

## Culture and Communities Committee

10.00am, Tuesday 13 December 2022

**Present:**

Councillors Walker (Convener), Doggart (substituting for Councillor Mitchell (item 1), Glasgow, Heap, McFarlane, McNeese-Mechan, Meagher, Mitchell (items 9 to 17), Munro, Osler, Staniforth, Thornley and Whyte (substituting for Councillor Mitchell (items 2 to 8)).

### 1. Use of Public Spaces for Events and Filming Update

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**(a) Joint Deputation – New Town and Broughton, Old Town, Tollcross and West End Community Councils**

The deputation advised they had participated in every stage of the development of the use of public spaces since 2020.

At the collaborative engagement stage the deputation had contributed to the key principles and had submitted 17 guidelines relating to access to parks, sound levels at music events, fireworks, public safety and venue overcapacity, environmental impact and impact on surroundings, carbon footprint, green certification for events, use of heavy equipment and temporary buildings on soft surfaces, on-site generators, pesticides, public art installations and the responsible and accurate use of statistics and means of making complaints.

The deputation strongly supported the creation of an orderly rule-based management system for the use of public spaces and requested the Committee to consider applying the following five tests as part of that system:

- contribute to the good management of public spaces,
- balance the interests of residents, the council and event organisers in ways that were fair and reasonable
- encourage the use of the right spaces for the right events while sensitively distinguishing between residential and non-residential areas
- Achieve consistency with other Council policies especially those for climate change mitigation and the social and natural environment
- be presented in a form that was accessible and usable by all involved.

**(b) Deputation - LS Productions**

The deputation explained they had participated in the public spaces working group. They had a unique perspective as they filmed in the UK and around the world and saw how local authorities and film offices worked with production companies and local communities.

The deputation stated that the code of practice in Edinburgh was currently well balanced between supporting the film industry and supporting local communities and residents. It also provided other benefits such as economic growth and tourism for the film industry and helped support local talented crew to make a living and not move elsewhere to secure work.

The deputation felt there was a need to drive excellence and work towards a greener industry. They had good practice of working with and notifying residents, were also committed to diversity and advocated Edinburgh remaining a world class location for filming. They wanted to ensure that all parties worked collaboratively and that there was a balance of voices on any ongoing conversation.

**(c) Report by the Executive Director of Place**

Committee had previously approved a draft set of key principles for the use of public spaces for events and filming for public consultation. The consultation period ran from 22 September 2021 to 15 December 2021.

Analysis of the findings from the consultation showed that consultees broadly agreed with the key principles and demonstrated strong support for the environment, sustainability and the Edinburgh community.

Approval was now sought for the key principles and process for the Council to progress applications for the use of public spaces for events and filming.

**Motion**

- 1) To note the results of the public consultation on the key principles for the use of public spaces for events and filming.
- 2) To approve the finalised key principles and process for submitting applications for the use of public spaces as set out in paragraphs 4.12 to 4.14 and in Appendices 2 and 4 of the report by the Executive Director of Place.
- 3) To agree that an action plan to implement the responses to the key principles would be presented to Culture and Communities Committee on 7 March 2023 for approval.
- 4) To discharge the outstanding motions from the Council, as set out in in Appendix 1 of the report, which had been addressed by the key principles or in previous responses to the appropriate Executive Committees.

- 5) To note that officers would continue to progress implementation of the motion on Greening the Fringe, working with partners as appropriate and that Committee would be kept updated on progress via the Committee Business Bulletin.
  - 6) To agree to host a briefing session for members to consider the historical work undertaken.
- moved by Councillor Walker, seconded by Councillor Meagher

#### **Amendment 1**

- 1) To note the results of the public consultation on the key principles for the use of public spaces for events and filming.
  - 2) To approve the finalised key principles and process for submitting applications for the use of public spaces as set out in paragraphs 4.12 to 4.14 and in Appendices 2 and 4 of the report by the Executive Director of Place.
  - 3) To agree that an action plan to implement the responses to the key principles would be presented to Culture and Communities Committee on 7 March 2023 for approval.
  - 4) To discharge the outstanding motions from the Council, as set out in in Appendix 1 of the report, which had been addressed by the key principles or in previous responses to the appropriate Executive Committees.
  - 5) To note that officers would continue to progress implementation of the motion on Greening the Fringe, working with partners as appropriate and that Committee would be kept updated on progress via the Committee Business Bulletin.
  - 6) To agree to host a briefing session for members to consider the historical work undertaken.
  - 7) To approve the progression of the practical steps outlined in paragraph 4.16 of the report and agree an update would be provided in the Business Bulletin in two cycles.
- moved by Councillor Thornley, seconded by Councillor Osler

#### **Amendment 2**

To add at end of 1.1.2: subject to the following modifications:

##### 1.1.2.1

Insert in 'How we will respond' column at Principle 12.

“Event organisers should be asked to demonstrate how they going to avoid, entirely where possible, or if not possible, minimise, damage to built and green areas.”

##### 1.1.2.2

Insert in 'How we will respond' column at Principle 6.

