

Policy and Sustainability Committee

10.00 am, Tuesday 22 February 2022

Present

Councillors McVey (Convener), Day (Vice-Convener), Aldridge, Burgess, Jim Campbell, Kate Campbell (from Item 7), Daggart (substituting for Councillor Cook from item 16), Fullerton (substituting for Councillor Kate Campbell – Items 1-6), Gardiner, Gloyer, Hutchison, Macinnes, McLellan (from item 16), Miller, Mowat (substituting for Councillor McLellan – Items 1-15), Munn, Perry, Whyte and Wilson.

Also present: Councillor Lezley Marion Cameron (item 1)

1. Council Support to the Small Business Sector – Response to Motion by Councillor Lezley Marion Cameron

a) Deputation – Tron Area Business Group

The deputation indicated that they were frustrated by the lack of care, interest, consideration, support and help from the Council regarding the issues surrounding small businesses in the High Street area. They felt that the Council should be supporting sustainable thriving businesses but that the social fabric of the area was breaking down with unacceptable levels of crime, vandalism, anti-social behaviour, threatening behaviour, violence, drug and alcohol abuse and drug dealing.

They stressed that there was a lack of police presence in the area with businesses now hiring their own private security staff who themselves had been the subject of assault and abuse. They indicated that they felt that a multi-agency approach was required and asked the Council to liaise with businesses in the area and other external agencies to work together to rescue the Tron area and Royal Mile from further decline and make the area a pleasant place for all.

b) Report by the Executive Director of Place

In response to a motion by Councillor Lezley Marion Cameron, details were provided on the support Council currently provided to businesses in Edinburgh to assist them improve the accessibility of their premises and overall sustainability of their business operations.

Decision

- 1) To note the support currently offered to small businesses to become more sustainable and accessible.

- 2) To note the intention to create a communications plan, in early 2022, to ensure that local businesses were made aware, not only of the business benefits of considering sustainable and accessible business practices, but also the range of support available to them.

(References – Act of Council No 20 of 28 October 2021; report by the Executive Director of Place, submitted)

2. Minutes

Decision

To approve the minute of the Policy and Sustainability Committee of 30 November 20221 as a correct record.

3. Policy and Sustainability Committee Work Programme

The Policy and Sustainability Committee Work Programme for 22 February 2022 was presented.

Decision

To note the Work Programme.

(Reference – Work Programme 22 February 2022, submitted.)

4. Policy and Sustainability Committee Rolling Actions Log

Details were provided of the outstanding actions arising from decisions taken by the Committee.

Decision

- 1) To agree to close the following actions:

Action 5 – Edinburgh Integration Joint Board Savings and Recovery Programme 2020/21

Action 6 – Petition for Consideration: Resettle refugees and asylum seekers from the Aegean Island camps in Edinburgh

Action 8 – Better School Milk – motion by Councillor Burgess

Action 10 – Internal Audit: Overdue Findings and Key Performance Indicators as at 11 August 2021 – referral from the Governance, Risk and Best Value Committee

Action 11 – Community Wealth - Motion by Councillor Day

Action 12 – Small Business Saturday - motion by Councillor Lezley Marion Cameron

- 2) To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

5. Business Bulletin

The Policy and Sustainability Committee Business Bulletin for 22 February 2022 was submitted.

Decision

To note the Business Bulletin.

(Reference – Business Bulletin 22 February 2022, submitted.)

6. Adaptation and Renewal Update

An update was provided on the Adaptation and Renewal Programme which covered decisions taken in the period 13 November 2021 to 11 February 2022.

Motion

- 1) To note the Council's latest Covid-19 position following the statement from the First Minister on Tuesday, 31 January 2022 and associated Scottish Government guidance.
- 2) To note the Covid-19 Response Dashboard at Appendix 1 to the report by the Chief Executive.
- 3) To note the decisions taken to date under urgency provisions from 13 November 2021 to 11 February 2022 at Appendix 2 to the report.
- 4) To agree that as the Adaptation and Renewal Programme had closed, this should be the last report covering the remit of the programme. Both the Covid-19 Dashboard and list of CIMT decisions would continue to be circulated to members for as long as is required.

