor Lezley Marion Cameron on Joint Consultative Group.

Councillor Lezley Marion Cameron to replace Councillor Donald Wilson on the Board of Edinburgh Leisure

- moved by Councillor Fullerton, seconded by Councillor Doran

Amendment 1

Council:

At the recommendations in the report by the Chief Executive:

Delete 1.1.1 and replace with:

“Increase the membership of Policy and Sustainability to 18 members with the additional place to be filled by a member nominated by the EPIC group”.

Retain 1.1.2.

Delete 1.1.3 and replace with:

“For nine-member committees notes that the current proportionality reckoner produces the following outcome [for the first 8 places]: 2 Conservative, 2 SNP, 2 Labour, 1 Green, 1 Liberal Democrat member with the 9th space having exactly the same weighting for the Conservative, SNP and EPIC Groups and therefore proposes that this final place be determined by drawing of lots between these groups”.

Delete 1.1.4.

Delete 1.2 and replace with:

“The SNP group to appoint a member to CEC Holdings, Councillor John McLellan to the Capital City Partnership and Councillor Susan Webber to the Bio Quarter advisory board.”

- moved by Councillor Mowat, seconded by Councillor Whyte

Amendment 2

To amend the recommendations in the report by the Chief Executive to the following:

- 1.1.1 Increase the Policy and Sustainability Committee number by one member to accommodate an EPIC member.
- 1.1.2 Agree the recommendation and remove 1 Green member and appoint one member from EPIC to the Culture and Communities, Education, Children and Families, Finance and Resources, Housing, Homelessness and Fair Work, Transport and Environment, Governance Risk and Best Value, Planning Committees and Development Management Sub-Committee.
- 1.1.3 Maintain the current membership of the Regulatory and Personnel Appeals Committees and Licensing Sub-Committee.

To appoint the undernoted Members to the following committees:

Committee	Elected Member
Policy and Sustainability Committee	Councillor Gavin Barrie
Culture and Communities	Councillor Gavin Barrie
Education, Children and Families	Councillor Gavin Barrie
Finance and Resources	Councillor Claire Bridgman
Housing, Homelessness and Fair Work	Councillor Lewis Ritchie
Transport and Environment	Councillor Gavin Barrie
Governance Risk and Best Value	Councillor Claire Bridgman
Planning Committees	Councillor Lewis Ritchie
Development Management Sub-Committee	Councillor Lewis Ritchie

- moved by Councillor Barrie, seconded by Councillor Ritchie

Councillor Barrie, with the agreement of Councillor Ritchie, withdrew his amendment.

Voting

The voting was as follows:

For the Motion	-	34 votes
For Amendment 1	-	26 votes

(For the motion: Depute Convener Griffiths, Councillors Arthur, Bird, Booth, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Graczyk, Henderson, Howie, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munn, Munro, Perry, Rae, Staniforth, Watt, Wilson and Work.

For Amendment 1: Councillors Aldridge, Barrie, Bridgman, Brown, Bruce, Jim Campbell, Cook, Duggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, McLellan, Mitchell, Mowat, Osler, Ritchie, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.

Decision

To approve the motion by Councillor Fullerton.

(Reference: report by the Chief Executive, submitted)

8 Appointments to Marketing Edinburgh Edinburgh Limited

Details were provided on the recent appointment of Councillor Kate Campbell to the Board of Marketing Edinburgh, the appointment of two further elected members to the Board and proposed changes to Marketing Edinburgh's Articles of Association.

Motion

- 1) To note the appointment of Councillor Kate Campbell to the Board of Marketing Edinburgh Limited ("Marketing Edinburgh") under urgency provisions.
- 2) To appoint Councillor Watt in place of Councillor Cameron on Marketing Edinburgh Limited.
- 3) To appoint Councillor Miller as the opposition group member on Marketing Edinburgh Limited.
- 4) To agree to change the Articles of Association of Marketing Edinburgh as outlined in paragraph 4.1 of the report by the Chief Executive and authorise the Chief Executive to agree the final detail of these changes.

- 5) To note that an update report on Marketing Edinburgh would be put before the Housing, Homelessness and Fair Work Committee on 20 January 2020.

- moved by Councillor Fullerton, seconded by Councillor Doran

Amendment

- 1) To note the appointment of Councillor Kate Campbell to the Board of Marketing Edinburgh Limited (“Marketing Edinburgh”) under urgency provisions.
- 2) To appoint one elected member to the Board of Marketing Edinburgh.
- 3) To agree to change the Articles of Association of Marketing Edinburgh as outlined in paragraph 4.1 of the report by the Chief Executive and authorise the Chief Executive to agree the final detail of these changes subject to deleting in Paragraph 4.2 of the report, proposal (iii) of the report all wording after “stakeholder directors”.
- 4) To note that an update report on Marketing Edinburgh would be put before the Housing, Homelessness and Fair Work Committee on 20 January 2020.

- moved by Councillor Mowat, seconded by Councillor Rust

Voting

The voting was as follows:

For the motion	-	34 votes
For the amendment	-	17 votes

(For the motion: Depute Convener Griffiths, Councillors Arthur, Bird, Booth, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Graczyk, Henderson, Howie, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munn, Munro, Perry, Rae, Staniforth, Watt, Wilson and Work.

For the amendment: Councillors Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Rose, Rust, Smith, Webber and Whyte.

Abstentions: Councillors Aldridge, Barrie, Bridgman, Corbett, Gloyer, Lang, Osler, Ritchie and Young.)

Decision

To approve the motion by Councillor Fullerton

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

8 International Travel and Conferences

The Council had agreed to continue consideration of a report on the approval process and financial and carbon thresholds for international travel by elected members and officers which included clarification of the process for conference attendance by elected members.

Motion

- 1) To agree the process for elected member and officer international travel as set out in paragraph 4.2 of the report by the Chief Executive.
- 2) To agree that international travel by elected members that incurred no cost to the Council did not require approval.
- 3) To agree that elected members attending conferences at a cost to Council be dealt with as outlined in paragraph 4.1 of the report and note that where there was no cost to the Council, elected members did not require to seek approval.
- 4) To note that the Council Business Travel and Accommodation Guidance was currently being reviewed with a view to reducing the overall carbon impact of the Council's international travel.
- 5) To agree that that the overall carbon impact of the Council's International travel be reported annually to the Policy and Sustainability Committee.
- 6) To authorise the Chief Executive to make any changes necessary to the Scheme of Delegation to implement these decisions.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To agree that all international travel by officers or elected members (in their role as a representative of City of Edinburgh Council) be considered and approved by the Policy and Sustainability Committee.
- 2) To agree that elected members attending conferences at a cost to Council be dealt with as outlined in paragraph 4.1 of the report and note that where there was no cost to the Council, elected members did not require to seek approval.

- 3) To note that the Council Business Travel and Accommodation Guidance was currently being reviewed with a view to reducing the overall carbon impact of the Council's international travel and agree that preference be given to rail travel except where time considerations made it impossible.
- 4) To agree that the overall carbon impact of the Council's International travel be reported annually to the Policy and Sustainability Committee at its last meeting before Summer recess and that this annual report should have an appendix detailing all international travel by elected members and officers covering cost to Council, destination, purpose, travel mode and carbon impact.
- 5) To agree that being the least expensive option would not count as an exceptional circumstance when considering domestic air travel.

- moved by Councillor Laidlaw, seconded by Councillor Staniforth

In accordance with Standing Order 21(11), the amendment was accepted in place of the motion.

Decision

To approve the amendment by Councillor Laidlaw.

(References – Act of Council No 7 of 24 October 2019; Policy and Sustainability Committee, 6 August 2019 (item 8); report by the Chief Executive, submitted.)

9 Amendment to Scheme of Delegation to Officers for Traffic Orders

Approval was sought to amend Part 86 of the 'Traffic' section in Appendix 5 of the Scheme of Delegation to Officers which would delegate powers to officers to make traffic orders covering several discrete locations where there had been no more than six material objections per location.

Decision

- 1) To approve the proposed amendment to the Scheme of Delegation to Officers as set out in Section 4 of the report by the Executive Director of Place.
- 2) To agree that the amendment take effect from 22 November 2019.

- 3) To note that, except in exceptional circumstances, future changes to the Scheme of Delegation to Officers would come forward as part of a corporate report detailing proposed changes across the Council

(References – Act of Council No 5 of 13 December 2018; report by the Executive Director of Place, submitted.)

10 City Strategic Investment – referral from the Policy and Sustainability Committee

The Policy and Sustainability Committee had referred a report on the City Strategic Investment Fund to the Council for approval.

Motion

- 1) To note that the current available balance of the City Strategic Investment Fund stood at £3,552,084.
- 2) To agree the principle that £2,150,000 of the current available balance should be set aside to support delivery of the Council's strategic regeneration priorities.
- 3) To agree to ring fence up to £500,000 of the current available balance to provide match funding for agreed projects.
- 4) To note that this would leave the available fund balance at £902,084 and proposals for the utilisation of this amount would be brought back to the Policy and Sustainability Committee.
- 5) To agree the refreshed investment criteria for debt and equity investments.
- 6) To agree the principle that revenue from future equity investments made by the fund would continue to accrue to the fund until it disposed of the investment in question and that other options for growing reserves would be identified and reported to the Policy and Sustainability Committee.
- 7) To note that regular reports on the impacts of the funds would be presented to the Policy and Sustainability Committee in due course.
- 8) To note the remaining available fund balance of £902,084 and agree that this be allocated to Council's unallocated reserves.

- moved by Councillor McVey, seconded by Councillor Watt

Amendment 1

- 1) To note the proposals in the recommendations in the report by the Executive Director of Place and agree to continue a decision on these until the report detailed at recommendation 1.1.7 was provided.
- 2) To agree that the report at recommendation 1.1.7 should detail the opportunity costs of using the fund within the Council's mainstream Capital Programme.

- moved by Councillor Whyte, seconded by Councillor Hutchison

Amendment 2

- 1) To note that the current available balance of the City Strategic Investment Fund stood at £3,552,084.
- 2) To agree the principle that £2,150,000 of the current available balance should be set aside to support delivery of the Council's strategic regeneration priorities.
- 3) To agree to ring fence up to £500,000 of the current available balance to provide match funding for agreed projects.
- 4) To note that this would leave the available fund balance at £902,084 and proposals for the utilisation of this amount would be brought back to the Policy and Sustainability Committee.
- 5) To agree the refreshed investment criteria for debt and equity investments.
- 6) To agree the principle that revenue from future equity investments made by the fund would continue to accrue to the fund until it disposed of the investment in question and that other options for growing reserves would be identified and reported to the Policy and Sustainability Committee.
- 7) To note that regular reports on the impacts of the funds would be presented to the Policy and Sustainability Committee in due course.