Insert after 'deliver'

"These should be substantial and tangible for the local community and proportionate to the size of the event."

- moved by Councillor Heap, seconded by Councillor Staniforth

### **Amendment 3**

At Appendix 2, point 4 in the report by the Executive Director of Place:

To remove:

"The final decision on any event application that does not meet the criteria will rest with the Convener of the Culture and Communities Committee" and replaces with:

"The final decision on any event application that does not meet the criteria will rest with the Service Director, Culture and Wellbeing and that decision will be taken in consultation with the Convener of the Culture and Communities Committee."

- moved by Councillor Munro, seconded by Councillor Doggart

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

### **Decision**

To approve the following adjusted motion by Councillor Walker:

- 1) To note the results of the public consultation on the key principles for the use of public spaces for events and filming.
- 2) To note the finalised key principles and process for submitting applications for the use of public spaces as set out in paragraphs 4.1 –4.14 and in Appendices 2 and 4 of the report by the Executive Director of Place subject to:
  - inserting in 'How we will respond' column at Principle 12.  
"Event organisers should be asked to demonstrate how they going to avoid, entirely where possible, or if not possible, minimise, damage to built and green areas."
  - inserting in 'How we will respond' column at Principle 6.  
Insert after 'deliver'  
"These should be substantial and tangible for the local community and proportionate to the size of the event."
- 3) To agree that an action plan to implement the responses to the key principles would be presented to Culture and Communities Committee on 23 May 2023 for approval.

- 4) To discharge the outstanding motions from the Council, as set out in in Appendix 1 of the report, which had been addressed by the key principles or in previous responses to the appropriate Executive Committees.
- 5) To note that officers would continue to progress implementation of the motion on Greening the Fringe, working with partners as appropriate. Committee would be kept updated on progress via the Committee Business Bulletin.
- 6) To agree to host a briefing session for members to consider the historical work undertaken.
- 7) To approve the progression of the practical steps outlined in 4.16 and agree an update would be provided in the Business Bulletin in two cycles.
- 8) To continue consideration of the following proposed changes to wording at Appendix 2, point 4 in the report by the Executive Director of Place to Committee on 23 May 2023:

To remove:

“The final decision on any event application that does not meet the criteria will rest with the Convener of the Culture and Communities Committee” and replace with:

“The final decision on any event application that does not meet the criteria will rest with the Service Director, Culture and Wellbeing and that decision will be take in consultation with the Convener of the Culture and Communities Committee.”

(References - Culture and Communities Committee 14 September 2021 (item 6); report by the Executive Director of Place, submitted)

## **2. Response to Motion by Councillor Thornley – Parks and Greenspace Investment**

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### **(a) Deputation – Living Rent – Leith Branch**

The deputation expressed their concerns about the lack of lighting across the whole of Leith Links. Parks were important social resources for the community and people in Leith had the right to safe, accessible green space.

Green space provided a host of benefits in the social and economic life of the community, contributed to good mental health and lighting could often enhance the natural beauty of greenspaces. Concerns for wildlife had to be addressed and there was a need to conserve energy by the use of energy efficient lighting solutions.

The deputation asked the Committee to act urgently to address the lack of adequate lighting to make Leith Links a safer, more accessible and inclusive public space for the benefit of the community.

**(b) Report by the Executive Director of Place**

In response to a motion by Councillor Thornley, details were provided of the progress being made on the investment in parks and greenspace assets across the city.

**Motion**

- 1) To note the progress made with condition surveys of parks infrastructure assets and with the investment in priority 01 projects.
  - 2) To acknowledge the costs associated with these schemes and the external funding secured to progress projects, particularly at Harlaw, Threipmuir and Bonaly.
  - 3) To recognise that the existing funding allocation would only cover priority 01 works.
  - 4) To note that update reports on progress with the parks and greenspace investment programme would be reported to Committee on a six-monthly basis.
  - 5) To recognise that the investment was fully committed on priority 01 work but noted that several communities had recently expressed concerns around lighting in parks, most notably in Leith Links.
  - 6) To note that a budget of £150k was made available for park lighting in the budget.
  - 7) To request that a report on Guidance on Park Lighting be brought to the March meeting of the Culture and Communities Committee, with an assessment of the financial implications of implementing this guidance.
- moved by Councillor Walker, seconded by Councillor Meagher

**Amendment**

- 1) To note the progress made with condition surveys of parks infrastructure assets and with the investment in priority 01 projects.
- 2) To acknowledge the costs associated with these schemes and the external funding secured to progress projects, particularly at Harlaw, Threipmuir and Bonaly.
- 3) To recognise that the existing funding allocation will only cover priority 01 works and the budgetary constraints outlined.
- 4) To note that update reports on progress with the parks and greenspace investment programme would be reported to Committee on a six-monthly basis and this should include, but not be limited to, what had been done to reassess priority actions as the programme moves forward and issues develop.
- 5) To recognise that the investment was fully committed on priority 01 work but noted that several communities had recently expressed concerns around lighting in parks, most notably in Leith Links.