- moved by Councillor McVey, seconded by Councillor Day

Amendment 1

- 1) To note the Council's latest Covid-19 position following the statement from the First Minister on Tuesday, 31 January 2022 and associated Scottish Government guidance.
- 2) To note the Covid-19 Response Dashboard at Appendix 1 to the report by the Chief Executive.
- 3) To note the decisions taken to date under urgency provisions from 13 November 2021 to 11 February 2022 at Appendix 2 to the report.
- 4) To agree that as the Adaptation and Renewal Programme had closed, this should be the last report covering the remit of the programme. Both the Covid-19 Dashboard and list of CIMT decisions would continue to be circulated to members for as long as is required.
- 5) To note that a considerable number of decisions are still being taken under urgency powers and that Committees and other decision-making mechanisms are all in place through hybrid or online mechanisms. Therefore, seeks a report to the March meeting of the Council on how the number of decisions taken

through urgency powers can be reduced so that these can be subject to councillor and public scrutiny in future.

- moved by Councillor Whyte, seconded by Councillor Mowat

Amendment 2

- 1) To note the Council's latest Covid-19 position following the statement from the First Minister on Tuesday, 31 January 2022 and associated Scottish Government guidance.

In line with her statement and associated guidance, agrees that Council staff should return to office-working now, rather than waiting until April; and that physical distancing will no longer be required in Council buildings.

- 2) To note the Covid-19 Response Dashboard at Appendix 1 to the report by the Chief Executive.
- 3) To note the decisions taken to date under urgency provisions from 13 November 2021 to 11 February 2022 at Appendix 2 to the report.
- 4) To agree that as the Adaptation and Renewal Programme had closed, this should be the last report covering the remit of the programme. Both the Covid-19 Dashboard and list of CIMT decisions would continue to be circulated to members for as long as is required.

- moved by Councillor Aldridge, seconded by Councillor Gloyer

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

Voting

The voting was as follows:

For the Motion - 10 votes
For Amendment 1 (as adjusted) - 6 votes

(For the Motion: Councillors Burgess, Day, Fullerton, Gardiner, Macinnes, McVey, Miller, Munn, Perry and Wilson.

For Amendment 1 (as adjusted): Councillors Aldridge, Jim Campbell, Gloyer, Hutchison, Mowat, and Whyte.)

Decision

To approve the motion by Councillor McVey.

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

7. Internal Audit Overdue Findings More Than One Year Old as at 11 August 2021

The Committee had considered the outcome of the Internal Audit Overdue Findings and Key Performance Indicators as at 11 August 2021 and agreed that further

information on those actions which were within the purview of this Committee, and which were more than a year old, would be reported for further review.

Details were provided on those actions which were within the purview of this Committee, and which were more than a year old together with work being undertaken to address the overall picture of open and overdue IA findings with additional resource being recruited across the Directorates to support the work required to address these.

Motion

- 1) To note the current status of the Internal Audit (IA) overdue findings within the purview of this Committee, that were more than a year old as at 11 August 2021.
- 2) To note the actions proposed to close these findings.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) Given that twelve of thirteen Internal Audit Overdue actions directly relating to this Committee's remit overdue for more than a year have not been closed, even in line with the three-month extension which concluded on 31 December 2021, Committee agrees to receive a report at its next meeting detailing any further closed actions and setting out in detail how all remaining actions can be closed before the end of April 2022.
- 2) To note that repeated requests for action and assurances from the Senior Leadership Team that closing Overdue Audit Actions was being given extra priority and additional resources have failed to result in the desired change and agrees that any failure to close overdue actions by the end of April should be considered through the Council's Performance Management Processes.

- moved by Councillor Whyte, seconded by Councillor Mowat

Voting

The voting was as follows:

For the motion	-	10 votes
For the amendment	-	6 votes

(For the motion: Councillors Burgess, Kate Campbell, Day, Gardiner, Macinnes, McVey, Miller, Munn, Perry and Wilson.

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

Decision

To approve the motion by Councillor McVey.

(References – Policy and Sustainability Committee of 5 October 2021 (item 22); report by the Chief Executive, submitted.)

8. Internal Audit: Overdue Findings and Key Performance Indicators as at 5 November 2021 – referral from the Governance, Risk and Best Value Committee

The Governance, Risk and Best Value Committee had referred a report on the outcome of the Internal Audit Overdue Findings and Key Performance Indicators as at 5 November 2021 to the Policy and Sustainability Committee for ongoing scrutiny of relevant overdue management actions.

Motion

To note the report by the Governance, Risk and Best Value Committee.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) Given that twelve of thirteen Internal Audit Overdue actions directly relating to this Committee's remit overdue for more than a year have not been closed, even in line with the three-month extension which concluded on 31 December 2021, Committee agrees to receive a report at its next meeting detailing any further closed actions and setting out in detail how all remaining actions can be closed before the end of April 2022.
- 2) To note that repeated requests for action and assurances from the Senior Leadership Team that closing Overdue Audit Actions was being given extra priority and additional resources have failed to result in the desired change and agrees that any failure to close overdue actions by the end of April should be considered through the Council's Performance Management Processes.