- moved by Councillor Corbett, seconded by Councillor Neil Ross

Voting

First Vote

The voting was as follows:

For the Motion	-	29 votes
For Amendment 1	-	17 votes
For Amendment 2	-	14 votes

(For the Motion: Depute Convener Griffiths, Councillors Arthur, Barrie, Bridgman, Bird, Cameron, Ian Campbell, Kate Campbell, Child, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Graczyk, Henderson, Howie, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Ritchie, Watt, Wilson and Work.

For Amendment 1: Councillors Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Rose, Rust, Smith, Webber and Whyte.

For Amendment 2: Councillors Aldridge, Booth, Burgess, Mary Campbell, Corbett, Gloyer, Lang, Main, Miller, Osler, Rae, Neil Ross, Staniforth and Young.)

There being no overall majority, Amendment 2 fell and a second vote was taken between the Motion and Amendment 1.

Second Vote

The voting was as follows:

For the Motion	-	37 votes
For Amendment 1	-	23 votes

(For the Motion: Depute Convener Griffiths, Councillors Arthur, Barrie, Bird, Booth, Bridgman, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dickie, Dixon, Doran, Fullerton, Gardiner, Gordon, Graczyk, Henderson, Howie, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munn, Munro, Perry, Rae, Ritchie, Staniforth, Watt, Wilson and Work.

For Amendment 1: Councillors Aldridge, Brown, Bruce, Jim Campbell, Cook, Doggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, McLellan, Mitchell, Mowat, Osler, Rose, Neil Ross, Rust, Smith, Webber, Whyte and Young.)

Decision

To approve the motion by Councillor McVey.

(References – Finance and Resources Committee, 26 September 2019 (item 6); referral from the Finance and Resource Committee, submitted.)

11 Provision of Lunches and Refreshments to Councillors – Motion by Councillor Neil Ross

The following motion by Councillor Neil Ross was submitted in terms of Standing Order 16:

“Council notes

- 1) That Councillors are paid according to the rates set by the Scottish Parliament.
- 2) At regular meetings of the full Council, lunch is provided to councillors and staff attending the meeting.
- 3) A light lunch is provided to councillors and staff taking part in all-day meetings of the Licensing Board and the Regulatory Committee’s Licensing Sub-Committee.
- 4) Food and refreshments, i.e. tea and coffee, are sometimes provided for internal meetings of councillors.
- 5) No contributions are sought from councillors or staff in connection with items at 2, 3 and 4 above.

Council accepts there are legitimate reasons for the provision of lunches as described above, principally to ensure efficient time management for the meeting participants and to protect the meeting participants from undue lobbying.

Council therefore agrees to

- 1) continue the practice of providing lunches and refreshments as described above to ensure the smooth running of Council business; and
- 2) request a report to the Policy and Sustainability Committee within two cycles to explore options for a simple mechanism which could facilitate councillors contributions to cover the direct costs of the lunches and refreshments provided.“

Motion

To approve the following adjusted motion by Councillor Neil Ross:

Council notes

- 1) That Councillors are paid according to the rates set by the Scottish Parliament.
- 2) At regular meetings of the full Council, lunch is provided to councillors and staff attending the meeting.

- 3) A light lunch is provided to councillors and staff taking part in all-day meetings of the Licensing Board and the Regulatory Committee's Licensing Sub-Committee.
- 4) Food and refreshments, i.e. tea and coffee, are sometimes provided for internal meetings of councillors.
- 5) No contributions are sought from councillors or staff in connection with items at 2, 3 and 4 above.

Council accepts there are legitimate reasons for the provision of lunches as described above, principally to ensure efficient time management for the meeting participants and to protect the meeting participants from undue lobbying.

Council therefore agrees to

- 1) continue the practice of providing lunches and refreshments as described above to ensure the smooth running of Council business; and
- 2) request a report to the Finance and Resources Committee within two cycles to explore options for a simple mechanism which could facilitate councillors contributions to cover the direct costs of the lunches and refreshments provided.

- moved by Councillor Neil Ross, seconded by Councillor Gloyer

Decision

To approve the adjusted motion by Councillor Neil Ross.

12 Fireworks and FireWorks Legislation - Motions by Councillors Staniforth and Gordon

The following motions by Councillors Staniforth and Gordon were submitted in terms of Standing Order 16:

- a) By Councillor Staniforth

“Council:

- 1) Notes that fireworks, responsibly-used in a community setting, are a well-established part of civic events but equally recognises the distress they can cause for vulnerable people, pets and wildlife; the debris left by widespread use of fireworks and the greater risk of dangerous or anti-social behaviour where mis-used; and, further, that if all public firework displays within the city were to be advertised locally in advance

of the event, allowing residents to take precautions for animals and vulnerable people, this would mitigate some of the negative impacts.

- 2) Notes that a recent YouGov survey, commissioned by the Scottish government, found that 71% of respondents supported tighter controls on the sale of fireworks
- 3) Requests that the convener of the Transport and Environment Committee write to the Scottish and UK Governments urging them to introduce legislation to limit the maximum noise level of fireworks sold to the public for private displays to 90dbs.
- 4) Agrees for a report to the Regulatory Committee that addresses the following:
 - How the City of Edinburgh Council can require all public firework displays within the city to be advertised locally in advance of the event, allowing residents to take precautions for their animals and vulnerable people.
 - How the City of Edinburgh Council will actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks.
 - How the City of Edinburgh can ensure that fireworks are only supplied to, and remain in the hands of, responsible adults.
 - That the City of Edinburgh Council encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display.”

- moved by Councillor Staniforth, seconded by Councillor Rae

b) By Councillor Gordon

“Asks Council:

- to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.
- to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks.
- to compel retailers to require purchasers to produce ID with their address and to maintain a register of purchasers and addresses.

- to note that a recent Scottish Government consultation demonstrated overwhelming public support for increased controls on fireworks and support the announcement by Ash Denham MSP, Minister for Community Safety, that a fireworks review group is to be set up to advise on further legislation to control fireworks.
- to call on the Scottish Government to legislate to require local authorities to set a maximum noise level for all licenced public displays.
- to write to the UK Government urging them to introduce legislation to reduce the limit for the maximum noise level of fireworks from 120dB to 90dB for those sold to the public for private displays.
- to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display."

- moved by Councillor Gordon, seconded by Councillor Griffiths

Decision

To approve the following composite motion:

- 1) To note that fireworks, responsibly-used in a community setting, were a well-established part of civic events but equally recognise the distress they could cause for vulnerable people, pets and wildlife; the debris left by widespread use of fireworks and the greater risk of dangerous or anti-social behaviour where mis-used; and, further, that if all public firework displays within the city were to be advertised locally in advance of the event, allowing residents to take precautions for animals and vulnerable people, this would mitigate some of the negative impacts.
- 2) To note that a recent Scottish Government consultation found that 71% of respondents supported tighter controls on the sale of fireworks.
- 3) To call on the Scottish Government to legislate to require local authorities to set a maximum noise level for all licenced public displays.
- 4) To write to the UK Government again to urge them to introduce legislation to reduce the limit for the maximum noise level of fireworks from 120dB to 90dB for those sold to the public for private displays.
- 5) To agree for a report to Policy and Sustainability Committee in three cycles that addresses how the Council can:
 - require all public firework displays within the city to be advertised locally in advance of the event,

- actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people
- ensure that fireworks are only supplied to, and remain in the hands of, responsible adults.
- encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.

- moved by Councillor Staniforth, seconded by Councillor Gordon.

13 Marketing Edinburgh - Motion by Councillor McLellan

The following motion by Councillor McLellan was submitted in terms of Standing Order 16:

“Council:

- 1) Notes that in 2018-19 Marketing Edinburgh exceeded its targets for membership revenue and partner investment while reducing its costs.
- 2) Notes its activities helped generate £900m of economic activity for Edinburgh last year, including £72.4m of benefit from business tourism alone.
- 3) Regrets the Housing, Homelessness and Fair Work committee could not accept proposals advanced by Marketing Edinburgh (an ALEO of this Council) for a new organisation, resulting in the resignation of the Marketing Edinburgh Board on November 4.
- 4) Regrets that the actions of this Council put Marketing Edinburgh employees at risk of redundancy.
- 5) Notes that Edinburgh will be alone amongst major City destinations in having no effective organisation to market or manage the visitor economy.
- 6) Notes that Edinburgh has lost a key partnership with the tourism sector as it seeks to develop a new tourism strategy with ETAG.
- 7) Asks the Lord Provost to write to the non-Councillor Board Members of Marketing Edinburgh as at November 3 to thank them for their contribution to the City.

Thanks the Lord Provost and other councillors who have served on the Board of Marketing Edinburgh.”

Motion

To approve the following adjusted motion

Council:

- 1) Notes that in 2018-19 Marketing Edinburgh exceeded its targets for membership revenue and partner investment while reducing its costs.
- 2) Notes its activities helped generate £900m of economic activity for Edinburgh, including £72.4m of benefit from business tourism last year.
- 3) Regrets the Housing, Homelessness and Fair Work committee could not accept proposals advanced by Marketing Edinburgh (an ALEO of this Council) for a new organisation, resulting in the resignation of the Marketing Edinburgh Board on November 4.
- 4) Regrets that the actions of this Council put Marketing Edinburgh employees at risk of redundancy.
- 5) Notes that Edinburgh will be alone amongst major City destinations in having no effective organisation to market or manage the visitor economy.
- 6) Notes that Edinburgh has lost a key partnership with the tourism sector as it seeks to develop a new tourism strategy with ETAG.
- 7) Asks the Lord Provost to write to the non-Councillor Board Members of Marketing Edinburgh as at November 3 to thank them for their contribution to the City.

Thanks the Lord Provost and other councillors who have served on the Board of Marketing Edinburgh.

- moved by Councillor McLellan, seconded by Councillor Whyte

Amendment 1

To delete points 3,4,5 and 6 of the adjusted motion by Councillor McLellan.

To add:

Recognises the achievement and hard work of staff over this time and instructs officers and the new Board to work with them to look at operationally sustainable options in partnership with organisations across the City.

- moved by Councillor Kate Campbell, seconded by Councillor Watt

Amendment 2

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

- 1) Thanks Marketing Edinburgh board members for their contribution and asks the Lord Provost to write to them to convey those thanks.
- 2) Notes that the scale of and continued growth in the tourism industry poses very significant challenges in meeting a zero carbon ambition.
- 3) Therefore notes that the challenge of the visitor economy now and in the future is not about how to promote unfettered growth but how to continue to welcome visitors to the city in a sustainable way.
- 4) Notes that this challenge requires a different set of targets, metrics and skills and looks forward to the city council working in partnership with organisations and individuals who share those aims.

- moved by Councillor Miller, seconded by Councillor Booth

In accordance with Standing Order 21(11), Paragraphs 2, 3 and 4 of Amendment 2 were accepted as an addendum to Amendment 1.