- 6) To note that a budget of £150k was made available for park lighting in the budget.
  - 7) To request that a report on Guidance on Park Lighting be brought to the March meeting of the Culture and Communities Committee, with an assessment of the financial implications of implementing this guidance.
- moved by Councillor Thornley, seconded by Councillor Osler

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 Walker:

- 1) To note the progress made with condition surveys of parks infrastructure assets and with the investment in priority 01 projects.
- 2) To acknowledge the costs associated with these schemes and the external funding secured to progress projects, particularly at Harlaw, Threipmuir and Bonaly.
- 3) To recognise that the existing funding allocation will only cover priority 01 works and the budgetary constraints outlined.
- 4) To note that update reports on progress with the parks and greenspace investment programme would be reported to Committee on a six-monthly basis and this should include, but not be limited to, what had been done to reassess priority actions as the programme moves forward and issues develop.
- 5) To note that the need for increased lighting would be included in the Active Travel Plan.
- 6) To agree to verify how much funding had been allocated for park lighting and to provide a briefing note to members.
- 7) To recognise that the investment was fully committed on priority 01 work but noted that several communities had recently expressed concerns around lighting in parks, most notably in Leith Links.
- 8) To note that a budget of £150k was made available for park lighting in the budget.
- 9) To request that a report on Guidance on Park Lighting be brought to the March meeting of the Culture and Communities Committee, with an assessment of the financial implications of implementing this guidance.

(References – Act of Council No 5 of 22 September 2022 and No 18 of 18 February 2021; Culture and Communities 16 August 2022 (item 9) and 15 June 2021 (item 7); report by the Executive Director of Place, submitted)

### 3. Minutes

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#### Decision

- 1) To approve the minute of the Culture and Communities Committee of 4 October 2022 as a correct record.
- 2) To approve the minute of the Culture and Communities Committee of 13 October 2022 as a correct record.

### 4. Work Programme

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#### Decision

To note the work programme.

(Reference – Culture and Communities Committee Work Programme 13 December 2022, submitted)

### 5. Rolling Actions Log

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The Culture and Communities Committee Rolling Actions Log was presented.

#### Decision

- 1) To agree to close the following actions:
  - Action 2 - Citywide Cultural Plan Update 2018/2019
  - Action 6 - The Quaich Outline Business Cash
  - Action 8 - Developing Trauma Informed Services
  - Action 10 - Uses of Public Space for Events and Filming
  - Action 12 - Physical Activity and Sports Strategy - Planning Ahead
  - Action 13 - Public Realm CCTV Update
  - Action 16 - Council Companies - Edinburgh Leisure Annual Report 2020-2021
  - Action 18 (decisions 1 and 2) - Business Bulletin
  - Action 20 - Filming in Edinburgh 2021
  - Action 25 - Amplification of Sound in Public Spaces
  - Action 26 - Edinburgh Million Tree City
  - Action 28 - Business Bulletin
  - Action 29 - Business Bulletin

- Action 31 - Physical Activity and Sports Strategy - Motion by Councillor Osler
  - Action 32 - Parks and Greenspace Investment - Motion by Councillor Thornley
- 2) To update the rolling actions log to reflect the decisions taken at this meeting and otherwise note the outstanding actions.

(Reference – Culture and Communities Committee Rolling Actions Log 13 December 2022, submitted)

## 6. Business Bulletin

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The Culture and Communities business bulletin was presented.

### Decision

- 1) To note the business bulletin.
- 2) To note that members would be provided with a further update on the Edinburgh Filmhouse.

(Reference – Culture and Communities Committee Business Bulletin 13 December 2022, submitted)

## 7. Local Outcome Improvement Plan

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The Edinburgh Partnership was required to produce a Local Outcome Improvement Plan (LOIP) under the Community Empowerment (Scotland) Act 2015.

The current plan, approved in 2018, had now been revised to reflect policy shifts in the city, the effects of Covid-19, the climate emergency and findings of the Best Value Assurance Audit in 2020. The primary focus remained to tackle poverty and inequality which was the single most critical challenge faced by community planning partners in the city.

The Edinburgh Partnership had approved the plan in March 2022 subject to the agreement of partners through their individual governance arrangements.

### Decision

To agree the revised Edinburgh Partnership Local Outcome Improvement Plan 2022-28.

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

## 8. Citywide Culture Strategy 2023-30

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Approval was sought for a Citywide Culture Strategy for 2023-2030 which would form the basis of the work of the Council's Culture and Wellbeing service. Once the Strategy was approved, action plans for each of the four service areas would be developed by officers in consultation with stakeholders. It was proposed that the plans would be reviewed and updated on an annual basis.