- moved by Councillor Whyte, seconded by Councillor Mowat

Voting

The voting was as follows:

For the Motion	-	10 votes
For Amendment 1	-	6 votes

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

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

Decision

To approve the motion by Councillor McVey.

(References – Governance, Risk and Best Value Committee of 14 December 2021; referral from the Governance, Risk and Best Value Committee, submitted.)

9. Community Wealth Building - Response to a Motion by Councillor Day

In response to a motion by Councillor Day, details were provided on Edinburgh's approach to People centred approaches/Community Wealth building together with any further opportunities going forward.

Decision

To note the report by the Chief Executive.

(References – Act of Council No 18 of 28 October 2021; report by the Chief Executive, submitted.)

10. Performance Update Report

A second update on Council performance following the initial performance report to Elected Members in November 2021 was provided.

Decision

To refer the report to Council on 17 March 2022 for decision.

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

11. Coalition Commitments Progress Update 2021/2022

The Council had approved its business plan (A Programme for the Capital: The City of Edinburgh Council's Business Plan 2017-22) in August 2017. The plan had been built around 52 commitments the Council Administration had pledged to deliver over five years.

Details were provided on the final achievements and status of the 52 coalition commitments that the Council committed to deliver by the end of April 2022. In summary, of the 52 commitments, 30 had been fully achieved, 18 partially achieved and 4 would not be achieved.

Decision

To refer the report to Council on 17 March 2022 for decision.

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

12. Gaelic Language Plan 2018-22 - Monitoring Report

Details were provided on the Council's statutory annual monitoring report, summarising progress with the implementation of its Gaelic Language Plan 2018-22 up to the end of December 2021, which was due to be submitted to Bòrd na Gàidhlig by 6 March 2022.

Decision

To approve the third statutory annual progress report on the Council's Gaelic Language Plan 2018-22, covering the period to the end of December 2021, as required by Bòrd

na Gàidhlig, and due to be submitted to the Bòrd by 6 March 2022.

(References – Act of Council No 8 of 29 April 2021; Act of Council No 16 of 26 August 2021; report by the Interim Executive Director of Corporate Services, submitted.)

13. The Public Sector Equality Duty (PSED) in Scotland: Consultation Response on Stage 2 of the Review

Details were provided on a proposed response to the Scottish Government's consultation on the 'Review of the Operation of the Public Sector Equality Duty in Scotland' which was being considered by Committee in advance of submission with the consultation deadline originally 7 March, now extended to 11 April 2022.

Decision

To approve the proposed response for submission to the Scottish Government.

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

14. Protect Transport for Edinburgh – Response to Motion

In response to a motion by Councillor Whyte, details were provided on Police Scotland's data which outlined Police Officer numbers and recorded crime / incidents for Edinburgh and other Local Policing Divisions together with relevant contextual information in relation to Police Scotland's demand analysis framework and Strategic Workforce Plan.

Motion

- 1) To note the report by the Executive Director of Education and Children's Services.
- 2) To note the availability of the requested data and that Police Scotland's Executive had already committed to increasing Edinburgh Division's resource establishment.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To note the report by the Executive Director of Education and Children's Services.
- 2) To note the availability of the requested data and that Police Scotland's Executive had already committed to increasing Edinburgh Division's resource establishment, recognised in the following words of Chief Superintendent Sean Scott to this committee in October 2021, "the number [of Police Officers] in Edinburgh are now recognised as being not sufficient for the demand that is now in the Edinburgh area.
- 3) To note that for each Local Police Officer in Edinburgh Division there are 479 citizens whereas in Greater Glasgow, the ration is 1:344. Further notes that on an annualised basis, the Edinburgh Division, has fewer local Officers than at any

time since 2013, despite the population served increasing by close to 10% over the same period.

- 4) Instructs the Chief Executive to write to Police Scotland to request:
 - a) an acceleration in plans to increase the allocation of Police Offices to Edinburgh; and
 - b) Notwithstanding the difficulties identified in this report, that the Chief Superintendent consider how he can report progress on numbers to this Committee in a meaningful way through future Police Scrutiny Reports.

- moved by Councillor Whyte, seconded by Councillor Jim Campbell

In accordance with Standing Order 22(12), paragraph 4(b) of the amendment was accepted as an addendum to the motion.