Voting

The voting was as follows:

For the Motion	-	20 votes
For Amendment 1 (as adjusted)	-	38 votes

(For the Motion: Councillors Barrie, Bridgman, Brown, Bruce, Jim Campbell, Cook, Duggart, Douglas, Hutchison, Johnston, Laidlaw, McLellan, Mitchell, Mowat, Ritchie, Rose, Rust, Smith, Webber and Whyte.

For Amendment 1 (as adjusted): For the Motion: Depute Convener Griffiths, Councillors Aldridge, Arthur, Bird, Booth, Burgess, Cameron, Ian Campbell, Kate Campbell, Mary Campbell, Child, Corbett, Day, Dixon, Doran, Fullerton, Gardiner, Gordon, Graczyk, Henderson, Howie, Lang, Macinnes, McNeese-Mechan, McVey, Main, Miller, Munn, Munro, Osler, Perry, Rae, Neil Ross, Staniforth, Watt, Wilson, Work and Young.

Decision

To approve the following adjusted amendment by Councillor Kate Campbell:

- 1) To note that in 2018-19 Marketing Edinburgh exceeded its targets for membership revenue and partner investment while reducing its costs.

- 2) To note its activities helped generate £900m of economic activity for Edinburgh, including £72.4m of benefit from business tourism last year.
- 3) To note that the scale of and continued growth in the tourism industry posed very significant challenges in meeting a zero carbon ambition.
- 4) To therefore note that the challenge of the visitor economy now and in the future was not about how to promote unfettered growth but how to continue to welcome visitors to the city in a sustainable way.
- 5) To note that this challenge required a different set of targets, metrics and skills and looks forward to the city council working in partnership with organisations and individuals who shared those aims.
- 6) To thank the Lord Provost and other councillors who have served on the Board of Marketing Edinburgh.
- 7) To ask the Lord Provost to write to the non-Councillor Board Members of Marketing Edinburgh as at November 3 to thank them for their contribution to the City.
- 8) To recognise the achievement and hard work of staff over this time and instruct officers and the new Board to work with them to look at operationally sustainable options in partnership with organisations across the City.

Declaration of Interests

Councillor Kate Campbell declared a non-financial interest in the above item as a Director of Marketing Edinburgh Limited.

Councillors Cameron and Webber declared a non-financial interest in the above item as former Directors of Marketing Edinburgh Limited.

14 Edinburgh's Winter Festivals - Motions by Councillor Jim Campbell

The following motion by Councillor Jim Campbell was submitted in terms of Standing Order 16:

“Council requests:

- (a) arrange an open book audit for this year, and the previous four years, reporting back to the Finance and Resources Committee before the 2020 summer recess;
- (b) review which, if any, contract terms or conditions may apply should a counterpart bring the Council into substantial public disrepute; and

- (c) identify if, or how, the contract makes clear that all permissions must be in place in a timely way, removing any possible ambiguity between the Council acting as contract originator and as an authority with statutory powers.

(b) and (c) should be reported to Policy and Sustainability Committee in two cycles.”

Motion

Council requests:

- (a) arrange an open book audit for this year, and the previous four years, with the final report before the 2020 summer recess at the latest;
- (b) review which, if any, contract terms or conditions may apply should a counterpart bring the Council into substantial public disrepute; and
- (c) identify if, or how, the contract makes clear that all permissions must be in place in a timely way, removing any possible ambiguity between the Council acting as contract originator and as an authority with statutory powers.

(b) and (c) should be reported to Policy and Sustainability Committee in two cycles accepting that (a) may be an interim analysis at that time.

- moved by Councillor Jim Campbell, seconded by Councillor Doggart

Amendment

Council notes the motion and requests a Members Briefing instead of the reports requested covering the issues highlighted to be circulated within one cycle

- moved by Councillor McVey, seconded by Councillor Day

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

Decision

To approve the following adjusted motion by Councillor Jim Campbell:

- (a) To arrange an open book audit for this year, and the previous four years, with the final report before the 2020 summer recess at the latest.
- (b) To review which, if any, contract terms or conditions might apply should a counterpart bring the Council into substantial public disrepute.
- (c) To identify if, or how, the contract made clear that all permissions must be in place in a timely way, removing any possible ambiguity between the Council acting as contract originator and as an authority with statutory powers.

- (d) To agree that (b) and (c) above should be reported to the Policy and Sustainability Committee in two cycles accepting that (a) may be an interim analysis at that time.
- (e) To request a Members Briefing covering the issues highlighted to be circulated within one cycle.

15 Tom Gilzean - Motion by The Lord Provost

The following motion by The Lord Provost was submitted in terms of Standing Order 16:

“Council notes the recent passing of Tom Gilzean MBE, recipient of the Edinburgh Award in 2014.

Council acknowledges the enormous contribution Tom made to the City and in particular his sizable fundraising effort which made him so iconic in the Capital.

Council notes that a book of condolence in City Chambers was been opened on the 7th of November. Also notes the calls for Tom’s name to be added to the Edinburgh street naming bank. Council therefore recommends that the Development Management Sub-Committee, give this consideration with a strong recommendation from Full Council that Tom’s name is added to the street names bank with a view to an appropriate street or area being named after him.

Council also requests the Lord Provost write to the Scottish Government to ask them to consider recognising Tom’s contribution to Edinburgh and the Children’s hospital when naming the new hospital.

- moved by Councillor Griffiths, seconded by Councillor Work

Decision

To approve the motion by the Lord Provost.

16 Small Business Saturday- Motion by Councillor Cameron

The following motion by Councillor Cameron was submitted in terms of Standing Order 16:

“Now in its seventh year in the UK, the Small Business Saturday campaign has grown significantly each year.

An estimated £812 million spent in small businesses across the UK during Small Business Saturday 2018, representing an increase of 8% on Small Business Saturday 2017.

Council agrees:

- 1) To proactively and visibly promote, support and publicise Small Business Saturday 2019, during the run-up to, and on that date, which is Saturday 7th December; and
- 2) To call for a report to Finance & Resources Committee within 2 cycles setting out:
 - i) The level of procurement by £ and by service area currently awarded to small business, including social enterprises, by the Council and its ALEOS;
 - ii) What if any, barriers exist to small business and social enterprises in terms of being eligible to bid to provide goods/services to the Council and its ALEOS;
 - iii) What policy and procedural changes would be necessary to enable any barriers to be overcome?"

Motion

To approve the following adjusted motion by Councillor Cameron:

Now in its seventh year in the UK, the Small Business Saturday campaign has grown significantly each year.

An estimated £812 million spent in small businesses across the UK during Small Business Saturday 2018, representing an increase of 8% on Small Business Saturday 2017.

Council agrees:

- 1) To proactively and visibly promote, support and publicise Small Business Saturday 2019, during the run-up to, and on that date, which is Saturday 7th December; and
- 2) To call for a report to Policy and Sustainability Committee within 2 cycles setting out:
 - i) The level of procurement by £ and by service area currently awarded to small business, including social enterprises, by the Council and its ALEOS;
 - ii) What if any, barriers exist to small business and social enterprises in terms of being eligible to bid to provide goods/services to the Council and its ALEOS;

- iii) What policy and procedural changes would be necessary to enable any barriers to be overcome?

- moved by Councillor Cameron, seconded by Councillor McVey

Decision

To approve the adjusted motion by Councillor Cameron.

17 War Memorial – City Chambers - Motion by Councillor Cameron

The following motion by Councillor Cameron was submitted in terms of Standing Order 16:

“Council notes that the War Memorial in front of the City Chambers is where Scotland’s Annual Service of Remembrance takes place. The War Memorial is a place of respect and remembrance and is visited and photographed by numerous visitors and residents alike during the year.

Metal barriers are currently in place, together with a sign requesting people to respect the War Memorial.

Council calls for a report in two cycles to Finance and Resources Committee setting out:

- 1) How the preservation and presentation of the war memorial in its setting can best be achieved and respected, without the use of metal barriers;
- 2) Any access issues to the War Memorial and to the entrance to the public Quadrangle in order to keep pavement space free for pedestrian movement and access to the City Chambers and Quadrangle.”

Motion

To approve the following adjusted motion by Councillor Cameron:

Council notes that the War Memorial in front of the City Chambers is where Scotland’s Annual Service of Remembrance takes place. The War Memorial is a place of respect and remembrance and is visited and photographed by numerous visitors and residents alike during the year.

Metal barriers are currently in place, together with a sign requesting people to respect the War Memorial.

Council calls for a report in two cycles to the Culture and Communities Committee setting out:

- 1) How the preservation and presentation of the war memorial in its setting can best be achieved and respected, without the use of metal barriers;
- 2) Any access issues to the War Memorial and to the entrance to the public Quadrangle in order to keep pavement space free for pedestrian movement and access to the City Chambers and Quadrangle

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

Decision

To approve the adjusted motion by Councillor Cameron.

18 Fast Track Cities - Motion by Councillor McVey

The following motion by Councillor McVey was submitted in terms of Standing Order 16:

“Council:

Welcomes the Fast Track Cities initiative – a global partnership focusing on developing a network of cities pledged to achieve the commitments in the Paris Declaration on HIV prevention, diagnosis and treatment.

Notes that December 1st is World Aids day.

Notes that Edinburgh currently exceeds the 90-90-90 targets outlined within the Paris Declaration with:

- 91% of people living with HIV knowing their status;
- 94% of people diagnosed attending treatment services, with 98% of those attending receiving antiretroviral treatment;
- and 96% of those receiving treatment achieving undetectable viral load.

(as of December 2018)

Acknowledges that stigma and discrimination continue to be a barrier for people accessing testing, treatment and support; and that more work needs to be done to end HIV-related stigma and to ensure there are no new HIV transmissions and no HIV-related deaths by 2030.

Agrees that Edinburgh should support the Fast Track Cities initiative and recommends that the Lord Provost signs the Paris Declaration on behalf of the Council.”

- moved by Councillor McVey, seconded by Councillor Day

Decision

To approve the motion by Councillor McVey.

19 Gorgie City Farm - Motion by Councillor Corbett

The following motion by Councillor Corbett was submitted in terms of Standing Order 16:

“Council:

- Shares city-wide dismay about the sudden closure of Gorgie City Farm on 1 November 2019, leaving staff and volunteers without jobs and placements in a place which they knew and loved.
- Recognises that the urban farm in Gorgie has been a landmark in the city for over 40 years and is cherished by tens of thousands of families and adult volunteers.
- Welcomes the enormous commitment shown by former staff at the farm since the shock closure, to work with councillors, council staff and partner organisations to provide opportunities for volunteers in the short term and options for a stable future for the farm in the long term.”

Motion

To approve the motion by Councillor Corbett

- moved by Councillor Corbett, seconded by Councillor Wilson

Amendment

To add to the motion:

Council notes the financial support given by the Council of £109,214 a year to the farm as part of the Communities and Families Main Grant Programme.

Council notes the liquidator has identified a resource requirement to allow time for a frontrunner to be developed.