### Motion

- 1) To approve the draft Citywide Culture Strategy 2023-30 (Appendix 1) of the report by the Executive Director of Place.
  - 2) To note that four action plans would be developed by the Culture and Wellbeing service, aligned to the Strategy. The action plans would align with the service areas of Cultural Partnerships and Strategy, Heritage, Culture Venues and Museums, Community Empowerment and Libraries, Sport and Wellbeing.
- moved by Councillor Walker, seconded by Councillor Meagher

### Amendment

- 1) To note the draft Citywide Culture Strategy 2023-30 as set out at Appendix 1 of the report.
  - 2) To agree that the four action plans proposed for the Culture and Wellbeing Service be produced by May 2023 at the latest along with appropriate KPIs and measurement methods and that Committee reconsider the Strategy at that time.
- moved by Councillor Whyte, seconded by Councillor Munro

### Voting

For the motion: 9 votes  
For the amendment: 2 votes

(For the motion – Councillors Glasgow, Heap, McFarlane, McNeese-Mechan, Meagher, Osler, Staniforth, Thornley and Walker.

For the amendment – Councillors Munro and Whyte.)

### Decision

- 1) To approve the draft Citywide Culture Strategy 2023-30 as set out in Appendix 1 of the report by the Executive Director of Place.
- 2) To note that four action plans would be developed by the Culture and Wellbeing service, aligned to the Strategy. The action plans would align with the service areas of Cultural Partnerships and Strategy, Heritage, Culture Venues and Museums, Community Empowerment and Libraries, Sport and Wellbeing.

(Reference - Culture and Communities Committee 18 June 2019 (item 7); report by the Executive Director of Place, submitted)

## 9. Custom House: Recommendation for Development by the Scottish Historic Buildings Trust

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A summary was provided of the results of a feasibility study on the future of Custom House and the preferred development option proposed by Scottish Historic Buildings Trust (SHBT) for it to become a mixed-use Community, Creative and Heritage Hub enabling the accessible display of heritage artefacts relating to the history of Leith.

This option would create an open and welcoming building for the community whilst generating sufficient commercial income to ensure that it had a sustainable future. It respected the historic fabric of this important, category A-listed property.

Councillors Faccenda and Booth were heard as local Ward members and expressed their support for the proposals in the report. Councillor Booth thanked Scottish Historic Buildings Trust and Council officers who had carried out an enormous amount of work to get to this position. Councillor Booth also acknowledged the contribution made by former Councillor Munro in securing the long-term future for Custom House along with the many other volunteer organisations and stakeholders who had participated in the consultations.

Councillors Faccenda and Booth asked Committee to consider two minor adjustments to recommendation 1.1.6 in the report and that the report back to committee as called for should be in six months' time and that this report should also include further information on continuing community engagement.

### **Motion**

- 1) To agree the preferred option: Option 4 - Mixed-use Community, Creative and Heritage hub – as detailed in the Scottish Historic Buildings Trust (SHBT) feasibility study, as the vision and way forward for the project to secure the long-term future for the Custom House in Leith.
- 2) To note that a backup option would be developed should the full funding for Option 4 not be secured. This would be Option 4A – Phase 1 of the Community, Creative and Heritage hub focusing on the main Custom House building – as detailed in the SHBT feasibility study, enabling Phase 2 on the Cruiser Store to follow as and when funding became available.
- 3) To note that if funding for Option 4 was not secured within the agreed timeframe of 24 months, a report would be brought back to Committee outlining the plan to progress and fund Option 4A.
- 4) To note that the initial five-year lease granted to SHBT would require to be extended to December 2025 or until such time as the 99 Year Lease was effective in order to facilitate this development.
- 5) To note that the use of Common Good Funding was for acquisition only and no further conditions or restriction would be imposed on the building from the Common Good Fund.

- 6) To note that SHBT welcomed the advice and input offered from the Council's Museums and Galleries Service to jointly develop the heritage element of the project, and that a report would be brought back to Committee in six months to fully define this element and the long-term partnership arrangements and community engagement.

- moved by Councillor Walker, seconded by Councillor Meagher

### **Amendment**

- 1) To note the proposed recommendations in the report and agree to continue consideration of these matters.
- 2) In the interim, Committee agrees that officers should explore:
  - a) how the proposal could be enhanced to increase the share of the building used for "a museum/heritage purpose for the benefit of Leith and the wider city" to ensure any final proposal is in line with the original purpose of Council involvement and the use of Common Good funds for the purchase of the building (this should include as a target at least 25% of the building being used for this purpose with suitable permanent spaces for display/events in addition to atria/circulation spaces).
  - b) that officers explore how this permanent museum/heritage use could be written into the conditions of any 99-year lease to ensure its future along with any other necessary conditions to restrict the use of the building to the purposes for which Common Good funds were used to acquire it.
  - c) should these aims not be possible, detail the options that are available to dispose of the building in line with the Council's asset management strategy, requirements to reduce budget expenditure on the operational estate and the Net Zero 2030 target.

- moved by Councillor Mitchell, seconded by Councillor Munro

### **Voting**

For the motion (as adjusted)            9 votes

For the amendment:                      2 votes

(For the motion – Councillors Glasgow, Heap, McFarlane, McNeese-Mechan, Meagher, Osler, Staniforth, Thornley and Walker.

For the amendment – Councillors Mitchell and Munro.)