Voting

For the motion (as adjusted) - 10 votes
For the amendment - 6 votes

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

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

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the report by the Executive Director of Education and Children's Services.
- 2) To note the availability of the requested data and that Police Scotland's Executive had already committed to increasing Edinburgh Division's resource establishment.
- 3) Instructs the Chief Executive to write to Police Scotland to request notwithstanding the difficulties identified in this report, that the Chief Superintendent consider how he could report progress on numbers to this Committee in a meaningful way through future Police Scrutiny reports.

(Reference – Policy and Sustainability Committee of 5 October 2021 (item 6); report by the Executive Director of Education and Children's Services, submitted.)

15. Refugee Resettlement

The Committee had agreed to a report on support provided to resettled refugees following a petition which had been received requesting an increase in the number of refugees Edinburgh resettles per year. The City of Edinburgh Council had also agreed that Edinburgh should contribute to Afghan refugee resettlement.

An update was provided on work being carried out to resettle Afghan refugees in the city and proposals for a revised target for resettlement places offered.

Decision

- 1) To agree an increase in Edinburgh's refugee resettlement to a maximum of one hundred and fifty refugees per year across the different strands of UK Government resettlement including Community Sponsorship.
- 2) To agree that the exact number – which should not be fewer than one hundred people per year – would depend on the availability of quality sustainable housing and that all options within social housing and private rented sectors would need to be explored.
- 3) To agree that Committee would be updated annually on the number of people resettled via the business bulletin.

(References – Policy and Sustainability Committee of 10 June 2021 (item 2); Act of Council No 20 of 26 August 2021; report by the Executive Director of Education and Children's Services, submitted.)

16. Motion by Councillor Burgess – Better School Milk

In response to a motion by Councillor Burgess details were provided on the work already undertaken by the current framework provider, Council officers and school pupils for the introduction of organic school milk with reduced use of single-use plastic in Edinburgh Council-run schools together with proposals for the implementation of a pilot trial of nonorganic milk in a school setting to understand the implications of this change.

Motion

- 1) To note the report by the Executive Director of Place, the anticipated costs and the potential challenges of introducing organic milk in schools.
- 2) To agree to progress with a pilot at St Andrews Primary School to help understand further the implications of making changes to the provision of non-organic milk in a school setting.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To note the report by the Executive Director of Place, the anticipated costs and the potential challenges of introducing organic milk in schools.
- 2) To agree to progress with a pilot at St Andrews Primary School to help understand further the implications of making changes to the provision of non-organic milk in a school setting.
- 3) To note that the Council is about to agree a new contract for provision of school milk. Therefore to agree that in order for the results of the trial of dispensing milk to be assessed, that any new contract will allow the Council to switch to dispensing milk if it decides to.

- moved by Councillor Burgess, seconded by Councillor Miller

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

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the report by the Executive Director of Place, the anticipated costs and the potential challenges of introducing organic milk in schools.
- 2) To agree to progress with a pilot at St Andrews Primary School to help understand further the implications of making changes to the provision of non-organic milk in a school setting.
- 3) To note that the Council was about to agree a new contract for provision of school milk. Therefore to agree that in order for the results of the trial of dispensing milk to be assessed, that any new contract would allow the Council to switch to dispensing milk if it decided to.

(Reference – Act of Council No 12 of 23 September 2021; report by the Executive Director of Place, submitted.)

17. Edinburgh Biodiversity Action Plan update and proposed “Nature Positive City” vision

Details were provided on the Council’s responsibility as a local authority and Responsible Person within its duty of candour responsibilities as set out by the Scottish Government. The Council was required to develop and maintain local procedures, processes and systems for recording and reporting, managing, and responding to an unintended incident that had caused harm, serious harm, or death of a person.

Decision

- 1) To approve the Council’s response to the ecological crisis through the development of a Vision for a Nature Positive City, in tandem with a replacement Edinburgh Biodiversity Action Plan.
- 2) To note the 2021 update for the Edinburgh Biodiversity Action Plan 2019-2021 in Appendix 1 to the report by the Executive Director of Place.

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

18. Seafield Masterplan Approach

Details were provided on a proposal for preparing a masterplan to move forward the significant development opportunity at Seafield as identified in City Plan 2030 which was a sizeable development area that needed to be carefully planned in order to maximise the benefits to the local area and wider economy. Agreement was sought to move forward with a masterplanning process and to use City Strategic Investment Fund (CSIF) for this purpose.