Also notes the Council’s fourth payment to the charity of £27,303 was due to be paid in January 2020 as part of the above-mentioned support and delegates the allocation of this funding to the Chief Executive in consultation with the Leader and Deputy Leader to facilitate the process of identifying a new bidder from the organisations who have expressed an interest and reopening Gorgie City Farm.

Agrees that any spend would be reported back to the Finance and Resources Committee, at the next available committee after any confidentiality requirements are met through the identification of a bidder.

- moved by Councillor McVey, seconded by Councillor Fullerton

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

Decision

To approve the following adjusted motion by Councillor Corbett:

- 1) To share city-wide dismay about the sudden closure of Gorgie City Farm on 1 November 2019, leaving staff and volunteers without jobs and placements in a place which they knew and loved.
- 2) To recognise that the urban farm in Gorgie had been a landmark in the city for over 40 years and was cherished by tens of thousands of families and adult volunteers.
- 3) To welcome the enormous commitment shown by former staff at the farm since the shock closure, to work with councillors, council staff and partner organisations to provide opportunities for volunteers in the short term and options for a stable future for the farm in the long term.
- 4) To note the financial support given by the Council of £109,214 a year to the farm as part of the Communities and Families Main Grant Programme.
- 5) To note the liquidator had identified a resource requirement to allow time for a frontrunner to be developed.
- 6) To also note the Council's fourth payment to the charity of £27,303 was due to be paid in January 2020 as part of the above-mentioned support and delegate the allocation of this funding to the Chief Executive in consultation with the Leader and Deputy Leader to facilitate the process of identifying a new bidder from the organisations who had expressed an interest and reopening Gorgie City Farm.
- 7) To agree that any spend would be reported back to the Finance and Resources Committee, at the next available committee after any confidentiality requirements were met through the identification of a bidder.

20 Use of Schools as Polling Places - Motion by Councillor Lang

The following motion by Councillor Lang was submitted in terms of Standing Order 16:

“Council:

- a) recognises it’s statutory duty to facilitate elections and the importance of making it as easy as possible for people to vote.
- b) Understands the various criteria which exist for suitable polling places, including location, capacity and access requirements.
- c) expresses its thanks to Council Officers for arranging polling places for two unexpected city wide elections as well as one Council by-election in 2019.

Council nevertheless recognises the concern which exists on the ongoing use of schools as polling places and the subsequent disruption which can arise for teachers, pupils and parents from unscheduled day closures in order to facilitate elections.

Council therefore seeks a report to the Policy and Sustainability Committee within three cycles on the current use of schools as polling places as well as the opportunities to reduce or eliminate their use in time for the 2021 Scottish Parliament and 2022 local government elections.”

Motion

To approve the following adjusted motion by Councillor Lang:

Council:

- a) recognises it’s statutory duty to facilitate elections and the importance of making it as easy as possible for people to vote.
- b) Understands the various criteria which exist for suitable polling places, including location, capacity and access requirements.
- c) expresses its thanks to Council Officers for arranging polling places for two unexpected city wide elections as well as one Council by-election in 2019.

Council nevertheless recognises the concern which exists on the ongoing use of schools as polling places and the subsequent disruption which can arise for teachers, pupils and parents from unscheduled day closures in order to facilitate elections.

Council therefore seeks a report to the Policy and Sustainability Committee within three cycles for subsequent referral to the full Council, on the current use of schools

as polling places as well as the opportunities to reduce or eliminate their use in time for the 2021 Scottish Parliament and 2022 local government elections

- moved by Councillor Lang, seconded by Councillor Young

Amendment

To note that a review will take place as scheduled next year, reporting to Council, covering the points raised as a matter of course.

- moved by Councillor McVey, seconded by Councillor Day

Voting

The voting was as follows:

For the motion	-	33 votes
For the amendment	-	25 votes

(For the motion: Councillors Aldridge, Barrie, Bridgman, Booth, Brown, Bruce, Burgess, Jim Campbell, Mary Campbell, Cook, Corbett, Daggart, Douglas, Gloyer, Hutchison, Johnston, Laidlaw, Lang, McLellan, Main, Miller, Mitchell, Mowat, Osler, Rae, Ritchie, Rose, Neil Ross, Rust, Smith, Staniforth, Webber and Whyte.

For the amendment: Depute Convener Griffiths, Councillors Arthur, Bird, Cameron, Ian Campbell, Kate Campbell, Child, Day, Dixon, Doran, Fullerton, Gardiner, Gordon, Graczyk, Henderson, Howie, Macinnes, McNeese-Mechan, McVey, Munn, Munro, Perry, Watt, Wilson and Work.)

Decision

To approve the adjusted motion by Councillor Lang.

Appendix 1

(As referred to in Act of Council No 3 of 21 November 2019)

QUESTION NO 1

By Councillor Osler for answer by the Convener of the Planning Committee at a meeting of the Council on 21 November 2019

With regards to the recent (temporary) development of the Christmas market in East Princes Street Gardens

- Question** (1) Was a professional arborist consulted with regard to the protection of the new landscape?
- Answer** (1) No, but Underbelly engaged with officers from the Council's Parks service.
- Question** (2) Edinburgh has a Trees in the City Action Plan which states that all development should be carried out as per British Standard 5837 which is the same standard the Planning Officers cited as the Planning Condition for the Galleries extension. Is this being adhered to?
- Answer** (2) Yes, the Standard states the need for a Root Protection Area. There is a no dig zone in the Root Protection Area with surface footings only to protect the trees.
- Supplementary Question** Thank very Depute Lord Provost and thank you very much indeed Convener for your answers. Bear with me if I get through this question. If I may, if there was no project arborist, I've struggled desperately with this word, consulted then who prepared the arboricultural impact assessment and tree protection plan.
- Supplementary Answer** I will ask the question on your behalf within the Department and come back to you on that one, thank you.

QUESTION NO 2

By Councillor Osler for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 21 November 2019

In September the Transport and Environment Committee approved the recommendations of the Strategic Review of Parking. Under the Phase One and Phase Two of the rollout, what consideration in the design has been given to the provision of:

Question (1) City Car Clubs spaces?

Answer (1) As part of the Strategic Review of Parking Enterprise Car Club are considering the potential for additional City Car Club bay locations.

Question (2) On street secure cycle storage?

Answer (2) The project teams for the Strategic Review of Parking and the Secure Cycle Scheme have worked together to ensure that joint TROs are progressed where there are overlaps.

QUESTION NO 3

**By Councillor Osler for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 21 November 2019**

Question

Considering the volume of rainfall and subsequent flooding experienced in Edinburgh this year when is the next trial of the demountable barrier at Falshaw Bridge due to be carried out as there has not been one since 2013?

Answer

It is intended to carry out a flood trial exercise across the city in April/May 2020. The proposed trial will take account of the constructed flood defences on the Water of Leith, including closure of some flood gates and demountable defences. During preparation of the exercise, consideration will be given to including Falshaw Bridge barriers as part of the trial.

**Supplementary
Question**

Thank you. Yes and if I could possibly ask, again for this one, is when the Plan is going forward, with the affected wards, would the ward Councillors be advised of when this is actually going to happen, so we can inform our residents please?

**Supplementary
Answer**

Thank you for the supplementary Councillor Osler. Yes I'd be delighted to. I think it is clearly going to be an important part in going forward in terms of ensuring that the resilience is built into the city around these kind of events, and I am well aware of how important it is for local residents. I would add that whilst it's not been tested in situ there are regular inspections made of the Falshaw barrier where it's stored at the moment, so we're certain its in good working shape, it's just about how it's applied in situ, thank you.

QUESTION NO 4

By Councillor Doggart for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 21 November 2019

Following my motion to Council of 22 November 2018 requesting officers to report to the Transport and Environment Committee about programming construction work around the Princes Street Gardens Christmas Market and attractions to ensure there is:

1. A dignified no-work cordon around the Garden of Remembrance; and
2. A delay in the erection of high structures until after Armistice Day and Remembrance Sunday in 2019.

Could the Convenor state:

- | | |
|-----------------|--|
| Question | (1) When was the report presented to Transport and Environment Committee? |
| Answer | (1) Since agreeing this motion, the responsibility for parks has transferred from Transport and Environment Committee to Culture and Communities Committee. A report is being prepared for Culture and Communities Committee in January proposing a range of revisions to the Edinburgh Parks Event Manifesto. The revised document will take account of the motion referenced above and other related motions. |
| Question | (2) Has there been a dignified no-work cordon in place? |
| Answer | (2) Yes. |
| Question | (3) Has the erection of high structures been delayed until after Armistice Day 2019? |

Answer

- (3) Yes, the erection of 'high' structures in the immediate vicinity of the Garden of Remembrance was delayed.

It is proposed to review the layout for future years to ensure that the Christmas Wheel is not erected until after Armistice Day. However, discussions with the current contractor have indicated that this may prove difficult. Officers will continue to progress with these discussions and with the layout review.

Supplementary Question

Thank you Deputy Convener and thank you to the Convener for her answer. Could the Convener clarify why the report that was unanimously requested by this Council in consultation with the Leader of the Council we agreed an amendment, but why has the report not arrived in time for Armistice Day this year as agreed unanimously by Council, and why in particular consideration of the Council's request investigate not building a high structure, ie the wheel, which I think qualifies as a high structure has been ignored and not been presented to Councillors?

Supplementary Answer

Thank you Councillor Doggart. I understand that quite recently in fact, before this question was lodged with Committee Services I imagine, you received a long and detailed response from the head of service around the particular aspect of that. It's something I would be happy to pick up and discuss with you in more detail in person if you wish to, but as you can see in terms of the written answer, there are issues around the contract that relates to the construction of the wheel, but let's not forget that in terms of the written answer, it is absolutely correct. You asked two particular questions which were about the dignified no work zone around the garden of remembrance and the limitation of the building of high structures, both of those were observed in terms of the forward planning and as you can also see in the written answer they're also under review, thank you.

QUESTION NO 5

**By Councillor Rust for answer by the
Convener of the Finance and
Resources Committee at a meeting
of the Council on 21 November 2019**

Question

Please advise of Council revenue spend through external organisations in each of the last three years. Detail name of organisation and net amount spend.

Answer

The Council currently has around 8,500 external suppliers. Given this volume, the analysis below indicates the top fifty, expressed by value, in each of 2016/17, 2017/18 and 2018/19. While the list includes both revenue and capital expenditure, that of a predominantly capital nature is marked by means of an asterisk.