### **Decision**

- 1) To agree the preferred option: Option 4 - Mixed-use Community, Creative and Heritage hub – as detailed in the Scottish Historic Buildings Trust (SHBT) feasibility study, as the vision and way forward for the project to secure the long-term future for the Custom House in Leith.

- 2) To note that a backup option would be developed should the full funding for Option 4 not be secured. This would be Option 4A – Phase 1 of the Community, Creative and Heritage hub focusing on the main Custom House building – as detailed in the SHBT feasibility study, enabling Phase 2 on the Cruiser Store to follow as and when funding became available.
- 3) To note that if funding for Option 4 was not secured within the agreed timeframe of 24 months, a report would be brought back to Committee outlining the plan to progress and fund Option 4A.
- 4) To note that the initial five-year lease granted to SHBT would require to be extended to December 2025 or until such time as the 99 Year Lease was effective in order to facilitate this development.
- 5) To note that the use of Common Good Funding was for acquisition only and no further conditions or restriction would be imposed on the building from the Common Good fund.
- 6) To note that SHBT welcomed the advice and input offered from the Council's Museums and Galleries Service to jointly develop the heritage element of the project, and that a report would be brought back to Committee in six months to fully define this element and the long-term partnership arrangements and community engagement.

(References - Act of Council No 10 of 21 August 2014; Culture and Communities Committee of 18 June 2019 (item 9); Finance and Resources Committee of 13 May 2015 (item 24); report by the Executive Director of Place, submitted.)

## **10. Amplification of Sound in Public Spaces**

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A summary was provided of the legislative powers which could be considered to incorporate the amplification of sound in public spaces.

It was proposed to establish a Busking Working Group consisting of Council officers, Police Scotland and relevant local stakeholders. The group would develop a plan with recommendations on zones where busking and amplified sound could be managed and the times of year where appropriate management could be delivered and would also identify resources necessary to deliver the plan including any associated financial implications.

It was also proposed to launch a resident survey in the new year seeking feedback on:

- Particular hot spots where busking and amplified sound should be avoided
- any locations or zones where busking and amplified sound could be accommodated and managed
- Times of day and year when busking and amplified sound could be accommodated and managed
- Any initial information provided by the busking working group.

## **Motion**

- 1) To agree the summary of existing legislation set out in Appendix 1 of the report by the Executive Director of Place relating to the amplification of sound in public spaces.
  - 2) To note the information provided on the creation of a bye law and that any decision for this would need to be on the basis of evidence presented.
  - 3) That the outcome of the consultation and feedback from the Busking Working Group would be reported back to Committee, in order to consider whether there would be sufficient justification to proceed with preparing a bye law.
  - 4) To agree to provide an update report on progress for summer 2023.
- moved by Councillor Walker, seconded by Councillor Meagher

## **Amendment**

- 1) To agree the summary of existing legislation set out in Appendix 1 of the report by the Executive Director of Place relating to the amplification of sound in public spaces.
  - 2) To note the information provided on the creation of a bye law and that any decision for this would need to be on the basis of evidence presented.
  - 3) To request the Festivals All Party Oversight Group to discuss, design and carry out a consultation with residents and businesses to seek evidence of the issues associated with the amplification of sound in public spaces and to report back to the Culture & Communities Committee within three cycles in order to consider whether there would be sufficient justification to proceed with preparing a bye law; and
  - 4) To agree that an update would be included in the Business Bulletin for the first meeting of the Committee in 2023 giving details of all the actions agreed in 3.3.2, 3.3.4, 3.3.5 and 3.3.6 of the report and an explanation of any agreed action where no action had been progressed.
  - 5) To agree to provide an update report on progress for summer 2023.
- moved by Councillor Neil Ross, seconded by Councillor Osler

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 Walker:

- 1) To agree the summary of existing legislation (Appendix 1 of the report by the Executive Director of Place) relating to the amplification of sound in public spaces.
- 2) To note the information provided on the creation of a bye law and that any decision for this would need to be on the basis of evidence presented.

- 3) To request the Festivals All Party Oversight Group to discuss, design and carry out a consultation with residents and businesses to seek evidence of the issues associated with the amplification of sound in public spaces and to report back to the Culture & Communities Committee within three cycles in order to consider whether there would be sufficient justification to proceed with preparing a bye law.
- 4) To agree that an update would be included in the Business Bulletin for the first meeting of the Committee in 2023 giving details of all the actions agreed in 3.3.2, 3.3.4, 3.3.5 and 3.3.6 of the report and an explanation of any agreed action where no action had been progressed.
- 5) To agree to provide an update report on progress for summer 2023.

(References – Act of Council No 5 of 28 October 2021; Culture and Communities Committee 26 April 2022 (item 14); report by the Executive Director of Place, submitted.)

## 11. Changes to Legislation on the Sale and Use of Fireworks in Scotland

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A summary was provided of provisions contained in the Fireworks and Pyrotechnic Articles (Scotland) Act 2022, which had been passed by the Scottish Parliament on 29 June 2022.

The Act contained six key provisions designed to support a cultural shift in how fireworks and other pyrotechnic articles were used in Scotland. It did not, however, give the Council any additional powers to further restrict or ban the sale of fireworks in the city.