Motion

- 1) To agree to proceed with a partnership between the Council and the local community in order to prepare a masterplan for the Seafield redevelopment opportunity, as identified in City Plan 2030.
- 2) To agree the Masterplan Brief as provided in Appendix 1 to the report by the Executive Director of Place.
- 3) To agree to the use of up to £50,000, and identifies a further £80,000 contingency, from the City Strategic Investment Fund for the project and preapprove the procurement of consultants to take forward this work.
- 4) To note that the preparation of the masterplan and approval of the masterplan would be under the remit of the Planning Committee.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To agree to proceed with a partnership between the Council and the local community in order to prepare a masterplan for the Seafield redevelopment opportunity, as identified in City Plan 2030.
- 2) To agree the Masterplan Brief as provided in Appendix 1 to the report by the Executive Director of Place.
- 3) To agree to use up to £50,000 for the project and pre-approve the procurement of consultants to take forward this work.
- 4) To note that the preparation of the masterplan and approval of the masterplan would be under the remit of the Planning Committee.

- moved by Councillor Whyte, seconded by Councillor McLellan

Voting

For the motion - 12 votes
For the amendment - 5 votes

(For the motion: Councillors Aldridge, Burgess, Kate Campbell, Day, Gardiner, Gloyer, Macinnes, McVey, Miller, Munn, Perry and Wilson.

For the amendment: Councillors Jim Campbell, Doggart, Hutchison, McLellan and Whyte.)

Decision

To approve the motion by Councillor McVey.

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

19. Edinburgh Integration Joint Board Progress Report

As part of the governance arrangements in place, an update on the work of the Edinburgh Integrated Joint Board (EIJB) on matters of interest relating to the EIJB was provided which covered items of strategy, performance, delivery and finance.

Motion

To note the report by the Chief Officer, Edinburgh Health and Social Care Partnership.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

- 1) To recognise the immediate challenges of the current care crisis and the consequences of the delay to the full implementation of the Bed Based Review.
- 2) To therefore request the Chief Officer of the EIJB to accelerate work on the Transformation Programme by ensuring full staffing of the Transformation team in order to fully incorporate all Transformation activity into the 2023 refresh of the Strategic Plan.

- moved by Councillor Whyte, seconded by Councillor Doggart

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

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the report by the Chief Officer, Edinburgh Health and Social Care Partnership.
- 2) To recognise the immediate challenges of the current care crisis and the consequences of the delay to the full implementation of the Bed Based Review.
- 3) To therefore request the Chief Officer of the EIJB to accelerate work on the Transformation Programme by ensuring full staffing of the Transformation team in order to fully incorporate all Transformation activity into the 2023 refresh of the Strategic Plan.

(Reference – report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

20. Scottish Government consultation on National Public Energy Agency – Council response

Details were provided on a proposed draft response to the Scottish Government consultation on the National Public Energy Agency: call for evidence. An extension to the consultation deadline had been agreed with Scottish Government to enable committee consideration of the response.

Decision

To agree the Council response to the National Public Energy Agency consultation as detailed in appendix A to the report by the Chief Executive, to be submitted as soon as possible after committee consideration, in line with the extension agreed with Scottish Government.

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

21. Ending the need for food banks: City of Edinburgh Council response to consultation on a draft national plan

Details were provided the Council's response to the Scottish Government's consultation on a draft national plan to end the need for food banks which noted that Government proposals aligned with Council priorities as set out in the End Poverty Edinburgh Action Plan, and the Council Business Plan. The Council's response to the consultation specified a range of areas where further consideration or clarification by the Scottish Government would be helpful and the need for fair, sustainable funding to deliver all of the measures.

Decision

To note the response to the Scottish Government's consultation on a draft national plan to end the need for foodbanks, approved by the Executive Director of Corporate Services in consultation with the Leader and Depute Leader under urgency provisions set out in A4.1 of the Committee Terms of Reference and Delegated Functions so as to meet the consultation deadline.

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

22. Consultation Submissions by Council – Update

Details were provided on a series of recently held Scottish Government and Scottish Parliament net zero related consultations/calls for evidence immediately prior to or over the Christmas period, to which the Council had made submissions. It had not been possible for extensions to be granted that would enable Committee consideration of responses prior to their submissions and copies of the submissions were provided in the appendices to the report by the Chief Executive.

Decision

To note the responses to Scottish Government consultations and Scottish Parliament inquiry, approved by the Executive Director of Corporate Services in consultation with the Leader and Depute Leader under urgency provisions set out in A4.1 of the Committee Terms of Reference and Delegated Functions so as to meet the consultation deadlines (attached at appendices A, B, C and E to the report by the Chief Executive).

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