Top Spend By Supplier Name, 2016/17	
Supplier name	Sum of invoiced payments
CGI IT UK Ltd	£24,492,771
Axiom Education Edinburgh Ltd	£22,670,651
Link Housing Association Ltd	£13,567,701
The Edinburgh Schools Partnership Ltd	£12,677,841
O'Hare and McGovern Ltd*	£12,448,128
Adecco UK Ltd	£11,545,235
EDF Energy Customers Plc	£10,413,278
Hub South East Scotland Limited*	£10,403,680
Viridor Waste Management Ltd	£10,304,396
Balfour Beatty Construction Scottish and Southern Ltd*	£10,267,055
Edinburgh Leisure	£8,891,285
CCG Scotland Ltd*	£8,448,663
McLaughlin and Harvey Limited*	£8,182,319
Port of Leith Housing*	£7,059,915
Willmott Dixon Construction Limited*	£7,042,416
Dunedin Canmore Housing Ltd*	£6,764,611
NSL Limited	£6,612,937

Top Spend By Supplier Name, 2017/18	
Supplier name	Sum of invoiced payments
CGI IT UK Ltd	£26,396,425
Axiom Education Edinburgh Ltd	£22,976,287
The Edinburgh Schools Partnership Ltd	£18,399,451
Viridor Waste Management Ltd	£15,844,866
Willmott Dixon Construction Limited*	£15,300,703
Link Housing Association Ltd	£13,190,676
Link Group Ltd*	£12,221,198
EDF Energy Customers Plc	£11,250,543
Edinburgh Leisure	£8,574,490
Pertemps Recruitment	£8,490,277
Dunedin Canmore Housing Ltd*	£7,804,575
McGill Electrical Limited*	£7,700,438
McLaughlin and Harvey Limited*	£7,111,539
ASA International Ltd	£6,834,621
NSL Limited	£6,583,659
CCG Scotland Ltd*	£6,467,662
Castle Rock Edinvar Housing	£6,300,950

Top Spend By Supplier Name, 2018/19	
Organisation	Sum of invoiced payments
CGI IT UK Ltd	£33,471,725
Axiom Education Edinburgh Ltd	£23,594,820
CCG Scotland Ltd*	£19,544,572
The Edinburgh Schools Partnership Ltd	£19,092,723
Willmott Dixon Construction Limited*	£15,525,801
Viridor Waste Management Ltd	£14,616,342
Link Housing Association Ltd	£14,002,559
Pertemps Recruitment	£12,360,406
Edinburgh Leisure	£11,304,455
Castle Rock Edinvar Housing Association Ltd*	£11,263,205
EDF Energy Customers Plc	£10,947,270
Engie Regeneration Limited*	£10,049,878
Dunedin Canmore Housing Ltd*	£9,314,726
Hub South East Scotland Limited*	£8,939,890
McLaughlin and Harvey Limited*	£8,300,480
ASA International Ltd	£7,734,231
Link Group Ltd*	£7,705,095

Kier Construction Limited*	£6,562,253
ASA International Ltd	£6,205,104
Castle Rock Edinvar Housing Association Ltd*	£6,160,889
McGill Electrical Limited*	£6,005,122
The Action Group	£4,514,351
Travis Perkins Trading Company Ltd	£4,505,005
NHS Lothian - Lothian Health Board	£4,483,910
Anglian Water Business (National) Limited	£4,334,326
Leonard Cheshire Disability	£4,292,221
Capital City Partnership Ltd	£4,210,794
Autism Initiatives UK	£4,194,217
Hillcrest Housing Association Ltd*	£4,117,395
Urban Union Limited*	£4,015,813
Call In Homecare Ltd	£3,918,114
Tarmac Trading Limited*	£3,812,264
Siemens PLC	£3,762,605
Carr Gomm Scotland Ltd	£3,646,033
Cameron Guest House Group	£3,590,064

Association Ltd*	
Clark Contracts Ltd*	£5,570,728
O'Hare and McGovern Ltd*	£5,560,949
Engie Regeneration Limited*	£5,381,806
Graham Construction*	£4,976,756
Urban Union Limited*	£4,943,329
Cameron Guest House Group	£4,932,232
Leonard Cheshire Disability	£4,878,454
Capital City Partnership Ltd	£4,666,060
The Action Group	£4,622,611
Autism Initiatives UK	£4,388,717
Travis Perkins Trading Company Ltd	£4,339,918
Port of Leith Housing*	£4,318,877
Call In Homecare Ltd	£4,109,730
Lafarge Tarmac Trading Limited*	£3,862,368
Places for People Scotland*	£3,798,842
P1 Solutions Ltd*	£3,744,751
Hub South East Scotland Limited*	£3,727,045
James Gillespie's Campus	£3,691,109

McGill Electrical Limited*	£7,274,589
NSL Limited	£7,230,500
Graham Construction*	£6,523,014
Cameron Guest House Group	£6,273,589
Maxi Construction Ltd*	£5,508,325
Call In Homecare Ltd	£5,480,867
The Action Group	£5,261,560
Carr Gomm Scotland Ltd	£4,516,997
Anglian Water Business (National) Limited	£4,511,409
Travis Perkins Trading Company Ltd	£4,423,416
Autism Initiatives UK	£4,413,508
Port of Leith Housing*	£4,370,338
Tarmac Trading Limited*	£4,359,798
Capital City Partnership Ltd	£4,292,591
P1 Solutions Ltd*	£4,064,350
Balfour Beatty Civil Engineering Ltd*	£3,846,119
FES Ltd	£3,821,148
Community Integrated Care	£3,787,136

Viridor Enviros Scot Ltd	£3,493,542
James Gillespie's Campus Subhub Ltd	£3,471,189
Drummond Grange	£3,402,828
Scottish Police Authority	£3,332,827
Places for People Scotland*	£3,175,929
Freespace Ltd	£3,118,827
Link Group Ltd*	£3,060,348
Total Gas and Power Limited	£3,022,760
Community Integrated Care	£2,983,184
BT Global Services	£2,766,348
Ark Housing Association Ltd*	£2,742,572
Primecare Health Ltd	£2,718,587
Heriot-Watt University	£2,703,950
Ashwood Scotland Ltd*	£2,482,389
Scottish Fuels	£2,459,006
Grand Total	£319,057,650

Subhub Ltd	
Drummond Grange	£3,665,159
Carr Gomm Scotland Ltd	£3,581,525
Total Gas and Power Limited	£3,241,087
Freespace Ltd	£2,913,101
Community Integrated Care	£2,886,118
Siemens PLC	£2,863,437
Scottish Police Authority	£2,785,447
Barnardo's Scotland	£2,767,326
Ashwood Scotland Ltd*	£2,765,409
Hillcrest Housing Association Ltd*	£2,722,816
Easylet Scotland Ltd	£2,621,349
Ark Housing Association Ltd*	£2,580,590
Braid Hills Nursing Centre	£2,537,447
Biffa Waste Services Ltd	£2,527,143
NHS Lothian - Lothian Health Board	£2,523,337
Grand Total	£325,943,934

Hillcrest Housing Association Ltd*	£3,771,331
James Gillespie's Campus Subhub Ltd	£3,717,235
Drummond Grange	£3,689,005
Leonard Cheshire Services CIC	£3,649,247
Siemens PLC	£3,558,224
Total Gas and Power Limited	£3,502,370
NHS Lothian - Lothian Health Board	£3,423,779
Barnardo's Scotland	£3,270,706
Nottingham Rehab Ltd	£3,200,277
Freespace Ltd	£3,005,219
The Thistle Foundation	£2,983,961
Ashwood Scotland Ltd*	£2,901,104
ESH Border Construction*	£2,865,251
James Breck Ltd*	£2,855,576
Easylet Scotland Ltd	£2,815,605
Grand Total	£376,936,324

QUESTION NO 6

By Councillor Osler for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 21 November 2019

Question

In various parts of the City there is an increasing problem with bins being “raided” by foxes and other vermin. What advice would the Council give residents to help deter the little critters?

Answer

Residents are encouraged to recycle their food waste, to reduce the amount of food waste available for animals and birds to scavenge from general waste bins.

Residents are also encouraged to avoid leaving bags of waste around bins and to [report](#) any bins with damaged lids so they can be repaired and minimise access for vermin.

The webform can be accessed at

http://www.edinburgh.gov.uk/info/20001/bins_and_recycling/992/recycling_boxes_bags_or_bins.

Supplementary Question

Thank you very much indeed, thank you very much indeed Convener for your answers. I just wondered, going forward considering we’re having an increasing problem with fox's in certain areas, is it possible to look into the possibility of possibly getting tamper-proof bins that people can apply for that I’m sure they’d be happy to pay for so we can try to reduce this problem?

Supplementary Answer

Thank you Councillor Osler. I do recognise the fact that there is an increasing problem with fox's across certain parts of the city and I would come back again to the content of the written answer which is that we would appeal to people to be much more careful about how they dispose of their food waste, particularly those who put them beside bins rather than in bins etc. For those residents who have bins where, for example, lids are broken and that might lead to a further problem, they can apply for replacement bins, it’s there, it’s a service that’s currently available. In terms of changing the kind of provision of bins that we have in this city, there’s a lot of complexity that sits behind your answer both in terms of

Costings, how we would implement them, which areas we would look at implementing them in etc. It is however a question which I will ask of the waste service and will come back to you by e-mail around some of the key parameters, thank you.

QUESTION NO 7

By Councillor Bruce for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 21 November 2019

Question

How many requests have there been for garden waste collection out with the registration periods since the Council starting charging?

Answer

This information is not recorded. When a customer contacts the Council to register for the service, they are advised of the dates of the next registration window (20 January 2020 – 4 February 2020).

Supplementary Question

Thank you Deputy Convener and thank you to the Convener for her answer. How convenient that this information is not recorded. I have a great many constituents who contact me to say they have been unable to register due to this clunky. Does she not agree that now is the time to scrap this unfair tax?

Supplementary Answer

Thank you for your question Councillor Bruce. First of all as we have stated repeatedly in this Chamber, it is not tax, it is a charge, and given how much heavy weather your party makes about their expertise in business and an understanding of the financial world, I'm surprised that this keeps coming back. In terms of the garden waste charge, as you know it's in a relative infancy in terms of application, we're only into the second year of application on this, there is nothing convenient as you state, which I actually think is quite a strong statement for you to make because it implies that there is motivational intention behind us not recording the information, that is quite clearly not the case. It is instead to do with how people interact with the council around this, they can interact with us in a number of different ways, it could be somebody wandering into one of the local offices and making a generalised inquiry, it could be somebody phoning us, it could be somebody with an online

request, there are for a number of ways in which people come into us on that. We quite clearly have stated from the very beginning of this implementation of this policy that as in common with most other local authorities who are implementing a similar structure to their charging, that it would be done in a registration of windows, everybody is told that, so we will see that come back again when the next window opens on the 20 January. In addition to which I would suggest to you that I appreciate that you will not perhaps be as close to this as I am, but I have worked with officers closely on the complexity of the systems and we have some considerable way to go with CGI to provide a more simplified position in terms of the backroom operations. That is what lies behind all of this and I do not recognise your characterisation of this as being a convenient non-recording of requests.

QUESTION NO 8

**By Councillor Bruce for
answer by the Convener of the
Transport and Environment
Committee at a meeting of the
Council on 21 November 2019**

With the future plan to pedestrianise Waverley Bridge as part of the city centre transformation plan:

Question (1) Where do you expect the Airport buses be located?