### Motion

- 1) To note the report by the Executive Director of Place.
  - 2) To agree that a further report would be submitted in Autumn 2023 providing a more detailed update on the legislative changes and implications for the City of Edinburgh Council.
- moved by Councillor Walker, seconded by Councillor Meagher

### Amendment

- 1) To note the report by the Executive Director of Place.
  - 2) To agree that a further report would be submitted in Autumn 2023 providing a more detailed update on the legislative changes and implications for the City of Edinburgh Council.
  - 3) To refer the report to the Regulatory Committee for further consideration and any relevant outputs from that referral to be included within the report called for in Autumn 2023.
- moved by Councillor Osler, seconded by Councillor Thornley

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 Walker:

- 1) To note the report by the Executive Director of Place.
- 2) To agree that a further report would be submitted in Autumn 2023 providing a more detailed update on the legislative changes and implications for the City of Edinburgh Council.
- 3) To refer the report to the Regulatory Committee for further consideration and any relevant outputs from that referral to be included within the report called for in Autumn 2023.

(References – Act of Council No 12 of 23 November 2017; Corporate Policy and Strategy Committee 7 August 2018 (item 6); Culture and Communities Committee 26 March 2019 (item 10); report by the Executive Director of Place, submitted).

## **12. Community Empowerment Update**

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An update was provided on the Lifelong Learning organisational review which set out a proposed approach to supporting community centres and local community planning.

### **Motion**

- 1) To note the update on the organisational review of Lifelong Learning and the wider context which had influenced the development and refinement of proposals for the Council's future staffing structure across the services of Wider Achievement, Libraries, Sport and Wellbeing and Community Empowerment.
  - 2) To note the prioritisation of support for community centres and community planning (through Neighbourhood Networks and Local Community Planning Partnerships (LCPPs)).
  - 3) To note the intention to support improved partnership working between the public sector, the voluntary sector and the community sector.
- moved by Councillor Walker, seconded by Councillor Meagher

### **Amendment**

- 1) To welcome that the proposed approach for supporting community centres and community centre management committees was to 'prioritise community centres' but to note there was no detail of what this meant.
- 2) To note there was a commitment to develop a new Community Centre Strategy, again with no detail or outcomes attached.
- 3) To further note the welcome allocation of £290k from the Shared Prosperity Fund, but again notes there is no indication of how this funding will be spent
- 4) To further note that there is no detail in this report in relation to the outcomes of the organisation review on the Lifelong Learning Service despite this process having concluded in July.

- 5) To note the report in February 2020 to Policy and Sustainability stated at 5.2:  
 “The Committee will be kept updated on the outcome of the consultation and on any changes that are made as a result of the feedback received. Elected Member engagement will continue through the consultation period to ensure that any questions, issues or concerns are considered in advance of the final structure being implemented, alongside engagement with the Edinburgh Partnership.”
- 6) To note that there had been no briefing to councillors and no engagement and yet the consultation concluded and the final structure was being implemented.
- 7) To agree, therefore, to receive a further report in one cycle on the detail of the community centre approach before giving approval to this strategy.
- 8) To agree that management committees must be consulted as part of this approach, and their feedback included in the report.
- 9) To agree that all councillors would receive an urgent briefing, within one week, covering:
  - the proposed changes to the Lifelong Learning structure
  - the outcomes that the restructure aimed to deliver
  - detail of what prioritising community centres and community centre management committees actually meant in terms of resource, structure and engagement
- 10) To agree the content of this briefing would be included in the report so that it was available to the public.

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

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

### **Decision**

To approve the following adjusted motion by Councillor Walker:

- 1) To note the update on the organisational review of Lifelong Learning and the wider context which had influenced the development and refinement of proposals for the Council’s future staffing structure across the services of Wider Achievement, Libraries, Sport and Wellbeing and Community Empowerment.
- 2) To note the prioritisation of support for community centres and community planning (through Neighbourhood Networks and Local Community Planning Partnerships (LCPPs)).
- 3) To note the intention to support improved partnership working between the public sector, the voluntary sector and the community sector.
- 4) To welcome that the proposed approach for supporting community centres and community centre management committees was to ‘prioritise community centres’ but to note there was no detail of what this meant.

- 5) To note there was a commitment to develop a new Community Centre Strategy, again with no detail or outcomes attached.
- 6) To further note the welcome allocation of £290k from the Shared Prosperity Fund, but again notes there is no indication of how this funding will be spent
- 7) To further note that there is no detail in this report in relation to the outcomes of the organisation review on the Lifelong Learning Service despite this process having concluded in July.
- 8) To note the report in February 2020 to Policy and Sustainability stated at 5.2:  
“The Committee will be kept updated on the outcome of the consultation and on any changes that are made as a result of the feedback received. Elected Member engagement will continue through the consultation period to ensure that any questions, issues or concerns are considered in advance of the final structure being implemented, alongside engagement with the Edinburgh Partnership.”
- 9) To note that there had been no briefing to councillors and no engagement and yet the consultation concluded and the final structure was being implemented.
- 10) To agree, therefore, to receive a further report in one cycle on the detail of the community centre approach before giving approval to this strategy.
- 11) To agree that management committees must be consulted as part of this approach, and their feedback included in the report.
- 12) To agree that all councillors would receive an urgent briefing, within one week, covering:
  - the proposed changes to the Lifelong Learning structure
  - the outcomes that the restructure aimed to deliver
  - detail of what prioritising community centres and community centre management committees actually meant in terms of resource, structure and engagement
- 13) To agree the content of this briefing would be included in the report so that it was available to the public.