Answer (1) As set out in the City Centre Transformation report approved at Council on 19 September 2019, an integrated operations and management plan for the city centre will be developed. This will include plans for airport and tour bus management.

The closure of Waverley Bridge to general traffic will be brought forward as part of the emerging Waverley Masterplan.

Development of plans for this are not yet underway.

Question (2) Where do you expect the Tour Buses to be located?

Answer (2) As set out in answer 1 above, development of plans for the location of tour buses is not yet underway

Question (3) If there is a serious accident/incident on the Mound between the junction of Market Street and Princes Street and that stretch of road is closed to all traffic where will that traffic including buses and Emergency Service Vehicles be diverted to?

Answer (3) As set out in answer 1, plans for the closure of Waverley Bridge to general traffic have not yet been developed. However, the Council is committed to working with the emergency services in developing these plans.

Supplementary Question Thank you, Deputy Convener, and again thank you to the Convener for her answers. What input will you have into this Waverley master plan and where do you think the buses and taxis should go once Waverley Bridge has been pedestrianised?

**Supplementary
Answer**

Thank you for your supplementary question Councillor Bruce. As was discussed at some length during the debate in this Chamber and in Committee on the city centre transformation which is one of the underlying projects that will produce any change around Waverley Bridge, it was quite clearly stated that we are not at that stage of providing detailed plans around specific elements of that, it is something that requires careful coordination and careful thought. We understand where we want to try and get to, but not in terms of some of the detail on some of the key projects. It would be remiss of me to pretend that we have leapfrogged to solutions and it would not be a responsible approach. In terms of my own particular involvement in it, I will of course be working very closely with officers and I am keeping a close interest in what's going on in terms of the Waverley master plan which is not solely under the Council control because it's very much a good example of partnership working. There will be plenty of opportunities, both the Transport Environment Committee and presumably here in this Chamber as well, to continue to report back on the development of various aspects of both the City Centre transformation project and the Waverley master plan, nothing will be kept from the Chamber, it will come forward and there will be plenty of opportunity for scrutiny and discussion at the time.

QUESTION NO 9

**By Councillor Lang for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 21 November 2019**

Question (1) How many outstanding requests for additional parking restrictions are currently sitting with each locality transport team?

Answer (1)

North East Locality	13 outstanding requests
South West Locality	None
North West Locality	78 outstanding requests
South East Locality	26 outstanding requests

Question (2) What is the current full time equivalent headcount for the central team responsible for traffic regulation orders?

Answer (2) The full time equivalent headcount in the Traffic Orders team is four, although since early October there has been one vacant position which will be filled as part of the on-going Transport Review.

In order to support the roll-out of further Controlled Parking Zones additional capacity has been engaged through the Council's parking contractor, NSL

Question (3) What is the current number of locality reports waiting to be processed by the traffic regulation order team for public consultation?

Answer (3) There are currently 27 proposals from the locality teams which have yet to be drafted and advertised for public consultation. This is broken down below:

North East Locality	4
South West Locality	8
North West Locality	11
South East Locality	4

Question (4) What is the average turnaround time for the traffic regulation order team to process reports from locality transport officers?

Answer (4) The average turnaround time for the Traffic Orders team (from receipt of a traffic regulation order (TRO) proposal from the locality team to it being advertised) is currently 193 days.

The Network Management and Enforcement Improvement Plan which is being developed for Transport and Environment Committee by June 2020 will include actions to address the turnaround time for progressing TROs.

Supplementary Question

Thank you very much and I thank the Convener for the answers that were provided. I think one of the things I probably found most surprising when I became a Councillor, was just how long it takes for TROs, even for small uncontroversial changes, to actually progress through the system, so I very much welcome the information that she's provided around the Improvement Plan which is due to come forward, although at seven months it's almost as long as it takes for TROs be turned around within the team. Can I ask the Convener, there was obviously quite a big disparity actually in terms of the number of outstanding TROs by locality and I was just interested to know whether she had been provided with any information that perhaps explained why there was such significant differences across the four localities?

**Supplementary
Answer**

Thank you Councillor Lang. It is an interesting question and I do have a slightly broader understanding of why this has occurred. The four different localities treat these and process these requests in slightly different ways, a lot of it's to do with how they bundle them together and to allow for progress, so for example in the north-west where we obviously see a change here, there are some outstanding ones for disabled parking bays which have actually already been installed, so it doesn't necessarily imply that there is massive delay to delivery although it can do. Now one of the things I would like to highlight is the fact that I have already been talking to officers about trying to improve our progress through TROs, part of that has been about lobbying the Scottish Government for changes in the Transport Bill, in which we were successful in achieving some changes, not perhaps the full demand that we would have made to reduce barriers to quick progress, but that is a substantial benefit. In terms also to of the new structure within the roads in and transport infrastructure team, we expect that that will lead to greater clarity and consistency in the approach particularly as we move towards the Roads Improvement Plan which is due in March of next year. So, I should note however, that whilst the situation in terms of the response to your particular question now indicates that there is too long a period attached to it, in actual fact this represents an improving situation and that's come about by some changes in approach by the team and we can expect that to continue.

QUESTION NO 10

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 21 November 2019

Question

How many households paid the garden waste collection charge for 2019/20 but did not receive their permit sticker by the commencement of the new collection year?

Answer

The number of requests for replacement permits received between 30 September and 12 November 2019 totals approximately 1,100. This equates to 1.6% of the households registered for the 2019/20 garden waste service. There may be different reasons why such requests are made to the Council. It is not, therefore, possible to identify how many of these did not receive their original permit by post.

Supplementary Question

Again, I thank the Convener for the answer that she provided. I know I am not alone as a Councillor who has been contacted by constituents who paid for their permits in good time and who have, despite repeated complaints to officers, still even as of today Deputy Provost, not received their new permit. They are literally, they have paid for a service and they have already missed several collections. So can I ask the Convener if she will take this opportunity to apologise to those in my ward and to others who have been affected and does she have any explanation as to why this has happened in the second year of this new scheme?

Supplementary Answer

Thank you Councillor Lang for your supplementary question. Clearly it is of distress to individual households who have not been able to get the service that they want and I recognise that very clearly, however, there are sometimes reasons that are beyond our control as to why we then get requests in for repeat issue of permits where people have perhaps lost them, thrown them out by accident etc. We have no way of defining what has caused that request for a replacement permit. I should say that as far as I am aware

there has not been any major structural reason as to why anything that has gone out from our offices has caused an issue. I'd be very interested in knowing exactly how many households that you know of that have been directly impacted, I'd like to know who they are so that our service can actually deal with that and make sure that they are taken care of effectively and that they have that replacement permit. So there is no division there, but I would refer back to my earlier answer about the difficulty, of the complexity of the situation we've got in the backroom office courtesy of CGI. It is a situation that is being worked on very clearly and we expect that to move forward. So please provide me with the information and we will move forward on it, thank you.

QUESTION NO 11

**By Councillor Hutchison for answer
by the Convener of the Finance and
Resources Committee at a meeting
of the Council on 21 November 2019**

- Question** (1) On what date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?
- Question** (2) How were you informed (meeting, briefing, email, telephone, in person etc)?
- Question** (3) Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

The delay in the redevelopment works associated with the National Galleries of Scotland, which failed to meet their planned completion deadline in April resulted in a briefing with City Centre Councillors and Culture and Communities spokespersons in advance of Committee, on 10 June 2019. For members who were unable to attend this briefing, the Executive Director of Place spoke to them by telephone or face to face in advance of the [June 18th](#) Committee meeting. The briefing for members [on 10 June](#) also covered the need the need to protect the National Galleries landscaping work. A detailed plan of the proposed structure was not available at that time however the Culture and Communities report of 10th September expanded on the requirements to cover the operator's additional costs which were the purpose for the contract extension but only agreed with the condition of a full consultation on the nature and the scale of the event.

**Supplementary
Question**

Thank you Deputy Convener and thank you to the Convener for his answer, although I notice he's not at his desk so I'm not sure who is going to be answering my supplementary. Thank you, so given that the Finance Committee oversaw the original contract and scrutinised the procurement exercise how has the Place Directorate managed the conflict of interest as a Planning Authority and the contractual counterparty with Underbelly?

**Supplementary
Answer by
Councillor
McVey**

Can I thank the Councillor for his question, I'll obviously raise it with the Convener in terms of our role as both regulator and deliverer. There are obviously complexities in that relationship, especially when issues like planning become involved. I'm more than happy to raise it with the Finance Convener and I should say he's sparing us all a severe virus Deputy Lord Provost with his absence, so I'm sure we can be, on this rare occasion, grateful for his absence. I did suggest he sat near the Conservatives and came in any way, but he's is at home getting better.

QUESTION NO 12

**By Councillor Hutchison for answer
by the Vice-Convenor of the Finance
and Resources Committee at a
meeting of the Council on 21
November 2019**

- Question** (1) What date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?
- Question** (2) How were you informed (meeting, briefing, email, telephone, in person etc)?
- Question** (3) Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

The delay in the redevelopment works associated with the National Galleries of Scotland, which failed to meet their planned completion deadline in April resulted in a briefing with City Centre Councillors and Culture and Communities spokespersons in advance of Committee, on 10 June 2019. For members who were unable to attend this briefing, the Executive Director of Place spoke to them by telephone or face to face in advance of the [June 18th](#) Committee meeting. The briefing for members [on 10 June](#) also covered the need the need to protect the National Galleries landscaping work. A detailed plan of the proposed structure was not available at that time however the Culture and Communities report of 10th September expanded on the requirements to cover the operator's additional costs which were the purpose for the contract extension but only agreed with the condition of a full consultation on the nature and the scale of the event.

QUESTION NO 13

By Councillor Mowat for answer by the Convener of the Planning Committee at a meeting of the Council on 21 November 2019

- Question** **(1)** On what date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?
- Question** **(2)** How were you informed (meeting, briefing, email, telephone, in person etc)?
- Question** **(3)** Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

The delay in the redevelopment works associated with the National Galleries of Scotland, which failed to meet their planned completion deadline in April resulted in a briefing with City Centre Councillors and Culture and Communities spokespersons in advance of Committee, on 10 June 2019. For members who were unable to attend this briefing, the Executive Director of Place spoke to them by telephone or face to face in advance of the [June 18th](#) Committee meeting. The briefing for members [on 10 June](#) also covered the need the need to protect the National Galleries landscaping work. A detailed plan of the proposed structure was not available at that time however the Culture and Communities report of 10th September expanded on the requirements to cover the operator's additional costs which were the purpose for the contract extension but only agreed with the condition of a full consultation on the nature and the scale of the event.

**Supplementary
Question**

Thank you, I thank the Convener for his answer. I would like to ask that although officers advised Underbelly on 13th of August that planning permission was required could you confirm that you had no indication of the size and structure of the map and mass of the structure before construction started on the 18th of October this year?

**Supplementary
Answer**

Yes, I had no indication of the size of the structure I add that it is the responsibility of the applicant to submit black plans and applications and so on that was informed by the Planning Service staff through the applicant they needed to do that.

QUESTION NO 14

By Councillor Mowat for answer by the Vice-Convenor of the Planning Committee at a meeting of the Council on 21 November 2019

- Question** **(1)** On what date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?
- Question** **(2)** How were you informed (meeting, briefing, email, telephone, in person etc)?
- Question** **(3)** Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

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QUESTION NO 15

**By Councillor Cook for answer by the
Convener of the Transport and
Environment Committee at a meeting
of the Council on 21 November 2019**

- Question** **(1)** On what date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?
- Question** **(2)** How were you informed (meeting, briefing, email, telephone, in person etc)?
- Question** **(3)** Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

The delay in the redevelopment works associated with the National Galleries of Scotland, which failed to meet their planned completion deadline in April resulted in a briefing with City Centre Councillors and Culture and Communities spokespersons in advance of Committee, on 10 June 2019. For members who were unable to attend this briefing, the Executive Director of Place spoke to them by telephone or face to face in advance of the [June 18th](#) Committee meeting. The briefing for members [on 10 June](#) also covered the need the need to protect the National Galleries landscaping work. A detailed plan of the proposed structure was not available at that time however the Culture and Communities report of 10th September expanded on the requirements to cover the operator's additional costs which were the purpose for the contract extension but only agreed with the condition of a full consultation on the nature and the scale of the event.

**Supplementary
Question**

Thank you, Deputy Lord Provost. Does the Convener have full confidence in the Executive Director of Place and if so, why?

**Supplementary
Answer**

Thank you Councillor Cook. This Administration is delivering substantial progress across the Place Directorate, near record lows in waste complaints, improvement to our city's road conditions, 20,000 affordable homes, improvements to the Planning Service and thousands of new trees across the city. I think your party voted against the vast majority of the progress that is being made across the city and being delivered by the Place Directorate, so I'm a little concerned as to why you brought forward such a question. I'm happy to arrange a briefing with the Council's Monitoring Officer for the conservative party or indeed any other party to help them better understand their responsibilities in relation to the code of conduct when asking questions.

**Statement by
the Depute
Convener**

Can I please, before we move on to the next question, remind councillors that you must not criticise officers in the Chamber.

**Supplementary
Question**

Thank you Depute Provost. Does the Depute Convener have full confidence in the Executive Director of Place given the coverage and information which has come to light in regard to the situation surrounding the Christmas Market and East Princes Street Gardens, if they do, why?

**Supplementary
Answer**

Thank you for your supplementary, I will refer to Councillor McInnes' response and echo that.

QUESTION NO 17

By Councillor Doggart for answer by the Convener of the Culture and Communities Committee at a meeting of the Council on 21 November 2019

- Question** (1) On what date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?
- Question** (2) How were you informed (meeting, briefing, email, telephone, in person etc)?
- Question** (3) Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

The delay in the redevelopment works associated with the National Galleries of Scotland, which failed to meet their planned completion deadline in April resulted in a briefing with City Centre Councillors and Culture and Communities spokespersons in advance of Committee, on 10 June 2019. For members who were unable to attend this briefing, the Executive Director of Place spoke to them by telephone or face to face in advance of the [June 18th](#) Committee meeting. The briefing for members [on 10 June](#) also covered the need the need to protect the National Galleries landscaping work. A detailed plan of the proposed structure was not available at that time however the Culture and Communities report of 10th September expanded on the requirements to cover the operator's additional costs which were the purpose for the contract extension but only agreed with the condition of a full consultation on the nature and the scale of the event.

**Supplementary
Question**

Thank you Deputy Convener and thank you to the Convener for his answer. We now know given the report that is available to us to Policy and Sustainability next week that there is some information missing, so could the Convener confirm when he was consulted by the Executive Director of Place about the change in decision to permit extending the Christmas Market to the south side of Princes Street gardens and why did they not insist on taking that change of mind to Committee?

**Supplementary
Answer**

Okay I've not got the exact date in front of me but it was discussed and then it was brought to the Culture and Communities Committee and so, when was it discussed to make the change to the south then I will investigate that and make sure that information is available. I want to say however, that I thought you were going to ask me the same question as the previous and my answer to that is interesting, so I'll give it anyway and that's the referred to previous answers of course, but also I would also say that for me in answer to why I think there is an issue, there is an issue with application of devolved responsibility and I've said that before, said at Culture and Communities Committee and I'll say it again so, that's a wider issue than being levelled at one particular officer. So as the amendment to the motion that came to Culture and Communities on this subject stated quite clearly, we are where we are with us, it's right that we look at the process that's involved and that's what you're asking me about, so we have to look in detail about how that decision was made and that needs to come out and will come out next week when this goes to Policy and Sustainability but we must not let that get in the way of the fact that we all agree that we have a successful Christmas Winter Festival that has been attended by hundreds of thousands of people indeed already and will be in the coming weeks, but let's not throw the baby out with the bathwater, I think we all accept that we have to look at these issues, will have to look at how these decisions were made as we go forward, but we must also ask the citizens of Edinburgh if what we are doing is what they want and that's the purpose of the consultation that we have asked for and that we will get in the near future, so we make absolutely sure not just what we're doing but where we're doing it is exactly what Edinburgh citizens want.

QUESTION NO 18

By Councillor Doggart for answer by the Vice-Convenor of the Culture and Communities Committee at a meeting of the Council on 21 November 2019

Question (1) On what date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?

Question (2) How were you informed (meeting, briefing, email, telephone, in person etc)?

Question (3) Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

The delay in the redevelopment works associated with the National Galleries of Scotland, which failed to meet their planned completion deadline in April resulted in a briefing with City Centre Councillors and Culture and Communities spokespersons in advance of Committee, on 10 June 2019. For members who were unable to attend this briefing, the Executive Director of Place spoke to them by telephone or face to face in advance of the [June 18th](#) Committee meeting. The briefing for members [on 10 June](#) also covered the need the need to protect the National Galleries landscaping work. A detailed plan of the proposed structure was not available at that time however the Culture and Communities report of 10th September expanded on the requirements to cover the operator's additional costs which were the purpose for the contract extension but only agreed with the condition of a full consultation on the nature and the scale of the event.

**Supplementary
Question**

Thank you, Deputy Convener I'll try and surprise again, thank you to the Vice Convener for her answer. Could she confirm when she saw the full report showing the change of plans for this year's Christmas market and what objections did she make when she saw them?

**Supplementary
Answer**

Thank you for the supplementary. I am going to refer to the previous answers that have been given by my colleagues Councillor Wilson and Councillor McInnes, but I wanted to make a personal note here because this is a subject that really fascinates me I actually did my MSc research on the 300 year ban on Christmas which started in this city, so it's something that I know is a very emotive subject and it's a really great interest to me. What I think I am keen to say, we can see how popular it is with the residents, I was out on the weekend myself seeing mums with prams, shoppers laden down with bags of shopping from our stores on Princess Street, disabled folks all enjoying it, the key thing I think that we want to look at is encouraging everyone to take part in the full in-depth public consultation that we agreed in our Committee in June and really find out what the men and women and children of this city want to see in their Christmas celebrations.

QUESTION NO 19

By Councillor Whyte for answer by the Leader of the Council at a meeting of the Council on 21 November 2019

- Question** **(1)** On what date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?
- Question** **(2)** How were you informed (meeting, briefing, email, telephone, in person etc)?
- Question** **(3)** Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

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**Supplementary
Question**

Thank you Depute Convener. Other colleagues have asked various Conveners questions on this but I think that the Leader should perhaps try to get us an answer to what is at the heart of this. Given the previous controversy over trees in East Princes Street Gardens, screens in West Princes Street Gardens, and the ongoing debate on over tourism, why didn't he or any of the Conveners in his administration insist that what was clearly going to be a controversial change in the Christmas Market arrangements, should be surfaced at Council or a Committee through a written report by officers, wouldn't it have been better to allow the public to be aware of the plans in advance and allow councillors to scrutinise plans before they were signed off?

**Supplementary
Answer**

In relation to Councillor Whyte's question, the trees in Princes Street Gardens that he talks about I think voted unanimously through at Planning Committee, his party's representatives just like everyone else voted for the plans, it was not to do with the removal of trees it was to do with improvement of access to our gardens, is has to do with the transformative project in the National Gallery so it is worth just reminding the Conservatives of fact when they bring questions to the Chamber because otherwise they rebrand some Twitter accounts and invent their own way of fact-checking which does nobody any good. In terms of the delegated functions, I think the answer talks about the emergency motion that went in June which his party, the Conservatives, have representation on and I've gone back and watched the webcast and I have to say there was no questions coming forward in terms of what that additional investment to protect the works was from his party. There was then a report which went to Culture and Communities in I think September, again his party had very little to say about it and I understand the other Members who were briefed outwith those public reports and motions that were brought to Committee, had very little to say when they were briefed by the Executive Director as well, so is rightly reinventing reality at which the Conservatives are very very good, give them their due, great at that, reinventing reality to suggest that this information did not come to Committee in June in the form of an emergency motion and in September in terms of a report, it's his party's failure and his representatives

failure, perhaps it wants to do a reshuffle of Committee membership, that the right questions weren't asked at the right time he has to take responsibility just like the entire chamber.

QUESTION NO 20

By Councillor Webber for answer by the Depute Leader of the Council at a meeting of the Council on 21 November 2019

Question **(1)** On what date were you first made aware of the extent of structures required to support the Edinburgh's 2019 Christmas Market in East Princes Street Gardens?

Question **(2)** How were you informed (meeting, briefing, email, telephone, in person etc)?

Question **(3)** Who informed you?

Answer While layout plans were shared with the Council's Leaders and Conveners and Vice-Conveners of Transport and Environment Committee and Culture and Communities Committee in an emailed briefing by the Director of Place, on 4 September 2019, this did not give an indication of elevations and therefore the extent of required structures was only apparent post construction.

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**Supplementary
Question**

Thank you Deputy Convener. I'm delighted to see that the motion that we had at last Council about respectful debate doesn't seem to have lasted very long. So thank you for your answer Deputy Leader, but given the significant public interest across the last six to nine months on a number of activities that have happened in Princes Street Gardens and therefore the sort of scrutiny that the public has in this and in how we are behaving in acting at the moment, what does seem apparent with the papers coming to Policy and Sustainability next week, it does seem that there are clearly some issues with the delegated scheme of officer authority, do you feel now that with the information that was shared with you looking back, information that was shared with you on the 4th of September, was that sufficient to make an informed decision on the Christmas markets and can you tell us what level of confidence that you have an Executive Director of Place, thank you.