(References – Finance and Resources Committee 10 October 2019 (item 11); report by the Executive Director of Place, submitted)

### **13. Edinburgh Leisure – Active Communities Programme Update**

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An update was provided on Edinburgh Leisure’s Active Communities Programme and the role the Active Communities Team played in supporting people who faced the greatest barriers to being physically active to improve and protect their health and wellbeing.

The Chief Executive, Edinburgh Leisure provided further detail to members about the programme and services delivered by the Active Communities Team. Post-Covid restrictions, there had been a steady growth in participants returning to their chosen activity sessions with the Team currently supporting around 810 people each week affected by health conditions, inequalities and poverty to be active.

### **Decision**

To note the work being carried out by Edinburgh Leisure's Active Communities Team to improve the health and wellbeing of Edinburgh citizens.

(References – Culture and Communities Committee of 1 February 2022 (item 11); report by the Executive Director of Place, submitted)

## **14. Response to Motion by Councillor Osler – Physical Activity and Sport Strategy**

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In response to a motion by Councillor Osler, an update was provided on the development of a Physical Activity and Sport Strategy.

A Partnership Group had been established by Council officers which included partners from Edinburgh Leisure, sportscotland, the University of Edinburgh, Scottish Student Sport, public health partners and the Health and Social Care Partnership.

The Group were focussed on gathering intelligence from each of the organisation in advance of developing a draft Strategy along with an Integrated Impact Assessment. It was anticipated that engagement would take place in early 2023 with the consultation expected to begin around Spring 2023.

Thereafter, it was intended to present the final Strategy to Committee for approval around August/September 2023.

### **Motion**

- 1) To note the update provided on development of a Physical Activity and Sport Strategy for Edinburgh as requested on 16 August 2022.
- 2) To note that a Partnership Group had been established to develop the strategy, recognising the importance of working with partners, and that the partners had now agreed a vision for the strategy moving forward.
- 3) To note that the new strategy and resulting action plan would focus on tackling inequality, with a specific theme expected to be included on improving inclusion and diversity and reducing health inequalities.
- 4) To agree that the draft strategy would be subject to a consultation process with specific engagement with Elected Members and equalities groups, as outlined in paragraph 5.2 of the report by the Executive Director of Place.
- 5) To agree that, once the new strategy was approved, an action plan to deliver the strategy would be developed and implemented.

- 6) To engage primarily with core partnership group as soon as possible and then involve key stakeholders to provide steer on strategies.
- moved by Councillor Walker, seconded by Councillor Meagher

### **Amendment**

To agree that representatives from LEAP, Disability Sport Scotland and Passion4 Fusion be invited to participate in the Partnership Group.

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

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 Walker:

- 1) To note the update provided on development of a Physical Activity and Sport Strategy for Edinburgh, as requested on 16 August 2022.
- 2) To note that a Partnership Group had been established to develop the strategy, recognising the importance of working with partners, and that the partners had now agreed a vision for the strategy moving forward.
- 3) To agree that representatives from LEAP, Disability Sport Scotland and Passion4 Fusion be invited to participate in the Partnership Group at the appropriate time.
- 4) To note that the new strategy and resulting action plan would focus on tackling inequality, with a specific theme expected to be included on improving inclusion and diversity and reducing health inequalities.
- 5) To agree that the draft strategy would be subject to a consultation process with specific engagement with Elected Members and equalities groups, as outlined in paragraph 5.2 of the report by the Executive Director of Place.
- 6) To agree that, once the new strategy was approved, an action plan to deliver the strategy would be developed and implemented.
- 7) To engage primarily with core partnership group as soon as possible and then involve key stakeholders to provide steer on strategies.

(References - Culture and Communities Committee 16 August 2022 (item 8); report by the Executive Director of Place, submitted)

## **15. Response to Motion by Councillor Osler – Trees**

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In response to a motion by Councillor Osler, details were provided on the Council's arrangements to inform and engage with local communities in advance of tree planting together with information on managing and maintaining trees planted under the Edinburgh Million Tree City project (including tree watering) and existing trees within the city's green spaces.