**Supplementary
Answer**

I think I'll make reference to the comments made by Councillors McVey, Wilson and McInnes about how the consultation was processed. I am quite confident that everything was done as it should have been, the report is due to Committee, identifies a minor weakness in the process and a number of members were consulted and I think the question about do I have faith in Directors is maybe inappropriate but I'll answer that by saying, delivering a tram system for the City, fixing Waverley Bridge, 20,000 new homes, a waterfront development, climate challenge, a Director that's absolutely leading in this city, the city's enjoying Christmas. The Tories vote against anything that's positive in the city, the Tories vote against progressive in the city and now the Tories vote against Christmas.

QUESTION NO 21

By Councillor Whyte for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 21 November 2019

Question

Can the Convener confirm what arrangements are being put in place to communicate

- a) The road closures across the North of the City in early 2020 which are related to different projects?
- b) How the whole picture will be communicated to Edinburgh residents to enable them to plan their journeys efficiently?

Answer

- a) The city-wide traffic management group will continue to identify all planned road closures and will ensure that any conflicts are managed.
- b) A variety of communication methods will be used including publishing information on the Scottish Road Works Commissioner and Council websites. Local letter drops will be used where appropriate, alongside on street advertising. Edintravel and the Council social media feeds will also be used to communicate with residents.

Supplementary Question

Deputy Convener, the answer from the Convener is helpful in so far as it goes and perhaps she could assist with an issue that has been raised with me by residents in my ward, but I know will affect many others. We already have now this week the start of tram works, there is a whole host of diversions around that Scottish Gas Networks and the particular thing I'm thinking of, are going into Stockbridge in January, there will be major road works all across the north of the city, and these are known about in advance. Should we not be doing a little more than the usual to try to encourage people to use different routes and more importantly can we not do a bit more than some of the on-street advertising that is usually fairly legible to drivers to ensure that people reduce their car use in these areas or

take different routes, and I say this on behalf of constituents who are particularly concerned about how their bus services will get through these areas and the various junctions around them while all of these works are ongoing?

**Supplementary
Answer**

Thank you very much for your supplementary, thank you Deputy Convener. You've got a lot packed into that question, but let me start with one particular key point which is that roadworks represent actual progress, often it's about developing a city, it's about reassuring citizens that their water, their electricity, their gas networks and so on are fit for purpose, it is a requirement of a city of this size to have that kind of organic development, it's a feature of cities, it is an unfortunate feature when it then produces difficulties for citizens and I fully recognise that fact, but the fact of the matter is that when it comes to road works and their impact, if those of us who are political geeks will not mind me referencing Donald Rumsfeld, there's the knowns and the unknowns. Now there are pieces of work that we can plan for and we absolutely can plan for, and that's exactly what we do, we have a very effective traffic management team that works very hard on our behalf, they coordinate with blue light services accordingly of Lothian buses and other bus operators to try to ensure that disruption is minimised, but we also have the unknown, we have sometimes the emergency works that are brought in by some of the utilities. We do not have the right to resist those emergency works and indeed it would not be responsible for us to do so because it would bring us back to ill functioning water, electricity, gas networks, whatever it is referring to, so we have a duty to manage that process as well as we possibly can, but it does produce some difficulties there's no question about it and our transport teams work very hard to try and minimise that as much as possible. When it comes to the specific reassurance that your ward residents and others are looking for, reassurance sits in the fact that we understand how the traffic works in the city, we do our very best to address those kinds of issues, we do communicate through a number of different methods, so for example around the tram extension there has been communication with individual residents and businesses around, in terms of

deliveries being impacted etc. There's also been very clear work by Lothian Bus to inform their bus passengers about the impact on their services, so there's a number of efforts that we make in order to ensure that everybody who is trying to move around the city or to move goods around the city are as informed as possible.

Sorry I've forgotten part of your question, my apologies if I haven't answered it, but essentially my answer to you boils down to, we plan as far as we can, we work as much as possible with all those organisations that are impacted by it and help to ensure that they adjust around it. The other issue however that we have less control of is how individuals respond to roadworks and the that changes are required. I think it's fair to say that almost every time we put in place roadworks, there will be those who choose to ignore diversions for example, and that that then has all sorts of knock-on impacts. I would certainly ask residents and visitors to the city to try to be more cognisant of the instructions that are out there on the street in terms of signage and to help us as a city minimise disruption by obeying signals that are out there to allow everybody to move more smoothly and not have one individual car or one individual delivery vehicle causing difficulties. I hope that that answers your question. If you have any further questions I am more than happy to talk them through with you at a later date.

QUESTION NO 22

By Councillor Young for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 21 November 2019

Question (1) Please provide information on the number of fines to unauthorised vehicles for the use of bus lanes during their operating hours, for 2019, up to 31/10/2019. Please provide this per location.

Answer (1) Please find below a summary of the charge notices issued for use of bus lanes at each location in the city:

Bus Lane Location	Charge Notices issued
Calder Road (I)	1,440
Calder Road (O)	4,619
London Road	2,588
Prestonfield Avenue	1,624
The Jewel	1,916
Little France Drive	6,987
Kirklands Park Street	780
Shore	2,279
Liberton Road (S) *	5,299
Commercial Street *	5,449
South Gyle Broadway (NW) *	1,453
Slateford Road **	272
Milton Road **	544
Total	35,250

* camera became operational in June 2019

** camera became operational in October 2019

Question (2) If available, please provide information on how many fines are given to 'repeat offenders' who have been fined for driving in the bus lane at least twice

Answer (2) Of the charge notices recorded in the table above, 16,322 were issued to vehicles which have received two or more Bus Lane Charge Notices in 2019.

**Supplementary
Question**

Thank you very much Deputy Lord Provost and to the Convener for your answer. I just wanted to ask, and I appreciate you may not be able to answer this right now, but just on the back of the really helpful information about levels of fines, is to get an idea of the rate of successful re-coupe of those fines, basically how many people are actually paying and how much are we having to chase up but also to get an idea of how much it costs for us to install and maintain a bus-lane camera?

**Supplementary
Answer**

Thank you Councillor Young, those are two quite precise questions so I will have to come back to you on with more information, but needless to say I think that the fines work, it helps to change behaviour, it helps again to control the city and the flow around it a lot better. Clearly one or two of the more recent ones, for example the installation of new ones in four new locations, one of them being Liberton Road for example, is producing a high rate of fines at the moment as people adjust and learn and I would expect those to come down, we've see that with some of the older ones, but I'll come back to you.

QUESTION NO 23

By Councillor Young for answer by the Convener of the Education, Children and Families Committee at a meeting of the Council on 21 November 2019

Question (1) Please provide the total number of children who have deferred entry into Primary 1 from August 2019 until August 2020. Please provide split of those with a DOB before and after 31 December 2014.

Answer (1) a) 431 January & February birthdays, Automatic Deferrals
b) 100 applications for Aug-Dec birthdays, Discretionary Deferrals

Question (2) For the totals provided at (1), please confirm how many are receiving funded nursery provision.

Answer (2) a) 431
b) 55

Question (3) Please provide the current total number of requests for deferred entry in August 2020 until August 2021. Again please provide split of those with a DOB before and after 31 December 2015.

Answer (3) The closing date for applications for deferred entry for August 2020 is 31 March 2020.

Question (4) For the totals provided at (3), please confirm how many have been advised that they would be eligible for funded nursery provision.

Answer (4) https://www.edinburgh.gov.uk/info/20071/nurseries_and_childcare/1890/defer_entry_to_p1

The above link on the council website provides information for parents on the deferral process. You may also find the following helpful.

To support the decision making process for granting

Discretionary Deferrals, a formal process is in place to enable applications to be considered by professionals from the Early Years and Primary sector as well as Psychological Services. This group uses the Panel discretionary assessment proforma to consider and review each individual application, considering the views of the parent and the child's early years setting. As part of this review, the panel considers the information provided regarding the child's social and emotional development and any other factors which may impact on their progress within a Primary 1 setting e.g. significant developmental delay or speech and language delay. Medical health issues which may impact on a child's progress are also considered e.g. a condition which has led to frequent hospital stays. The panel also reviews the action plan provided by the early years setting, and considers what the nursery feels are the main areas of concern regarding the child's development and learning, what they are currently doing to support the child and what they would plan to do if the child has another year in nursery. Where a nursery supports a request for an additional year at nursery, the panel expects the nursery has followed council procedures in relation to Getting it Right for Every Child and will include GIRFEC paperwork to support the application e.g. records of Child Planning meetings and reports from other professionals supporting the child e.g. Clinical Paediatrician reports, Speech and Language Therapy, or Occupational Health.

The assessment panel will consider if the information contained within the application demonstrates evidence of an additional support need(s) that will be better supported in a nursery environment or a Primary one setting. If the panel concludes that the evidence provided demonstrates the child's needs can be met in a Primary one setting, the parent is notified by letter of the decision not to grant an additional funded year at nursery. Parents can appeal this decision, and a separate panel is held to consider any appeals. This panel reviews the original information along with any additional supporting evidence that may not have been available to the original assessment panel.

**Supplementary
Question**

Thank you very much again and thank you to the Convener for the answer. Obviously there was, just for the context very briefly, the debate in the Scottish Parliament at the start of October you know commented on this EU funding for all four year olds who were deferred, so in anticipation of the promised legislation that came out of that debate, are there any plans in Edinburgh to implement this funding for those that are intending to defer at the 2020 intake?

**Supplementary
Answer**

Thank you for your supplementary question and you're right to point out that the parliament debated on this and I think they'll change the legislation but were waiting for a directive to come through, so if we can apply we will apply that in the most liberal way we can, but until the directive comes through we can't comment on it but I'll keep everybody in the Chamber informed and when the directives come through I will send it out to everybody, we will then have a report on how we're going to implement it.

QUESTION NO 24

**By Councillor Neil Ross for answer
by the Convener of the Finance and
Resources Committee at a meeting
of the Council on 21 November 2019**

The Council has an agreement with Enterprise Holdings to run the Edinburgh Car Club. I understand that the agreement provides for a percentage of the revenues to be shared with the Council.

Question

Please can you identify how much the Council has earned from the Car Club in each of the past five years?

Answer

The contractual arrangement with Enterprise introducing gainshare entitlement became effective from September 2017. Since this time, the Council has earned confirmed entitlement as follows:

2017/18 - £0.010m; and

2018/19 - £0.061m.

Entitlement in respect of 2019/20 is the subject of on-going consideration.

**Supplementary
Question**

Thank you Deputy Lord Provost and I thank the Convener for his answer. As a supplementary question I understand that a sum in excess of £300,000 is waiting to be paid to the Council by Enterprise, but is being withheld because the agreement reached in 2017 has not yet been signed by the Council. Given the Council's difficult financial position, can whoever is deputising today for the Convener, explain the reason for the delay in completing the contract and receiving the moneys due?

**Supplementary
Answer by
Councillor
McVey**

Can I thank Councillor Ross for the supplementary. I'm more than happy to follow up with the Convener of Finance and Resources to explain exactly why the contract hasn't been triggered yet and work out if there's a legitimate reason for that delay and if not sign it as a matter of urgency.