## **Motion**

- 1) To note the update on current arrangements for tree management and maintenance across the city.
  - 2) To approve the approach set out in paragraphs 4.9 to 4.19 of the report by the Executive Director of Place for tree management and maintenance.
  - 3) To approve the approach set out in paragraphs 4.21 to 4.25 of the report for engaging with residents and businesses.
  - 4) To note the future actions to be explored.
  - 5) To discharge the actions agreed by the Council on 30 June 2022 in respect of the motion by Councillor Osler on Trees.
  - 6) To consider ways of replacing trees, including planting different species.
- moved by Councillor Walker, seconded by Councillor Meagher

## **Amendment 1**

- 1) To note with concern that there was no assessment of tree mortality within the city currently.
  - 2) To believe that an understanding of tree mortality rates was important to be able to identify problems with trees in the city and to identify solutions to those problems.
  - 3) Therefore, to request a briefing note with further detail from officers about how this could be recorded in the future, what additional resources would be required for this (if any) and details of a proposed process for reporting against tree mortality in the city on a regular basis to ensure that this issue remained high on the Council's agenda.
- moved by Councillor Staniforth, seconded by Councillor Heap

## **Amendment 2**

- 1) To note the update on current arrangements for tree management and maintenance across the city.
- 2) To approve the approach set out in paragraphs 4.9 to 4.19 of the report by the Executive Director of Place for tree management and maintenance.
- 3) To approve the approach set out in paragraphs 4.21 to 4.25 of the report for engaging with residents and businesses.
- 4) To agree that an update come to committee in 2 cycles on the progress and delivery of recommendations 1.1.2 and 1.1.3 and any future actions to be explored.
- 5) To discharge the actions agreed by the Council on 30 June 2022 in respect of the motion by Councillor Osler on Trees.
- 6) To consider ways of replacing trees, including planting different species.

7) To agree to revise the Trees in the City Action Plan, including but not exclusive to the suggestions outlined in 4.14 and 4.15 of the report, with a report back to Committee in two cycles.

- moved by Councillor Thornley, seconded by Councillor Osler

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

### **Decision**

To approve the following adjusted motion by Councillor Walker:

- 1) To note the update on current arrangements for tree management and maintenance across the city.
- 2) To approve the approach set out in paragraphs 4.9 to 4.19 of the report by the Executive Director of Place for tree management and maintenance.
- 3) To approve the approach set out in paragraphs 4.21 to 4.25 of the report for engaging with residents and businesses.
- 4) To agree that an update come to committee in 2 cycles on the progress and delivery of recommendations 1.1.2 and 1.1.3 and any future actions to be explored.
- 5) To discharge the actions agreed by the Council on 30 June 2022 in respect of the motion by Councillor Osler on Trees.
- 6) To consider ways of replacing trees, including planting different species.
- 7) To note with concern that there was no assessment of tree mortality within the city currently.
- 8) To believe that an understanding of tree mortality rates was important to be able to identify problems with trees in the city and to identify solutions to those problems.
- 9) Therefore, to request a briefing note with further detail from officers about how this could be recorded in the future, what additional resources would be required for this (if any) and details of a proposed process for reporting against tree mortality in the city on a regular basis to ensure that this issue remained high on the Council's agenda.
- 10) To agree to revise the Trees in the City Action Plan, including but not exclusive to the suggestions outlined in 4.14 and 4.15 of the report, with a report back to Committee in two cycles.

References – Act of Council No 15 of 30 June 2022; Culture and Communities Committee of 26 April 2022 (item 16), 1 February 2022 (item 14) and 28 January 2020 (item 15); report by the Executive Director of Corporate Services, submitted)

## **16. Motion by Councillor Heap - Library Collection Development (Reflecting Edinburgh's National, Ethnic and Linguistic Diversity)**

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

“Committee:

- 1) Welcomes, further to the discussion of acquiring library resources at the last Culture and Communities Committee meeting, the publication of the briefing note Provision of Ukrainian Language Book Stock in Edinburgh Libraries (‘the briefing note’).
  - 2) Thanks the staff of the library services for the excellent work noted therein they have done to ensure Ukrainian refugees have access to library resources in appropriate languages, including providing lending collections of Ukrainian language books and Ebooks, and ensuring relevant library services are provided through engaging with community groups and representative organisations.
  - 3) Requests a report to be made to Committee within 3 cycles containing information on:
    - (a) What steps have been taken to realise the aims laid out in Section 4 (“Next Steps”) of the briefing note to ensure expanded provision of library resources for refugees from Ukraine
    - (b) How the Council develops its library collections to meet reader needs arising from the city’s growing national, ethnic and linguistic diversity, including how it meets the needs of its readers who are
      - (i) Refugees
      - (ii) Asylum seekers
      - (iii) BAME (Black, Asian and Minority Ethnic) people
      - (iv) People for whom English is not their first language
- moved by Councillor Heap, seconded by Councillor Staniforth

### **Decision**

To approve the motion.

## **17. Edinburgh's Christmas - Emergency Contract Award - Referral from the Finance and Resources Committee**

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The Committee, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting during consideration of the following item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 12 and 15 of Part 1 of Schedule 7A of the Act.

The Finance and Resources Committee had referred a report on the Emergency Contract Award to this Committee for consideration.

## **Decision**

To note the report.

(Reference – referral report from the Finance and Resources Committee 10 October 2022, submitted)